

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

128th Legislative Day

June 13, 1990

Speaker McPike: "House will come to order. The Chaplain for today is Reverend Robert Chambliss of the First Christian Church in Blue Mound. Reverend Chambliss is the minister from Representative Noland's district. The guests in the balcony may wish to rise and join us for the invocation."

Reverend Chambliss: "Let us pray. Almighty God, we praise and thank Thee for the rites of spring, giving us crops in the field, and flowers in our gardens, and sunshine for body and soul. We thank Thee for work to do and for the leisure hours to rest. We thank Thee for our families, our friends and our neighbors. Help us as well to be sensitive to those in our jurisdictions whose faces and names we do not know. Let Thy special blessing and guidance fall on this House, that good and fair decisions may be reached, and that the best may happen to Illinois. May the day come when the kingdoms of this world may become Thy kingdoms, when each man may sit under his own vine and fig tree and none shall make them afraid. Teach us how to make true peace, the hallmark of every relationship to the end that all may grow in fulness of life without regard to political party, color, geography or faith. Give, we pray, this Body both the responsibility and the satisfaction of leadership. In Jesus Name. Amen."

Speaker McPike: "We'll be led in the Pledge of Allegiance by Representative Ropp."

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

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

Matijevich: "Mr. Speaker, I have no report of any excused

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

128th Legislative Day

June 13, 1990

absences on this side of the aisle."

Speaker McPike: "And Mr. Kubik, any excused absences there?"

Kubik: "Not on this side of the aisle, Mr. Speaker."

Speaker McPike: "Thank you. Take the Roll, Mr. Clerk. 118 Members answering the Roll Call. A quorum is present. Committee Report."

Clerk O'Brien: "Representative Leverenz, Chairman of the Committee on Appropriations I, to which the following Bills were referred, action taken June 13, 1990, reported the same back with the following recommendations: 'do pass' Senate Bills 1922, 1535, 1536, 1821, 1537, 1797, 1822, and 1816; 'do pass as amended' Senate Bills 1800, 1815, and 1813."

Speaker McPike: "Supplemental Calendar."

Clerk O'Brien: "Supplemental Calendar #1 is being distributed."

Speaker McPike: "Representative Flinn in the Chair."

Speaker Flinn: "About time, I'll tell you that. I've been looking for this place for a long time. Ladies and Gentlemen of the House, if I could have your attention just for a moment. It is my pleasure very much to introduce to you a young lady, who is Miss Teen Illinois (sic - Miss Illinois-Teen USA). And she is looking forward, and I told her just a few minutes ago, she's looking forward to being Miss America and maybe Miss Universe, who knows? We'll go on from there. But I would like to introduce to you, Miss Terri Bollinger from Dupou, Illinois in my district. And her mother and dad are standing behind us here. She will introduce her mother and dad. She's going to say a few words, but first I would like to give her...give her this Resolution, which was passed by the House of Representatives on June the 6th. Miss Bollinger, it is our pleasure to give you this Resolution and good luck in your future endeavors. Miss Bollinger. Terri Bollinger."

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

128th Legislative Day

June 13, 1990

Terri Bollinger: "Thank you, Mr. Flinn. Mr. Speaker, Ladies and Gentlemen of the House, I am honored to be speaking before you here today. On July 16th I will be representing our great state at the Miss Teen USA pageant, live on CBS from Biloxi, Mississippi at 8 p.m. I'm proud to be from the State of Illinois. And I'm even prouder to be an American. The last four letters of the word American spells 'I can'. Certainly there is no better description of the American will, than is symbolized by those two small words. I can. Hopefully, I can serve as an example of what is right about young America. There are so many other strong young leaders, who have distinguished themselves in high school careers and like myself are preparing for higher academic achievement. We recognize the importance of academic excellence if we are to meet our responsibilities of tomorrow. Please be assured that as future leaders we will take the philosophy of 'I can' forward to meet the responsibilities of our citizenship that you so nobly attack each day. We thank you for your example. At this time I would like to take the opportunity to introduce my parents, Joan and Al Bollinger."

Speaker Flinn: "Thank you, Terri. And thank all of you for your time. We appreciate very much the opportunity to talk to you today, don't we, Terri? And Senator Hall is here, too. He's not allowed to speak. He's in the wrong House. Thank you."

Speaker Young, A.: "Anthony Young in the Chair. Representative Ropp."

Ropp: "Thank you, Mr. Speaker. I just wanted to make an announcement announcing the fact that the House has carried on its annual tradition of soundly trouncing the Senate last night to the tune of 9 to 1."

Speaker Young, A.: "A Message from the Senate."

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

128th Legislative Day

June 13, 1990

Clerk O'Brien: "A Message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am direct to inform the House of Representatives that the Senate has concurred with the House in passage of the Bills of the following title, to wit; House Bill #3028 together with Senate Amendment #2, passed the Senate as amended June 13, 1990. Linda Hawker, Secretary.'"

Speaker Young, A.: "We are going to the Order of Banking, Second Readings. The Sponsors on this Order are Flinn, Hicks and Countryman. The first Bill is Senate Bill 1051, Representative Flinn. Representative Flinn. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1051, a Bill for an Act to create the Savings Bank Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young, A.: "Are there any Floor Amendments?"

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

Speaker Young, A.: "Representative Flinn."

Flinn: "I would suggest that we move it to Third with the idea that we take it back to Second Reading for a prospective Amendment. We've got one technical Amendment. But it's not been printed and distributed yet. So, if we move it to Third, I would agree to pull it back to Second for the Amendment."

Speaker Young, A.: "Third Reading. Senate Bill 2083, Representative Hicks. Out of the record. Senate Bill 2216, Representative Countryman. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2216, a Bill for an Act to amend the Principal and Income Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young, A.: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

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

128th Legislative Day

June 13, 1990

Speaker Young, A.: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Young, A.: "Third Reading. We now go to the Order of Education, Second Readings. The Sponsors on this Order are Turner, LeFlore, Levin, Kirkland, and Steczo. Senate Bill 1523, out of the record. Senate Bill 1585, out of the record. Senate Bill 1591, Representative Levin. Out of the record. Senate Bill 1766, Representative Kirkland. Representative Kirkland. Out of the record. Senate Bill 1843, Representative Steczo. Out of the record. We will now go to the Order of Environment, Second Reading. The Sponsors are: Balanoff, Brunsvold, Breslin, and Goforth. First Bill is Senate Bill 1508, Representative Balanoff. Out of the record. Senate Bill 1838, Representative Brunsvold. Out of the record. Senate Bill 2001, Representative Breslin. Senate Bill 2001, out of the record. Senate Bill 2037, Representative Goforth. Out of the record. Senate Bill 2038, Representative Weaver. Out of the record. Senate Bill 2010, Representative Hicks. Out of the record. Senate Bill 2119, Representative Hallock. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2119, a Bill for an Act to amend the Wildlife Code. Second Reading of the Bill. No Committee Amendments."

Speaker Young, A.: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Young, A.: "Third Reading. Senate Bill 2253, Representative Currie. Out of the record. We now go to the Order of Criminal Law, Second Reading. The Sponsors are Hensel, Homer, Goforth, Matijevich. The first Bill is Senate Bill 1515, Representative Hensel. Out of the record. Senate Bill 1518, Representative Homer. Out of the record. Senate Bill 1845, Representative Matijevich.

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

128th Legislative Day

June 13, 1990

Out of the record. Senate Bill 1874, Representative Weller. Out of the record. Senate Bill 2106, Representative Parcels. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2106, a Bill for an Act to amend an Act in relation to fees. Second Reading of the Bill. No Committee Amendments."

Speaker Young, A.: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Young, A.: "Third Reading. We will now go to the Order of State and Local Governments - Second Reading. The Sponsors are: Bugielski, DeJaegher, Steczo, Hartke, Hicks, Giorgi, Parke and Brunsvold. First Bill is Senate Bill 1418, Representative Bugielski. Read the Bill, Mr. Clerk. 1484."

Clerk O'Brien: "Senate Bill 8...1484, a Bill for an Act to create the Illinois Economic Development Board. Second Reading of the Bill. No Committee Amendments."

Speaker Young, A.: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Young, A.: "Third Reading. Senate Bill 1571, Representative DeJaegher. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1571, a Bill for an Act in relation to transfer of properties. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young, A.: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Young, A.: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Young, A.: "Third Reading. Senate Bill 1617, Representative Steczo. Out of the record. Senate Bill 1619, Representative Hartke. Out of the record. Senate Bill 1649, Representative Hicks. Out of the record. Senate Bill 1659, Representative Giorgi. Read the Bill,

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

128th Legislative Day

June 13, 1990

Mr. Clerk."

Clerk O'Brien: "Senate Bill 1659, a Bill for an Act in relation to local government. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young, A.: "Are there any Motions filed?"

Clerk O'Brien: "A Motion to table Amendment #1 by Representative Giorgi."

Speaker Young, A.: "Representative Giorgi."

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

Speaker Young, A.: "The Gentleman has moved to table Amendment #1 to Senate Bill 1659. On that Motion is there any discussion? Hearing none. The question is, 'Shall the Amendment be tabled?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is tabled. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young, A.: "Third Reading. Senate Bill 1709, Representative Parke. Out of the record. Senate Bill 1776, Representative Cullerton. Out of the record. Senate Bill 1949, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1949, a Bill for an Act to amend an Act relating to cemeteries. Second Reading of the Bill. No Committee Amendments."

Speaker Young, A.: "Are there any Floor Amendments?"

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

Speaker Young, A.: "Representative Parcels. Representative Parcels. Representative Cullerton."

Cullerton: "Yes. My experience is that the Republicans are always available, they are never off the floor. So, I'm sure she's got to be around."

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

128th Legislative Day

June 13, 1990

Speaker Young, A.: "Representative Parcels."

Cullerton: "See. I was right."

Parcels: "Thank you, Mr. Chairman. I wanted to withdraw Amendment #1."

Speaker Young, A.: "Withdraw Amendment #1. Any further Amendments?"

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

Speaker Young, A.: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. This Amendment would merely put a date in after which the Amendment, which was adopted in the Senate, there could not be a special township meeting to have tax funds...township funds pay for private cemeteries. This is to help out a township in downstate that is presently paying some of the township funds to fund a private cemetery, but in order to keep this from happening again, we wanted to put a date of January 1, 1990, and then there would be no problem with anybody else trying to pass this law. I'd ask for adoption of Amendment #2 to Senate Bill 1949."

Speaker Young, A.: "Could we have a little order in the chamber, please. Order in the chamber. The Lady has moved for the adoption of Floor Amendment #2 to Senate Bill 1949. On that question, Representative Cullerton."

Cullerton: "Yes. My understanding...will the Sponsor yield for a question?"

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

Cullerton: "Yes. My understanding is that this Bill was the product of negotiations between the funeral industry, cemetery industry. And I just wanted to know what the genesis of this Amendment is. Does this come from some township organizations, or does this come from the cemetery association, or where?"

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

128th Legislative Day

June 13, 1990

Parcells: "This came from a particular Senator who was having a problem with one township and it would really just cover one township which is why this Amendment. Which was an Amendment in the Senate, but they were using an effective date of January 1, 1991, and I just changed the date to January 1 of 1990, so nobody else could get themselves into the same fix that the township downstate was having."

Cullerton: "Okay. What was the Senator?"

Parcells: "Senator Donahue."

Cullerton: "Senator Donahue? Oh, yes! Okay. I remember that. I...I remember that. Now, does Representative Kubik have an Amendment to this Bill? No. Okay. Fine."

Parcells: "He removed his. His was Amendment #1."

Cullerton: "I...I concur with the Amendment then."

Speaker Young, A.: "Further discussion? The Gentleman from Warren, Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker Young, A.: "Indicates she will yield."

Hultgren: "Representative Parcells, your Amendment affects the Donahue Amendment in the Senate, which was intended to address the situation of the Avon Township Cemetery. Has your Amendment...have you discussed it with Senator Donahue?"

Parcells: "Does it what?"

Hultgren: "Have you discussed your Amendment with Senator Donahue?"

Parcells: "Yes. My Amendment does not affect her's except for date. She made her's become effective January 1 of 1991, but it is affecting legislation that has already been passed in the township."

Hultgren: "So, Senator Donahue is agreeable?"

Parcells: "She is agreeable to this."

Speaker Young, A.: "Further discussion? Hearing none. The

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

128th Legislative Day

June 13, 1990

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

Clerk O'Brien: "No further Amendments."

Speaker Young, A.: "Third Reading. Senate Bill 1965, Representative Cullerton. Representative Cullerton, Senate Bill 1965. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1965, a Bill for an Act relating to compulsory retirement of judges. Second Reading of the Bill. No Committee Amendments."

Speaker Young, A.: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 offered by Representative Churchill and Deuchler."

Speaker Young, A.: "Representative Deuchler...Representative Churchill."

Churchill: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #1 to Senate Bill 1965 creates new judgeships. In the 19th circuit there would be three additional judgeships. In the 18th circuit there would be three additional judgeships. And in the 16th circuit there would be one additional judgeship."

Speaker Young, A.: "The Gentleman has moved for the adoption of Floor Amendment #1. On that question is there any discussion? Representative Cullerton."

Cullerton: "Yes. Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I oppose the Amendment. The Amendment creates new judgeships. I don't think that the time is ripe for us to create these new judgeships at this time. And so, since I am the Sponsor of the Bill. I oppose the Amendment. I would urge Members of the General Assembly to allow me to keep the Bill as is and to oppose these judges. Now I...I...I'm sure it is just coincidental that most of

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

128th Legislative Day

June 13, 1990

them would be in Republican counties, and I'm not saying that at a future date they could make the argument that they need these judges. But it costs the state money, I'm sure it is not in the budget. And at this time I would urge people to vote 'no' on this Amendment to create new judges."

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

McCracken: "The reason the time isn't right is because this will not result in a chip being available for the Democrats at the close of business. This is perceived as a Republican full employment Bill. We have a legitimate need for more judges in the collar counties. Cook County does not have that need. I think that if we cannot get the Amendment on now based on its merits, it inevitably will be held up and used as a bargaining chip at the close of Session. Let's not politicize the judiciary. We have a demonstrated need for these additional judgeships. Our populations are growing dramatically. Cook County's population has leveled off. It does not need more openings for judges. We do. Let's go with it on the merits. I rise in support of the Amendment."

Speaker Young, A.: "The Lady from Kane, Representative Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House, I certainly speak in support of the Amendment 1 to Senate Bill 1965. I have a letter in my hand signed by our Chief Judge Patrick Dixon. We are asking for one additional circuit judge...one and a half judges currently are assigned to DUI. These judges handle as many as 3500 cases. And I think it is extremely...shortsighted not to adjust our court schedules to the needs of today. And we certainly are going to be working at an extreme hardship if you do not let us vote on this Amendment."

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

128th Legislative Day

June 13, 1990

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

Klemm: "Well, thank you, Mr. Speaker. We're speaking about the fastest growing area in Illinois right now. Kane, McHenry, Lake counties...DuPage County, Will County...those areas are the fastest growing. When I talk to our judgeships and I see the load of cases that are piling up, the statement that many of you say justice denied...or justice is not done. Certainly, we do not want to have these cases lingering on the docket as they are. And every year we're getting thousands more cases on our docket. It would seem to me rather than making it political every time we turn around and trying to serve the criminal justice system about trying to keep the constituents at least having some fast justice...some...reducing this case load, that we're be doing really a service in actually saving some money in the long run. So, I certainly urge some support on this. It's non-bipartisan effort, that I'd like. And I would ask for a Roll Call on this, Mr. Speaker."

Speaker Young, A.: "Representative Churchill to close."

Churchill: "Thank you, Mr. Speaker. I think that...Representative Cullerton understands and recognizes the need for these additional judgeships. And the question that he has is one of whether or not this is the appropriate time to do that. I would suggest to Representative Cullerton that we should have put this Amendment on the Bill now. This will allow us an opportunity to send it back to the Senate and then whatever has to occur in the Senate can occur, and we can end up with this Bill at a later stage in this process. There will come a time in this process where I believe this Bill, or something like it will pass. So it is just a question of how we get there, and this is one method of doing it, by

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

128th Legislative Day

June 13, 1990

putting this Amendment on it at this time. I would ask for a favorable vote on Amendment #1 to this Bill."

Speaker Young, A.: "The question is, 'Shall Floor Amendment #1 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 51 voting 'yes', 61 voting 'no', 1 voting 'present', and the Amendment fails. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Young, A.: "Third Reading. Senate Bill 1994, Representative DeLeo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1994, a Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Young, A.: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Young, A.: "Third Reading. Senate Bill 2012, Representative Peterson. Representative Peterson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2012, a Bill for an Act to amend the status of statutes. Second Reading of the Bill. No Committee Amendments."

Speaker Young, A.: "Representative Peterson."

Peterson: "Mr. Speaker, I would like this Bill taken out of the record."

Speaker Young, A.: "Out of the record. Senate Bill 2014, Representative Peterson. Out of the record. Senate Bill 2036, Representative Saltsman. Out of the record. Senate Bill 2084, Representative Ewing. Out of the record. Senate Bill 2131, Representative Kirkland. Out of the record. Senate Bill 2171, Representative Keane. Out of the record. Senate Bill 2306, Representative Cullerton."

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

128th Legislative Day

June 13, 1990

Out of the record. We now go to the Order of Human Services, Second Reading. The Sponsors on this Order are: Steczo, McGann, Didrickson, Levin and Phelps. The First Bill is Senate Bill 1906, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1906, a Bill for an Act to amend an Act concerning nursing homes. Second Reading of the Bill. No Committee Amendments."

Speaker Young, A.: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Young, A.: "Third Reading. Senate Bill 2075, Representative McGann. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2075, a Bill for an Act to amend certain Acts in relation to mentally ill. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young, A.: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Young, A.: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Young, A.: "Third Reading. I have been told by the Doorkeeper that there were a pair of sport sunglasses left on Representative Jessie White's chair. Anyone missing a very fine looking pair of sunglasses, see the Doorkmen. Senate Bill 2076, Representative McGann. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2076, a Bill for an Act to amend the Mental Health Developmental Disabilities Confidentiality Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young, A.: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Young, A.: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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

128th Legislative Day

June 13, 1990

Speaker Young, A.: "Third Reading. Senate Bill 2113, Representative Didrickson. Out of the record. Senate Bill 2195, Representative Levin. Out of the... Representative Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2195, a Bill for an Act to amend an Act in relation to rehabilitation to disabled persons. Second Reading of the Bill. No Committee Amendments."

Speaker Young, A.: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Young, A.: "Third Reading. Senate Bill 2277, Representative Phelps. Out of the record. We now go to the Order of Insurance, Second Reading. The Sponsors are Representatives Hasara and Countryman. The First Bill is Senate Bill 1578, Representative Hasara. Representative Hasara. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1578, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. No Committee Amendments."

Speaker Young, A.: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Young, A.: "Third Reading. Senate Bill 2099, Representative Countryman. Out of the record. We will now go to the Order of Transportation, Second Reading. Could we have it a little quiet in the chamber, please. Little quiet in the chamber. The Sponsors on this Order are Representatives Wait, Parcels, Homer, LeFlore and Mautino. The First Bill is Senate Bill 1531, Representative Wait. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1531, a Bill for an Act to amend the Illinois Highway Code. Second Reading of the Bill. No Committee Amendments."

Speaker Young, A.: "Are there any Floor Amendments?"

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

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

128th Legislative Day

June 13, 1990

Steczo and Van Duyne."

Speaker Young, A.: "Representative Steczo, on Floor Amendment #1 to Senate Bill 1531."

Steczo: "Thank you, Mr. Speaker. Members of the House, Amendment #1 to Senate Bill 1531 tries to address a problem that this House dealt with last year successfully. Unfortunately, there was a few problems in the Senate that needed to be ironed out. This deals with the question of access off Interstate highways by semitrailer trucks and by trucks. Generally, and presently, in the law it specifies that operating vehicles have access of five miles on a street or highway included off the interstate, and it says that those five miles shall be used for points of unloading, loading and for fuel and for repairs, food and rest. What's happened in many cases is that local jurisdictions have not posted those roads. So, what happens these trucks that have to make deliveries in particular are getting ticketed and having trouble because they have no access to their points of delivery. Last year myself and Representative Van Duyne met with county highway commissioners and other individuals and indicated to them that it was important for these individuals to have access. So, Amendment #1 to Senate Bill 1531 indicates that in downstate areas that the local authorities or road commissioners shall designate routes to points of loading and unloading within five miles. This means that if those trucks need to get off the interstate and need to make deliveries only that they can do that. If it is food, or fuel, or repairs, or rest, that's not covered by this Amendment, but commerce dictates that there should be access to points of loading and unloading. While there was not an agreement last year, it was felt, we felt that what we had was reasonable and in fact now since those counties and some others have shared

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

128th Legislative Day

June 13, 1990

in the increased gas tax receipts we've provided for them last year, that this Bill even makes more sense. So, I would answer any questions that the Members of the House might have, or if not, would appreciate the adoption of Amendment #1."

Speaker Young, A.: "The Gentleman has moved for adoption of Floor Amendment #1 to Senate Bill 1531. On that question the Gentleman from Cook, Representative Piel."

Piel: "Thank you, Mr. Speaker. Will the Gentleman yield for a couple questions?"

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

Piel: "Terry, the genesis seems familiar. Now have we heard this concept before in the past?"

Steczo: "Representative Piel, the House passed this concept...this House Bill 712 last year."

Piel: "And what was the vote on that when it passed?"

Steczo: "I...I'm sorry. I can't hear you."

Piel: "Mr. Speaker, he can't hear my questions. Could we have some order?"

Speaker Young, A.: "Could we have some order in the House, please. A little order in the House."

Piel: "Was that a unanimous vote...or a...when it passed out of here?"

Steczo: "Well, I would say, Representative Piel, that while not unanimous, was certainly more than partisan."

Piel: "You say it was a partisan vote?"

Steczo: "I said it was more than partisan."

Piel: "I just had it handed to me, Terry. 65 - 49."

Steczo: "Was it 65 - 49? I thought it was a larger vote than that. I don't have my notes."

Piel: "65 - 49...let me ask you this. As I say I wasn't leading into a question because, as I say, it was just handed to me. What seems to be the major stumbling block? To me it

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

128th Legislative Day

June 13, 1990

seems like we're usurping the authority of the local officials by saying that...or I mean of the transportation officials and giving it to the local officials to where all of a sudden a truck might have to drive thirty, forty, fifty miles out of its way to get a load delivered, or there could be situations to where a truck might not be able to deliver a load at all, because of local authorities saying that trucks can't travel on certain roads."

Steczo: "Representative Piel, if I could respond to your question, what happens now is either that those deliveries are not made or a truck that carries a certain number of poundage is required to break up the load into two loads so that load can be delivered. But if you look at the language of the current law, the current law indicates that there should...there should be access five miles off the highway to certain designated points...in...on roads designated by local authorities. So, the presumption in this law is that if local authorities do not designate those roads, then the trucks can't use them. And local authorities have not designated the roads. So, when we met last year with representatives from the local counties and municipalities...what have you. We indicated that while the current law provides this access for food and fuel, repairs and rest, there is enough of that near the highway that wouldn't necessitate them having to designate. But there is legitimacy in having them designate for deliveries...access for deliveries, and that's all this Bill does. It says...this Amendment does...it says that they should be able to tell trucks where to go and what roads to use to be able to have access to their points of delivery."

Piel: "Could not this...the Bill, or the Amendment the way it is written though cause a truck to have to drive twenty,

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

128th Legislative Day

June 13, 1990

thirty, forty, fifty miles out of the way? Let's just say that they are supposed to get off..."

Steczo: "Representative, now they can't drive it at all."

Piel: "Okay, but...Alright, but...Correct me if I'm wrong. But this Amendment basically gives the authority to local municipalities to stop truck traffic, correct?"

Steczo: "Could you repeat the question, please, Representative Piel?"

Speaker Young, A.: "Ladies and Gentlemen of the House, could we have a little order please. The Gentleman cannot hear the questions and answers. Could we have some order please. Will all persons who are not entitled to be on the House floor move to the rear of the chambers, so we can have some order in the House."

Piel: "Let me give a hypothetical example and you tell me where we are with current law, and where we would be with the Amendment. Alright. A truck is trying to get off of Exit #1. He's got to go to town B, but in that process he's got to drive through town A. Now, can, under current law or with the Amendment, town A stop him from going through or...you know, possibly there is only one road that goes around that town...could this, or does the present law stop him from doing that?"

Steczo: "The present law says...provides access...the present law provides access to points designated by local authorities or road district commissioners to points of loading and unloading. Okay, and it says 'shall have'. But what has happened is that the local road people have never designated these highways. So, what we're trying to say is, that they shall designate access routes to point of loading and unloading within these same five miles. So, from a point five miles off the interstate...so it's only interstate highways that we're talking about,

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

128th Legislative Day

June 13, 1990

Representative Piel. Five miles off the interstate..."

Speaker Young, A.: "Representative Steczo. Representative Piel, bring your remarks to a close."

Steczko: "Mr. Speaker, just to finish my remarks. Five miles off the interstate they would have to designate an access route. Not all the roads, whichever roads they feel are unsafe and unable to handle the traffic aren't designated, but there is some consideration that should be given to legitimate roads that can handle the traffic."

Piel: "I understand. Thank you very much."

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

Klemm: "Thank you, Mr. Speaker. To maybe answer Representative Piel's question...the law, as I understand it, now allows township road commissioners by permit to allow these size 80,000 pound trucks to be used on township roads. So, it can be done if the local township road commissioner feels those roads are built to handle that kind of tonnage. But I think most of us from rural parts of Illinois can understand that 80,000 pounds is a pretty heavy truck. And the township road commissioners and the township road district receives none of the motor fuel tax or the diesel surtax that we charge on those extra heavy trucks. They get no extra money to fix these roads up. And we're talking about as I understand it a problem that I believe one of the Representatives from Will County has had for some time is having a local problem with currently a commissioner who feels that road cannot handle that kind of load and is not granting that permit. So, what we're now being asked is that we should change the law all over this State of Illinois, and have every road commissioner be mandated to end up putting these 80,000 pound trucks on small rural township roads, even though the roads can't

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

128th Legislative Day

June 13, 1990

take it. Then who best would know what kind of condition those roads should be. Certainly not us here in the General Assembly, we don't travel those roads. But certainly the elected official, the township road commissioner would be the best one. And if they do in fact feel that certain arterial roads in that township road system can in fact handle 80,000 pounds. They can under existing law issue a permit. Now, what could be more fair than that? I'm surprised and disappointed, that this Amendment which tends to be hostile on my Bill, on Representative Wait's Bill, that we had some commitments that we'd keep clean, is now being loaded on something that was unsuccessful in periods before in the other General Assemblies where we've turned it down. I think this issue can be addressed, I think, later on. I would appreciate not having this hostile Amendment put on my Bill, that we've worked hard on agreements. And I don't think it's necessary under current law. I ask you to vote 'no' on this Amendment."

Speaker Young, A.: "The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, this Amendment is a good Amendment. It's a clarification of existing law. And it prevents an abuse of the present law, currently permits local authorities to designate within five miles from a state route, a truck which was normally legal under the existing load limits. It provides they can get to the business for the purpose of loading and unloading. The problem was that a lot of these local authorities weren't designating and were stopping the flow of commerce by not designating those roads. This will clear it up and we'll get to provide that it's mandatory...they shall designate a route to permit entry.

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

128th Legislative Day

June 13, 1990

This will speed up the flow of commerce and be a great aid to industry in Illinois."

Speaker Young, A.: "The Gentleman from Logan, Representative Robert Olson."

Olson, R.: "Thank you, Mr. Speaker. To the Bill. This is a...almost annual Bill...this Amendment has been here in Bill form, and I recognize that one or two Representatives have this problem in their districts, but a statewide Bill is not the answer. The reason many of the locals do not designate roads is because they do not have the roads to handle these long and heavy trucks. There are times in our rural areas where we can't even take the smaller trucks. Any shipper who wishes to move across the interstates and go off into rural areas, smaller communities and abuse roads should also forgive then the use of those large trucks and buy the smaller trucks which we can accept. This is a bad Bill for downstate. I urge its defeat."

Speaker Young, A.: "Could we have quiet in the chamber? The Gentleman from Will, Representative Van Duyne."

Van Duyne: "Thank you. Thank you, Mr. Speaker. There is no one, especially Steczo or myself, that argues with what Representative Olson just said, or with what Representative Klemm said. I have said repeatedly that I thought the local township road commissioners should be addressed in terms of money to take care of these roads, but that is no reason to defeat the access. So far the road commissioners have dragged their feet all along, with the excuse that they get no money to repair these roads with. Well, I...I don't argue that point. Let's change the law so they do get some recompense for taking care of these bigger trucks. But the fact of the matter is that our manufacturing society needs to get these trucks off of the road. What

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

128th Legislative Day

June 13, 1990

sense does it make to stop a semi along the highway or in some parking lot and to have him break up a load in order to get it onto a smaller truck for delivery to a factory or from this factory. Let's at least address this thing sensibly and logically, if the road commissioners need the money to fix these roads because of the larger trucks, then let's give them a penny or two with which they will fix the roads. Now, we've been arguing this thing for years and years and years. In answer to Mr. Klemm's charge, that this is a bad Bill and therefore we shouldn't be putting this Amendment on the Bill. The real reason...this Bill got out of committee is because of the fact that Representative Steczo and I talked this over in committee and said let's support the Bill to get it out so we could amend the Bill on Second Reading on the House Floor. Now I lend my support to this Amendment. I lend my name to the Amendment with the common sense approach that there has got to be something done sooner or later. And if fixing the roads is necessary, then let's give the township road commissioners a penny or two out of the transportation fund and let them get on with it. What Steczo and I are trying to do is to force them to designate the most direct route from the point of debarkation from the highway to the factory. Now, that makes sense. And if they need money to fix the roads, then let's give them to them...give the money to them. But it doesn't make any sense to defeat this Amendment because of that picayunish argument. So, I ask you to use your good common sense, especially the Republican side of the aisle over there, who is supposed to be for the manufacturers. We're not trying to cheat the township road commissioner out of his just dues. So, I ask you to use some common sense and vote for this Amendment."

Speaker Young, A.: "The Gentleman from Boone, Representative

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

128th Legislative Day

June 13, 1990

Wait."

Wait: "Thank you. Ladies and Gentlemen of the House, as Sponsor of the Bill I'd totally be opposed to this Amendment. This is strictly a hostile Amendment, which would cause the whole Bill to go down in defeat. I might just say locally in our county we have worked...the township and county have worked with our truckers. We had some grain elevators that couldn't get the 80,000 pound trucks out. Any by working together they were able to work it out. We don't need this type of legislation coming out of Springfield to force something on there until we have the money to go with it. I say I'd be happy to work the Representative on this. If we can come up with a Bill to put the money in this type of Bill, I'd be happy to do it. But please, don't put this...this is a hostile Amendment would cause the Bill to be killed. I'd ask for a Roll Call vote. Thank you."

Speaker Young, A.: "The Gentleman from Vermilion, Representative Steczo to close."

Steczko: "Thank you, Mr. Speaker. Members of the House, let me first indicate to the Sponsors and the other Members of the House that this Amendment in fact is not intended to be hostile. When this Bill was heard last week in the Counties and Townships Committee, the Chairman and myself let it be known that we were going to be offering this in a way to make it...more of an asset to the passage of this legislation. So, we are attempting to try to deal with a problem, but not at all be hostile to the...stated purposes of the original Bill. But I would suggest to some of the individuals that commented that this Bill has been tried before and hasn't passed before. One of the things I will mention to you, that last year we sat down with local road commissioners...county highway people, and what have you and took into account their concerns. The product of those

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

128th Legislative Day

June 13, 1990

concerns, which was not agreed to certainly took into affect their concerns, passed this House, which was the first time this had ever happened previous...previously. So, so that product is contained have in this Amendment to Senate Bill 1531 and all it does is opens up a window of opportunity to trucks coming off the interstate, like they should have under the current law. It does not mean that the township highway commissioners or any other road district commissioner or what have you, will have to designate a road that can't handle the weight. If a road cannot handle the weight, it does not have to be designated. What we are trying to do is to allow trucks access on those roads which can handle the weight. That's the only intention here and it's only fair that we do that. There's those that suggest this is the case in the current law and it reads like it should be, so we actually need to have commerce flow smoothly and be able to allow access for these trucks. So, I would, Mr. Speaker, just reiterate that this Amendment is not intended to be hostile. It just opens up a small window of opportunity for deliveries only, and I would ask for your 'aye' votes. And it is also Representative Van Duyne's last Amendment."

Speaker Young, A.: "The Gentleman has moved for the adoption of Floor Amendment #1 to Senate Bill 1531. On that question all those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 49 voting 'yes', 56 voting 'no', 3 voting 'present' and the Amendment fails. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Young, A.: "Representative Shirley Jones wishes to be recorded as 'no' on the last Amendment. Third Reading.

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

128th Legislative Day

June 13, 1990

Senate Bill 1550, Representative Parcells. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1550, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young, A.: "Third Reading. Senate Bill 1974, Representative Homer. Out of the record. Senate Bill 2176, Representative LeFlore. Out of the record. Senate Bill 2239, Representative Mautino. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 2239, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Young, A.: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young, A.: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Young, A.: "Third Reading. Senate Bill 2291, Representative LeFlore. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 2291, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young, A.: "Third Reading. We will go back to do Senate Bill 2176, Representative LeFlore. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 2176, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Young, A.: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is offered by Representative Myron Olson."

Speaker Young, A.: "Representative Myron Olson...on Floor Amendment #1. Has this Amendment been printed and

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

128th Legislative Day

June 13, 1990

distributed? This Amendment has not been printed and distributed. Take the Bill out of the record. Representative LeFlore."

LeFlore: " Mr. Speaker."

Speaker Young, A.: "Yes."

LeFlore: "I move to table Amendment #1."

Speaker Young, A.: "Representative LeFlore moves to table Amendment #1. On that Motion is there any discussion? Hearing none, the question is, 'Shall the Amendment be tabled?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is tabled. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Young, A.: "Third Reading. Senate Bill 1974, Representative Homer. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 19..."

Speaker Young, A.: "Out of the record. We will now go to the Order of Children, Second Reading. The Sponsors on this Order are: Trotter and Cullerton. The first Bill is Senate Bill 1593, Representative Trotter. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1593, a Bill for an Act to amend the Illinois Alcoholism and other Drug Dependency Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young, A.: "Third Reading. Senate Bill 1612, Representative Cullerton. Out of the record. We will now go to the Order of State Government Administration, Second Readings. The Sponsors are: Capparelli, Phelps, Stern, Myron Olson and Munizzi. The first Bill is Senate Bill 1497, Representative Capparelli. Out of the record. Senate Bill 1700, Representative Phelps. Representative Phelps? Out of the record. Senate Bill 1904,

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

128th Legislative Day

June 13, 1990

Representative Stern. Representative Stern? On Senate Bill 1904, out of the record. Senate Bill 2105, Representative Myron Olson. Out of the record. Senate Bill 2229, Representative Munizzi. Out of the record. On the Order of Horse Racing, Second Reading. The Sponsors are: Hicks and Novak. The first Bill is Senate Bill 1065, Representative Hicks. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1065, a Bill..."

Speaker Young, A.: "Out of the record. Senate Bill 1768, Representative Novak. Out of the record. Senate Bill 2056, out of the record. We will now go to the Order of Labor, Second Reading. The Sponsors are Kulas, McPike and Saltsman. First Bill is Senate Bill 1501, Representative Kulas. Out of the record. Senate Bill 1638, Representative McPike. Out of the record. Senate Bill 1704, Representative Saltsman. Out of the record. On the Order of Civil Law, Second Reading. The Sponsors are Black, Breslin, John Dunn and Cullerton. The First Bill is Senate Bill 1643, Representative Black. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1643, a Bill for an Act to amend the Juvenile Court Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young, A.: "Third Reading. Senate Bill 1736, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1736, a Bill for an Act to amend the Medical Practice Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Young, A.: "Third Reading. Representative Breslin."

Breslin: "I'd ask leave that the Bill be held on Second, please."

Speaker Young, A.: "Hold the Bill on Second, Mr. Clerk. Senate Bill 1767, Representative John Dunn. Read the Bill, Mr. Clerk."

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

128th Legislative Day

June 13, 1990

Clerk Leone: "Senate Bill 1767, a Bill for an Act in relationship to grandparent visitation rights. Second Reading of the Bill. There are no Committee Amendments."

Speaker Young, A.: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1 is being offered by Representative Stange and Leverenz."

Speaker Young, A.: "Representative Stange on Floor Amendment #1."

Stange: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, fortunately, Senator Marovitz put an Amendment on this Bill in the Senate to change a Bill that we introduced last year and passed, that we worked on for about three and a half years. It's basically in regards to the grandparents' visitation rights. It's so often in today's society that we forego the grandparents rights and grandchildren rights visiting one another. This Bill passed last year 105 'yes' votes. It's a very, very important Bill that has worked out very favorable to the residents...grandparents...grandchildren of the State of Illinois. This Bill goes beyond what any other state has done in the country. I would certainly appreciate...appreciate your 'yes' votes."

Speaker Young, A.: "The Gentleman moves for the adoption of Floor Amendment #1 to Senate Bill 1716. On that question the Lady from Lake, Representative Stern."

Stern: "Mr. Speaker, and Members of the House, I rise in support of the Gentleman's Amendment. The so called Grandparents' Rights Bill, which is the Bill he is trying to reinstate with this Amendment has only been on the books eight months. It does not in fact require that any grandparents get visitation, it only gives them standing to talk to a judge and present their case. It is, I think, an excellent Amendment, and I urge your support of it."

Speaker Young, A.: "The Gentleman from Will, Representative

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

128th Legislative Day

June 13, 1990

Regan."

Regan: "Thank you, Mr. Speaker. Members of the House, I also rise in support of this Amendment. One of the problems we have in this society today is that children don't have a place to go and see their grandparents, when they have problems at home. The more relationship between grandparents and children, the more problems you're gonna...less problems you'll have in the schools and the streets. I urge your adoption."

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

Dunn: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in opposition to the Amendment, and ask that this Amendment be defeated. This Amendment would...would gut the Bill. And this is a Senate Bill. Senator Marovitz put this Amendment on the Bill in the Senate in good faith. The Bill passed out of committee in this form, and it should be considered in final passage in its present form, and not be reduced to a shell by this Amendment. The purpose of the Amendment is to strike the portions of the Bill which establish and place in the statute books, if enacted into law, parity for the intact family. What we have in the present time in the statute books, albeit briefly, is the possibility of interference with an intact family by grandparents, presumably well meaning. But nonetheless there is estrangement for some reason and they have the right to go to court...no matter whether the family is intact or not. This Amendment would remove the portions from this Bill which provide protections for the family. Where there is an operating, functioning, intact family, outside forces should not interfere. It should be the policy of the State of Illinois to protect the family, to be pro-family, to take an interest in the family. And

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

128th Legislative Day

June 13, 1990

what this legislation does if we defeat this Amendment, what this legislation does is to say that 'yes, there can be petitions. There can be standing. There can be opportunities to go to court to petition for the right to enforce visitation against the will of the parents to visit grandparents under certain circumstances, if there is an pending divorce, if there is a deceased spouse, or if the parents are separated.' Under those circumstances the family is already in difficulty and outside forces may be appropriate in their request to intervene. Where the family is intact, however, it may have difficult consequences for some grandparents, but it has been for well over a hundred years and should continue to be the policy of the State of Illinois to respect the integrity of a family which is together. This Amendment would rut...rift asunder the intact family. I urge your defeat of this Amendment, and I hope that all...all Members will rise in opposition to this Amendment and let's get this Bill on Third Reading in proper form to have it considered for final passage. Please, vote 'no'. Please, defeat this Amendment."

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

Parke: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I respectfully rise and state that the previous speaker is mistaken on this being a favorable Amendment, put on in the Senate. In fact, it is an unfavorable Amendment. I may remind this Body that it was just last year that we passed the bulk of this Bill with over a hundred of you voting for it. This Amendment strips out what we have just put in place. I will tell you I've had seniors from all over this state call me and express their concern that this unfavorable Amendment is going to be...trying to be...was put on in the Senate. I've had

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

128th Legislative Day

June 13, 1990

people call from Florida and from other states saying that now they're fearful that they will not have the opportunity to see loved grandchildren. Children that they love. And have been excluded from the process. Let's give this legislation an opportunity. Have time. I say this Amendment should go on. And I say that the Bill that we passed with over a hundred of you voting for cannot be preempted by the current Bill. It can only be done by placing this Amendment on and taking off that unfavorable Amendment that was put on in the Senate. I respectfully ask this Body to vote 'yes' on this Amendment on a Roll Call vote."

Speaker Young, A.: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Mr. Speaker. Members of the House, I rise in opposition to the Amendment. This does little damage to the principle of the Bill that passed last year. It does...this Amendment would do great damage to the notion of the family, the nuclear family as the place where familial decisions are best made. That principle is one that we have long supported to say that that nuclear intact family must now be the subject of lengthy litigation a costly court process, is totally unwarranted by the facts of any family that I know, and does a grave disservice to the importance of the family. The value we've traditionally placed upon the family in American legal and in American political life. It seems to me that the right vote on this Amendment is a 'no'. It does not impugn the principle of grandparent visitation. In circumstances where for reasons irrelevant to the child's welfare, a parent may wish to keep the grandparent away, but when the nuclear family, when the parents are in an intact marriage there is no excuse for encouraging people to rush to the courts to interfere with the way families make decisions

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

128th Legislative Day

June 13, 1990

about how they operate. I urge you to vote 'no' on Amendment 1 to Senate Bill 1767."

Speaker Young, A.: "Could we have it more quiet in the chamber, please. Quiet in the chamber, please. The Gentleman from Cook, Representative McNamara."

McNamara: "Thank you, Mr. Speaker. Will the Sponsor yield for a question? If you can find him. The Sponsor to yield for a question?"

Speaker Young, A.: "Is Representative Stange still in the chamber? The Gentleman indicates he will yield for a question. If he could hear the question. Could we have a little more order in the chamber, please?"

McNamara: "Thank you. Representative Stange, you and I both worked on this Grandparents Act, I believe it was last year."

Stange: "That's correct."

McNamara: "And the purpose of that Act was to insure that grandparents would have some visitation rights and there were safeguards in there as well, is that correct?"

Stange: "That's correct."

McNamara: "What does this Amendment actually do, then?"

Stange: "Alright what this Amendment does is to strip Marovitz's Amendments to strip the grandparents visitation altogether."

McNamara: "In other words it's a hundred percent strip of the grandparents' rights?"

Stange: "When two couples are living together...when the couples are living together, yes. That's correct."

McNamara: "So, that...the grandparents then have no recourse at all in a court of law in this case."

Stange: "None whatsoever. What's happening when this Bill was passed last September, couples today were working out their differences instead of going to court. So, this helped

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

128th Legislative Day

June 13, 1990

considerably getting families back together."

McNamara: "It is my understanding that there is a court case right now in which that interpretation is even being more finitely defined as to when a grandparent's right is there or not. And I believe it is the Miller case, if that's correct."

Stange: "That's right. So far in DuPage County there is no cases pending regarding visitation rights. In the County of Cook there is only two cases that are pending. So, the point is the legislation is working very well giving grandparents visitation rights...with this Amendment the grandparents will definitely have visitation rights all over again."

McNamara: "Okay. To the Amendment, Mr. Speaker. My understanding is is that the interpretation of this Amendment is that with the Amendment on right now. As the Bill stands right now, it totally strips all grandparents rights. Those rights were judged by this General Assembly last year by a 105 votes to be...to allow grandparents the opportunity to go into court or whatever in order to procure rights or to give them some way of getting the rights to see those children. The Amendment that is...that is being proposed by Rep...Representative Stange right now is to restore those grandparents' rights giving both parties the chance to go into court and make a determination if they should desire not to have it that way. I think it is a very sensible Amendment to pass...Representative Stange's Amendment. Let this Bill go into the conference committee to work out any differences, if they are, but by all means we should not let this Bill out without Representative Stange's Amendment on it. So, I urge a 'yes' vote."

Speaker Young, A.: "The Gentleman from St. Clair, Representative Flinn."

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

128th Legislative Day

June 13, 1990

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

Speaker Young, A.: "The Gentleman has moved the previous question, and the question is, 'Shall the previous question be put?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair the 'ayes' have it, and the question is put. Representative Stange to close."

Stange: "Thank you, Mr. Speaker. This is a very, very important Amendment. I urge your 'yes' votes, for grandparents and grandchildren rights."

Speaker Young, A.: "The question is, 'Shall Floor Amendment #1 be adopted?' All those in favor vote 'yes', those opposed vote 'no'. Voting is open. Representative Lang to explain his vote. Representative Lang, did you want to explain your vote? Representative Williams to explain his vote."

Williams: "Can I explain? Oh, you've...Oh, I didn't know you've called me. I rise in opposition to this particular Amendment because the reality of it all is that even though you want to give the grandparents the ability to involve themselves with their grandchildren. You don't want a grandparent to have the ability to destroy the nuclear family. You don't want the grandparent who, in some instances, will not be in the best interest of the child to intervene to sometimes stop what is in fact a very good family, working to bring their family back together. This is a bad Amendment. It goes against what we have done. The editorials have come out against this particular Amendment, and we should stay against it. I urge a 'no' vote."

Speaker Young, A.: "The Gentleman from Champaign to explain his vote, Representative Johnson."

Johnson: "Well, this is probably kind of ridiculous to go on, but this Amendment is so bad that I'm not sure I can even adequately describe it in five minutes, let alone one

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

128th Legislative Day

June 13, 1990

minute. The bottom line is that we're passing laws, people are sponsoring Amendments, and doing things and they have no idea whatsoever how these things play out in the real world. I practice law and I deal with these cases...these kind of cases all the time. The existing law does incredible mischief to our system, causes thousands and tens of thousands of dollars to be spent, and it attempted to interfere in the unitary family unnecessarily. You can't do something legislatively that is not done naturally. In the last month I've had a large number of people call me from Florida and New Mexico and other states, who've left Illinois, solely because the grandparent decides they want to use the judicial system and our law to cause problems with their happy, intact family. It's not a good...not only not a good situation, it's a situation that really endangers the stability...stable family existence. Let's take a situation where you have parents, who are let's say an orthodox Jewish couple, and one or the other in-laws is a...a conservative Christian family, and they believe that the grandchildren ought to be exposed to..."

Speaker Young, A.: "Bring your remarks to a close, Representative..."

Johnson: "Well, I guess my own Members don't want me to speak about it. So, I guess I won't talk about the issue."

Speaker Young, A.: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 70 voting 'yes', 34 voting 'no', 7 voting 'present'. And the Amendment is adopted. Further Amendments."

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

Speaker Young, A.: "Representative Johnson."

Johnson: "This...this Amendment, Mr. Speaker, withdraw 2."

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

128th Legislative Day

June 13, 1990

Speaker Young, A.: "Withdraw Amendment #2. Further Amendments."

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

Speaker Young: "Representative Johnson."

Johnson: "Existing law only allows attorney fees to be awarded to one spouse or the other in domestic cases. This Amendment simply assures that that continues to be the law."

Speaker Young, A.: "The Gentleman has moved for the adoption of Floor Amendment #3 to Senate Bill 1767. On that question is there any discussion? The Gentleman from DuPage, Representative Stange."

Stange: "Thank you, Mr. Speaker. Can you explain that Amendment one more time? Representative Johnson."

Johnson: "In fact, can we have a little order here?"

Speaker Young, A.: "Could we have more order in the chamber, please."

Johnson: "What was the question, Representative Stange?"

Stange: "What was the Amendment for?"

Johnson: "The Amendment assures that current law allowing the award of attorney fees in domestic cases continues to be the law. Only fee is against the adverse party."

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

McNamara: "Thank you, Mr. Speaker. Question to the Sponsor of the Amendment. Could this be construed as a pay raise for attorneys?"

Johnson: "No. As a matter of fact, it limits the...ability of attorneys to get...obtain attorney fees. So, it would be...can be interpreted as a pay cut for attorneys."

McNamara: "So, in actuality it is a good Amendment, because it actually limits as to what they can take out of the thing."

Johnson: "Yes. Any thing that is anti-lawyer, you know I'm always for. So, this anti-lawyer."

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

128th Legislative Day

June 13, 1990

McNamara: "Okay. Thank you."

Speaker Young, A.: "Further discussion? Hearing none, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young, A.: "Third Reading. Senate Bill 2267, Representative Cullerton. Out of the record. Senate Bill 2308, Representative Cullerton. Out of the record. On the Order of Pensions, Senate Bill 1951. Out of the record. On the Order of Revenue. Senate Bill 1565, Representative Bugielski. Out of the record. Senate Bill 2210, Representative Currie. Out of the record. We are now going to the Order of Third Reading. We will start with Banks. The Sponsors on this Order are: Capparelli, Hicks and Piel. The first Bill on this Order is Senate Bill 100. Out of the record. Senate...Senate Bill 934. Out of the record. Senate Bill 1125, Representative Piel. Out of the record. The next Order is Education. The Sponsors are Hoffman, Curran, Brunsvold and Satterthwaite. The first Bill is Senate Bill 1556. Representative Hoffman. Out of the record. Senate Bill 1842, Representative Curran. Out of the record. Senate Bill 2058, Representative Brunsvold. Out of the record. Senate Bill 2312, Representative Satterthwaite. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2312, a Bill for an Act to amend the Public Community College Act. Third Reading of the Bill."

Speaker Young, A.: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, this Bill simply gives some direction to the community college board in order that they can conduct a study of teacher education courses to determine how the community college system can

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

128th Legislative Day

June 13, 1990

increase the participation in preparation for elementary and secondary teachers. As you are aware, we are facing a time when we expect large numbers of our current teaching staff to be retiring and we need to encourage students to go into the teaching profession. It is Representative (sic - Senator) Holmberg's impression that because many of the students who attend community colleges cannot actually get the teacher preparation programs there that they are not being directed into considering teacher education. We hope by this survey that we would have additional information that would provide a support system within the community college system to encourage people to go on to get a teaching certificate and have the community colleges as a better conduit for that. I would recommend your support on Senate Bill 2312."

Speaker Young, A.: "The Lady has moved for passage of Senate Bill 2312. On that question the Lady from DuPage, Representative Cowlshaw. Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 2312 has a very worthy purpose. There is indeed a strong possibility that more students who are attending community colleges might be encouraged to go on to four year institutions and become teachers. However, Senate Bill 2312 is a perfect example of littering up the statute books. There is no earthly reason why this kind of a study needs to be put into the law. A simple Resolution would have sufficed. I think we ought not to be passing laws that are not needed, when a Resolution would have been sufficient. That is wasteful. It is really not thoughtful. However, I am sure the Bill will pass."

Speaker Young, A.: "Further discussion? Hearing none, the question is, 'Shall Senate Bill 2312 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is

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

128th Legislative Day

June 13, 1990

open. Representative Satterthwaite."

Satterthwaite: "Never mind."

Speaker Young, A.: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 104 voting 'yes', 11 voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. We will go back and pick up Senate Bill 2058, Representative Brunsvold. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 2058, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Young, A.: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 2058 is very similar to House Bill 3959, which passed the House 103 - 4. It would set up a one time \$500 merit recognition scholarship award for those students that did not receive scholarships in 1987 and '88. The Bill would cost approximately \$7.7 million and would require a separate line item. So, if the line item is not on the Appropriation Bill, then of course, it won't be funded. So, with that I'll answer any questions or ask for your support of Senate Bill 2058."

Speaker Young, A.: "The Gentleman has moved for the passage of Senate Bill 2058. On that question the Gentleman from McLean, Representative Ropp."

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

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

Ropp: "Representative, is this an attempt to take care of legislative intent that we were attempting to do several years ago, except we never had any money to do?"

Brunsvold: "Yes. We didn't have the money and didn't have the money in appropriations to help these merit scholars in '87 and '88. I have some students in my district as I'm sure

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

128th Legislative Day

June 13, 1990

Senator Maitland has trying to give these young people some one time grants of \$500 to make up for a lack of appropriations."

Ropp: "I think this is a good idea. Where are we going to come up with this money? Did you mention that?"

Brunsvold: "Frankly, right now, Representative, I don't know. We're going to have to find \$7.7 million some place. If we don't of course, these will not be funded, because it's going to require a separate line item."

Ropp: "I suppose if we don't come up with the money, in a few years down the road if we have money we could always retroactivate it."

Brunsvold: "We...we can come back to it. We're trying to get this taken care of because we did not appropriate the money in '87 and '88."

Ropp: "Actually, I think we should always encourage people who are exceptional in school at least merit wise scholarshipwise and this is a good program. I hope that we can come up with some dollars. It does show, encourage and provide the leadership that the Legislature has to encourage people to do well in school."

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

Cowlshaw: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in support of Senate Bill 2058. The Sponsors of this Bill are making an attempt to do something we don't do here very often, and that's to keep our promises. There is perhaps no history of any kind of state program of which we have more reason to be profoundly ashamed, than the way we have treated our scholarship programs. We make promises, and then we make more promises. We increase the number of students to receive them, from the upper five percent to the upper ten percent, during both of

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

128th Legislative Day

June 13, 1990

which years we provide no money. Why do we make promises, Mr. Speaker, and my colleagues, why do we make promises, for example like Senate Bill 95, which we passed last year, which has to do with teacher pensions. And this year we don't live up to our promises. Of course there is still an opportunity to do that before we adjourn. I think we ought to either not make the promises at all or we ought to regard them as solemn obligations. I am in accord with this Bill, and I urge your support."

Speaker Young, A.: "The Gentleman from Cook, Representative Parke. Representative Brunsvold to close."

Brunsvold: "Thank you, Mr. Speaker. Representative Cowlshaw closed very eloquently for me and I'll ask for your support."

Speaker Young, A.: "The question is, 'Shall Senate Bill 2058 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'yes', 3 voting 'no' and none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. We will go to the Order of Environment, Third Reading. The Sponsors on this Order are: Ropp and Breslin. The first Bill is Senate Bill 1773, Representative Ropp. Representative Ropp. Out of the record. Senate Bill 2231, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2231, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Young, A.: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, this Bill has been amended so that now it addresses only the procedural issue of when a party to a lawsuit can bring in, third parties. It deals with environmental issues where a

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

128th Legislative Day

June 13, 1990

party has been sued for open dumping on his or her property. Under this Bill that property owner can bring in, third parties who knowingly dumped on their property...during that...during the same court proceeding. This is a...ruling...this codifies a ruling about the circuit court and the appellate court in the third district. Indicating that we ought to eliminate multiplicity of lawsuits, by allowing this procedure as opposed to the current procedure. I'd be happy to answer any questions?"

Speaker Young: "The Lady moves for passage of Senate Bill 2231. On that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 2231 pass?' All those in favor vote 'yes', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Mr. Clerk, take the record. On this question there are 118 voting 'yes', none voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. On the Order of Criminal Law, Third Reading. The Sponsors are Trotter, Homer and Lou Jones. The First Bill is Senate Bill 2066, Representative Trotter. Out of the record. Senate Bill 2166, Representative Homer. Out of the record. Senate Bill 2307, Representative Lou Jones. Out of the record. On the order of State and Local Government. Third Reading. The Sponsors are Novak, Giorgi, Hicks and Countryman. The First Bill is Senate Bill 1877, Representative Novak. Out of the record. Senate Bill 1884, Representative Giorgi, out of the record. Senate Bill 1996, Representative Hicks. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1996, a Bill for an Act to amend the Build Illinois Bond Act. Third Reading of the Bill."

Speaker Young, A.: "Representative Hicks."

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

128th Legislative Day

June 13, 1990

Hicks: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House. 1996 amends the Illinois...Bond Act, it increase the Bond alterization by six million dollars, which permeates refinance and retirement of bonds issued by home rule municipalities for waste water treatment plant. This is ...same type of thing that we did last year with some...a hundred and forty communities in the State of Illinois that failed to meet the EPA...'worst off' list. Illinois...Mt. Vernon, which was the one being served here...fell short because of their privatization plan. I'd be happy to try to answer any questions."

Speaker Young, A.: "The Gentleman has moved for passage of Senate Bill 1996. On that question the Gentleman from Dupage, Representative McCracken."

McCracken: "Thank you Mr. Speaker. I...I rise in opposition and I certainly am good friends with the Sponsor and I understand his concerns. But this has a long history, Mt. Vernon had already been given some time to find an alternative funding source for these waste water matters. And rather than coming to the State, I think they should be given the opportunity to raise this money themselves. I don't think its appropriate for this one Member add-on to be added to the Build Illinois fund. No other Member has had-on an add to that fund for years...and I just think that if he needs time so that the Bond financing can be found locally, I'm happy to work with him on that. But I don't think it's appropriate to make one acception to the Build Illinois Bond Authorization."

Speaker Young, A.: "Further discussion? Representative Hicks, to close."

Hicks: "Thank you...very much, Mr. Speaker. Simply in response...you know some 770 communities in Illinois were taken care of by the Federal EPL in this item. Just last

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

128th Legislative Day

June 13, 1990

year we in the State made acceptations for 143 cities and communities, and everybody's district in this...General Assembly to take affect on this. Mt. Vernon did not take...anything to do with that simply because they had gone a privatization type route. Then last year in changing the way we in which we collect our sales tax and such that we took the...their bonding source away, the money they use for their bonding source which was the tax on food and drugs...we thusly took them out of that market. I'm simply asking to do the same thing that we did for 143 other projects across the State of Illinois just last year. I'd ask for an 'aye' vote."

Speaker Young, A.: "Representative Hicks, we're waiting to open the Roll Call while the Parliamentarian studies the Bill to see whether or not this Bill requires 60 or 71 votes in order to pass. Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker. I believe that question was raised in the Senate...I believe at that time it was ruled in the Senate at least wise that it was only 30 votes needed, I do believe 60 votes is needed in the House. Mr. Speaker, it did pass out of the Senate 53 to 1 so...excuse me 51 to 3, I'll get it right."

Speaker Young, A.: "Representative Hicks, I'm not sure whether that'll hurt you or help you...what happened in the Senate."

Hicks: "That's sometime true. Yes, Sir."

Speaker Young, A.: "The Parliamentarian has ruled that this Bill requires 60 votes to pass. The Question is, 'Shall Senate Bill 1996 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. 60 votes is necessary for passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 69 voting 'yes', 47 voting 'no', none voting 'present'.

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

128th Legislative Day

June 13, 1990

This Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 2168, Representative Countryman. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 2168, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker Young, A.: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker. Could I have leave to return this Bill to Second Reading for purposes of an Amendment?"

Speaker Young, A.: "The Gentleman asks leave of the House to return to the Bill, to the Order of Second Reading for purposes of Amendment. Does he have leave? Hearing no objections, leave is granted. Second Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "Floor Amendment #2, offered by Representative Countryman and Mautino, being offered."

Speaker Young, A.: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2, changes the language slightly...to be a little more accurate in what the underlying Bill would do. What it says is a distributor or importer...importing distributor may refuse to sell beer, brew, or similar beverages containing less than zero point five percent or less of alcohol by volume to a non-licensee. This means a beer distributor is not required to sell to a retailer who does not have a state liquor license, what we commonly refer to as the 'near beer'."

Speaker Young, A.: "The Gentleman has moved for the adoption of Floor Amendment #2 to Senate Bill 2168. On that question, is there any discussion? Hearing none. The question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', those opposed say 'no'. Opinion of the Chair, the

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

128th Legislative Day

June 13, 1990

'ayes' have it and the Amendment is adopted. Further Amendments."

Clerk Leone: "There are no further Amendments."

Speaker Young, A.: "Third Reading. The Gentleman now asks leave of the Body for immediate consideration on Third Reading. Does he have leave? By use of the Attendance Roll Call leave is granted. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 2168, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker Young, A.: "Representative Countryman."

Countryman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. The Bill now does two things. With the Amendment #2 it does what I just read to you and that is it allows a distributor importer...distributor to refuse to sell the 'near beer' to a non-liquor licensee. The other thing that it does is Amendment Representative Ryder put on the Bill, allows the Department of Conservation to sell not just beer, but to sell all forms of liquor and it can be done by lessee in Department of Conservation facilities. I...urge its to passage, thank you."

Speaker McPike: "Is there any discussion? Any opposition? Representative McPike in the Chair. Question is, 'Shall this Bill 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 115 'ayes', and no 'nays'. Senate Bill 2168 having received the Constitutional Majority is hereby declared passed. And returning to a Bill that was taken out of the record a few minutes ago. Under Banking, Third Reading appears Senate Bill 100. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 11 of the calendar, Senate Bill 100, a Bill for an Act to amend an Act in relationship to banks and the sale of insurance. Third Reading of the Bill."

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

128th Legislative Day

June 13, 1990

Speaker McPike: "Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. Senate Bill 100 has been around for about a year now, and it was unfortunate I broke my leg last year and I couldn't be here. So this year we will try once again and as you know Senate Bill 100 amends the Illinois Banking Act, and the Illinois Insurance Code to allow state banks to own and operate a subsidiary which may act as a registered firm for the purpose of selling insurance. They are the only ones that are not able to sell insurance but those who can sell insurance are Sears and Roebuck, Montgomery Ward, and many of these other industries can sell it. The current law, the Illinois Insurance Code prohibits all state banks and those national banks located in communities with a population of 5000 are and will and can sell insurance. At the present time there are 14 states that do sell insurance: Alabama, California, Indiana, Iowa, Minnesota, Nebraska, North Carolina, Oregon, South Carolina, South Dakota, West Virginia, Wisconsin, Wyoming, and just recently Delaware. The consumer benefits, the Federation of America Study concludes that the allowing of banks to sell insurance would benefit the consumer by providing consumers with additional costs effective choices. There are many safeguards in this legislation as you know last year the employees of a bank and insurance subsidiary are prohibited of both making loans on behalf of a bank and soliciting or negotiating any sale of insurance to the same customer. Employees of bank insurance subsidiary are prohibited from access of information contained in the banks loan files unless directed by the customer. Last year, we put an Amendment, Mr. Shaw's Amendment that would allow banks only to buy an existing insurance agency, so that they be able to sell insurance. Mr. Speaker, I think the Bill has been debated

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

128th Legislative Day

June 13, 1990

many times and those who are going to vote for it will and those who are not. I would ask that it would be confined to one for, once again, and let those who want to explain their votes and then closing arguments. Thank you."

Speaker McPike: "Well the Chair thinks that a good idea and if we could have everyone's indulgence perhaps we could have one person speak against it and everybody can explain their votes since this Bill's been around for a long time. Who wants to speak against the Bill? Representative...any choice? Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Truly the Sponsor of this Bill is correct, we have debated it time and time again. We have all gotten paperwork from both sides on this issue but let me reiterate some of the points that I think need to be made. Bankers have talked about being against, or the insurance companies are not for or against this Bill. Let me remind you who the players are. The players are the small insurance agents both men and women, both black and white, who are out there providing services to the people who buy insurance from them. They spend many hours going out developing client base and the only real competition and service that they have is how well they service the clients that are theirs. They are there 24 hours a day, their names and phone numbers are listed in the phone book, their home numbers and they can be reached, and they provide services 24 hours a day. These small business men and women have got to compete with these big banks, we're talking about these big banks in the City of Chicago, the big chains and holding companies that are coming in and developing bigger and bigger banks, that's what the competition is. This is the level playing field that the banks claim that they want to be on, and I say to you like

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

128th Legislative Day

June 13, 1990

as I've said year after year, this is not a level playing field, this is not fair, this is excluding small business men and women from the marketplace and this is what this Bill will be. Recently, I've seen correspondence from the Bank Association saying that they have asked for compromise on this, and I have gone to the Bank Association, I mean the Insurance Associations the big I and asked, 'have you been approached to compromise on this?' I have right before me a letter says that you haven't been willing to compromise and in fact I've talked to the Big I lobbyist and they said we have never been approached for a compromise on this issue. And that's because they can't compromise on this issue. You are going to take away their lively hoods of many of these people. Now, I say to you that this is not good. In addition these business men and women are going to have to go to these banks as they traditionally have done to have a line of credit established. This line of credit gives them the opportunity to borrow money without having to go through all the paperwork. And let's presume that small business man or woman wants a \$100,000 loan and he's got a line of credit to that and he borrows the money. Now it also is pointed out to him at that time that that bank simply has a insurance company that is affiliated with them and that if you want some insurance why not go see this insurance agency that is affiliated with us. Now, I ask you this, if you have a line of credit that makes a difference whether or not the doors of your business stays open, even though this is subtle, even though it is not intended to limit competition. I would say most business men and women in this state would say alright fine let me go talk to your insurance people at your agency and let me see what they have to do and when they do that and when they go in there

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

128th Legislative Day

June 13, 1990

that will purchase their insurance to this association. That does not afford them the opportunity for competition. This is not a level playing field, they're not gonna give competitive rates, they're gonna go in and they are going to find that they are gonna buy what's ever offered without an opportunity to compare. Now, the banks have said that that's not gonna be true, that they're gonna have the ability to compromise and to look at various insurance rates. Well, the banks in fact have shown their colors, there is such an issue out there called credit life, on the most, it's been offered by most of the financial institutions for years. It is normally sold about forty percent over what the marketplace is born. That means that people are paying more for their insurance than they should and that has been traditionally shown as being correct. Now, they also claim that they want a level playing field because they say that look Sears and these other major insurance companies through Allstate are selling a lot of the services that they provide today. Well, let me say that those examples were set up by the Federal Congress. Congress is the one that's breached this distinction between banks doing their banking business and insurance companies doing their business, but nobody's talking about the insurance agents. Federal Congress has established these changes then let the Federal Congress solve them. It is not our responsibility to do it. In addition, I might point out respectfully that, in Canada there are only about five major banks in Canada at this time. That's because competition is wane and more and more of those banks were bought up by other banks, and that's what we're seeing now all over the United States. I might also point out to you that on December, on October, on December 1st we go to full reciprocal interstate banks. Many of our bankers are

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

128th Legislative Day

June 13, 1990

concerned that their banks are gonna get bought up by other bigger bank chains in the United States, and in fact that probably will happen. What we're gonna find is less and less competition because the big guys are gonna get more and more of a say in how they're gonna do it and when that happens you have less competition in the marketplace. I might also point out to you that there are safeguards built into this Bill, they've said well we've done this to protect the consumer, we've done that to protect the consumer. I might also point out to you that these kind of arguments were used just before the Depression, and that they said safeguards were built in and you know what happened when the Depression came about. It came about because the banking industry was involved in so many different types of investments and unregulated by the Federal Government that after the Depression, Congress limited the role of banks. They limited what their responsibility was, and now over the last ten years we're seeing more and more expansion into the financial institutions arena. That they want more and more today it's banking, tomorrow it's a travel agency, investments, they want to get more and more involved in everything that happens. Just think if we had one of these major bank chains go under, what it would mean to the total economy of this nation. I think that this Bill is bad public policy, I do not think that we should support this at all. And I will tell you that, in addition, those of us that have been parents remember what happened when you offered your child saw that you had a cookie in your hand and that child said you know I want that cookie. And you said well look, it's before bedtime, it's got sugar in it I don't think I want to give that to the child and the child started screaming and hollering saying they want this piece of...this cookie

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

128th Legislative Day

June 13, 1990

and they start reaching for it and all of a sudden it's no longer an idea of just a cookie, it's the idea that it's something that they can't have. And I say to you that this Bill has gone beyond the ability to just sell insurance, it's gone to the point now where the banking lobby has made this a lot greater than it is. And they have staked so much on this legislation passing not just on the basis of the merit but because we as the guardians of the taxpayers and citizens of this state think this is a bad idea. This is still a bad idea, I ask you not to vote for it, it has been debated well, I think my points are well taken, and I would ask that this body vote 'no' on this Amendment...I mean on this Bill, Senate Bill 100."

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

Churchill: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Several of the points raised by the previous speaker must be addressed. First of all, I would say that there has never been an industry that I have seen down here that has gone as far as the banking industry has in trying to insure that a potential problem is resolved. With all the differing things that the bankers have put into this Bill to attack the issue of coercion I don't think that you could find a tighter Bill. In fact, I would go so far as to challenge the insurance agents in the insurance industry to build in some of the same restrictions that you find in this Bill on their sales of non-insurance financial products. I mean let's not kid ourselves, the insurance industry at this point is trying to become a banker. In fact, insurance companies sell CD's, they sell money market certificates, they give auto loans, they give home mortgages. In fact, insurance companies even own banks.

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

128th Legislative Day

June 13, 1990

Aetna Life and Casualty owns Liberty Bank and Trust. Allstate owns a bank and trust company, a Hurley State Bank. Sears Savings and Loan. E. F. Hutton owns a couple of banks. John Hancock, Kemper, Lincoln National, New England Mutual Life, Prudential Insurance, Travelers Insurance, Washington National, all own banks. They're in the banking business because they think that that's part of what competition should be like. That it should be good for the consumers if the consumers have several different places that they can go for financial services and insurance services. Well, if that's true for the insurance companies then it also ought to be true for the banks. The banks ought to be able to sell insurance, it's pro-consumer to be able to do this, because it offers more competition and thereby will eventually lower the price to the consumer. It creates a cafeteria style of merchandising in the marketplace, so that the consumer has more options and so that the consumer can shop around and eventually get the best deal on insurance. Savings and Loans can sell insurance...banks in communities of less than five thousand can already do this. Fourteen other states already permit this. There is no reason why this Bill ought not to pass, and ought not pass today. So please, Ladies and Gentlemen, put a green vote up there and help pass Senate Bill 100, and then we won't have to discuss this issue again."

Speaker McPike: "Representative Wojcik, one minute to explain your vote."

Wojcik: "Yes, Mr. Speaker and Members of the House. I too rise in support of this legislation. And I must say that I have heard from many people with their concerns and their fears regarding collusion insofar as the banks telling the individual that they have to buy their insurance. That's wrong, they cannot do this. The person making a loan to a

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

128th Legislative Day

June 13, 1990

customer cannot sell insurance to the same customer and employees of the banks insurance subsidiary cannot access the bank loan files, unless so directed by the customer. And for persons injured by violation of these provisions, a cause of action is established in circuit court. Violation would constitute a business offense of \$5,000. The fears are not right, this is a service, we should provide a service to the people who are living in a very past life-style today, and I ask for green votes."

Speaker McPike: "Representative Stephens."

Stephens: "Thank you, Mr. Speaker, first of all, should this appear to obtain the requisite number of votes for passage I would ask for a verification. Secondly, to my friends in the banking industry, this is not a Bill you need. This is, you know, the banking industry is important the financial institution in Illinois have always provided jobs and a strong economy a vote against this Bill is in no way a Bill that any way represents anti-banking. Because I stand in support of a sound and fiscally responsible banking. What I do stand in opposition to is this Bill because it is not the insurance companies that lose here, it's the insurance agents. It is not big business that loses, but mostly small town America. Think about the small towns that you either live in or that our economy in rural Illinois depends on, and everyone of those small towns has at least one or two store fronts that's a local independent insurance agent. Think about that door, because what you're doing if you pass this Bill is your slamming it shut for good and that's not good for the economy, it's not good for this country, and it's not even good for the banking industry because some of the insurance agents in this state are some of the banking industry's best customers. If you want a strong economy for a better

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

128th Legislative Day

June 13, 1990

Illinois you've got to stand in opposition to Senate Bill 100. "

Speaker McPike: "Representative Ropp, one minute to explain your vote."

Ropp: "Thank you, Mr. Speaker, Members of the House. I really would like to follow up and say that I'm not sure I've heard from a single insurance company that is in support of this legislation. The fact that of all of the small businesses in the State of Illinois insurance agents probably make up the number 1 category of having the largest number of small businesses. I think that we are doing a disfavor if we pass this kind of legislation that would put their very lives, their very businesses in jeopardy. I urge you to vote 'no' on this because there is this threat that if you borrow money you're gonna have to be insured, that you're gonna have to buy insurance as a result of borrowing money. I don't think that ought to be a part of this business and I would certainly urge you to vote 'no', in the effort to save more and more small businesses throughout the state."

Speaker McPike: "Representative Preston, one minute."

Preston: "Thank you, Mr...Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I just want to state that I have a conflict of interest in that I own a few shares of bank stock, my brother is an employee of a bank, I have a few dollars in a bank and I also own life insurance."

Speaker McPike: "Representative Williams."

Williams: "Yes, I rise in opposition and hope that everyone would think before they vote on this Bill. In my community this is a jobs issue and more so because you think about a lot of minorities and blacks who come out of college, they have a degree, they can't find a job. A lot of them go into insurance, they become insurance agents, now you'r gonna

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

128th Legislative Day

June 13, 1990

require them to be hired by a bank. The same bank that won't loan them money, that won't allow them to buy a house, that won't allow them to do a lot of things. Why would this same bank hire them? That's the whole thing that we're talking about, this is a jobs issue, a bread and butter issue for our community. There are tons of young small businessmen who get their start in this industry and we should keep this industry alive for them. We know that the competition will be unbearable if we let these large companies control this industry. I urge a 'no' vote on this very important issue and I would hope that everyone think hard before they cast this vote."

Speaker McPike: "Representative Edley."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. You know, I've heard that this was a pro-consumer Bill but I don't think any of us would say that our constituents are staying up at night wondering who's going to be selling insurance to them. Quite frankly, one of the strongest lobbies against this Bill are small business people, one of the big consumers of insurance in this state. And the reason why they're against it is because they also depend on banks to fund their businesses everyday, and they don't want to have to bring their insurance policies along with them when they go to apply for a loan. Vote against this Bill it's an anti-small business Bill and a Bill that is certainly not pro-consumer."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. We keep talking about the needs of business on the floor of this House. We keep talking business, business, business. Well let's talk about people, let's talk about citizens, let's talk about the senior citizen in your district that maybe gets out of his

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

128th Legislative Day

June 13, 1990

or her house or apartment once a week, they want to walk down to their corner bank and do their business and do their insurance business as well. I've heard from my people on this and that's exactly what they want to do. It's easy for them this is a pro-consumer Bill. Let's remember also that municipalities, banks and municipalities...banks and Illinois municipalities of populations of 5,000 or more may not sell insurance, but 5,000 or less they may, so as the Sun Times pointed out recently a bank in Barrington Hills can sell insurance but a bank in Barrington cannot sell insurance. This makes no sense, let's protect our consumers and let's change some of those 'present' votes to green."

Speaker McPike: "Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. Let us take a long hard look at the S & L problem that's going on right now, billions and billions of dollars. Why should we allow them to get involved in the destruction of the insurance industry as well. And many small businessmen, many agents that work for Prudential, Metropolitan, John Hancock, all at the disadvantage of the big bank. I think they are reaching out and grabbing too much. I would sure like to see some more 'no' votes up there."

Speaker McPike: "Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is a terrible Bill. It's anti-consumer, anti-small business, and anti-competition. It's anti-consumer because it takes a consumer decision based on costs, coverages, and services which includes explanations of options, helping settle claims. Why an insurance agent, in answer to what another Representative said here, will go to that senior's home to provide the service 24 hours a day. And this introduces a large financial institutions

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

128th Legislative Day

June 13, 1990

who have an extremely significant unfair advantage over the consumer. The power to decide whether that consumer will get a loan, a loan that is usually very important to that consumer, who will be afraid to say anything about it. Banks won't have to compete, they have leverage, Credit Life is such a disgrace they are now investigating them, this co..."

Speaker McPike: "Representative Trotter."

Trotter: "Thank you very much, Mr. Speaker and Members of the House. This Bill is about service, this Bill is about business, this Bill is about jobs. One of our previous speakers said that the little old lady is gonna have to go down the street and would like to do all her business in one place. Let me remind you, your insurance agent still makes house calls your banker doesn't. Vote 'no'."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I find it ironic this afternoon that many of the previous speakers who would be the first one's to rise up and urge free markets are the ones now who are trying to protect the insurance industry and as Representative Churchill pointed out earlier if the lines were not skewed this probably would be a bad Bill. But as it stands right now, insurance companies do not sell insurance only. Banks do not bank only. Investment firms do not just handle stocks and bonds. In order for those firms...in order for banks to remain competitive they have to start doing many diverse things such as sell insurance just as many of the other financial institutions in the marketplace, be it insurance companies or what have you, have tried to undercut the banks and have tried to take over the banks' functions. This is a good Bill and deserves your 'aye' vote."

Speaker McPike: "Representative Shaw."

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

128th Legislative Day

June 13, 1990

Shaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of House Bill 100 (sic...Senate Bill 100) and certainly there are some that say that this is not a consumer Bill, I happen to think that it is. I know that if you make a commodity plentiful that the price should go down and that's what we are trying to do here. Every other financial institution in this state sells insurance, and haven't hurt that industry. Three years ago the insurance companies around the state went up about 300-400 percent. Some of the same people that's speaking on the behalf of this Bill you couldn't get a word out of them then. Now the consumers are getting a real break here, there's a chance for the consumers to benefit, and they are getting up talking against this Bill. I urge an 'aye' vote for the Bill."

Speaker McPike: "Representative Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Bill. There have been several groups addressed here on the floor this afternoon the bankers themselves, the insurance companies, the consumers, others. But let me remind you that the insurance companies do not lose in this Bill however it goes. The insurance companies sell their products to the insurance agents and they sell them to the consumer. If this Bill passes the same insurance companies will be selling their products to the bank and the bank will sell them to the consumer. The big loser if this Bill passes is your friends and neighbors back in your community who are independent insurance agents. These are the people in your community, they are probably civic minded people, they probably go to your church on Sunday, they're down at the bank getting a loan or a mortgage on Friday, these are the backbone people of many communities in our state. If this

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

128th Legislative Day

June 13, 1990

Bill passes, the big loser will be those good solid independent insurance agents in our communities."

Speaker McPike: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker, I would like to give my minute to Representative Pedersen who did not finish his remarks."

Speaker McPike: "Just a minute, I don't think that you can do that on explanation of votes, everyone is allowed one minute to explain their vote..."

Parcels: "Well, there were several, Mr. Speaker, who spoke more than a minute in the beginning and he was not...he was not one of those lucky ones."

Speaker McPike: "I have had the minute timer on every individual on this Bill. Representative Harris, one minute to explain your vote."

Harris: "Well thank you, Mr. Speaker. Just to address one of the previous speakers, my banker goes to church too, as a matter of fact I belong to the same church that he does, insurance people aren't the only people that go to church. Likewise they require mortgages, they have to go to their bankers. So, let's look at perhaps what's really happening in the industry. The artificial barriers are crumbling, they are coming down, they are simply falling. Insurance people are selling banking products, it is right that we give banks the opportunity to sell this. Talking about the individual agents that's a valid point, individual agents have a concern but let me tell you something, those people who value service, if the bank doesn't provide the service that those people need who are buying insurance that insurance agent's going to be able to beat the banker day in and day out. So we're increasing competition, it should lower the price, it's better for the consumer. Let's vote 'yes'."

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

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

128th Legislative Day

June 13, 1990

Clerk will take the record. On this Bill, there are 60 'ayes', 50 'nos'. Representative Shirley Jones has asked for a verification. Mr. Clerk... Representative Satterthwaite, Representative Jones, Shirley Jones, hello. Representative Jones, Representative Satterthwaite would like to be verified. Representative Martinez would like to be verified. Representative McCracken and Representative Piel. We're gonna take these names down for you, Representative Jones. Anyone else? Representative Kirkland. Representative Levin. Mr. Clerk, poll the absentees. Representative Davis did you rise? Representative Davis to be verified. Alright, Mr. Clerk, poll the absentees."

Clerk O'Brien: "Barnes. Bowman. Breslin. Brunsvold. Bugielski. Capparelli. Churchill. Cowlshaw. Currie. Daniels. Davis. DeJaegher. DeLeo. Farley. Flinn. Flowers. Giglio. Goforth. Harris. Hasara. Hensel. Hoffman. Homer. Hultgren. Keane. Kirkland. Kubik. Kulas. Lang. Laurino. Leitch. Levin. Martinez. Matijevich. McAuliffe. McCracken. McNamara. McPike. Munizzi. Myron Olson. W. Peterson. Piel. Preston. Pullen. Rice. Santiago. Satterthwaite. Shaw. Sieben. Stange. Steczo. Stern. Sutker. Terzich. Van Duyne. Weaver. White. Williamson. Wojcik and Anthony Young."

Speaker McPike: "Also seeking verification is Representative Hultgren and Representative Flowers. Anyone else? Alright, Representative Jones, proceed."

Jones, S.: "Representative Farley?"

Speaker McPike: "Representative Farley is in the chamber."

Jones, S.: "Did Representative DeLeo just walk in?"

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

Jones, S.: "Representative Bill Peterson?"

Speaker McPike: "Representative Peterson here? Yes, he's here."

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

128th Legislative Day

June 13, 1990

Jones, S.: "Representative McNamara?"

Speaker McPike: "McNamara, Representative McNamara. He's here."

Jones, S.: "Representative Goforth..."

Speaker McPike: "Represent...just a minute, Representative Pullen would like to be verified."

Jones, S.: "Representative Gof..."

Speaker McPike: "Representative Goforth, he's here."

Jones, S.: "Will you ask the Members to take their seats because I can't see, Mr. Speaker?"

Speaker McPike: "Yes, I will. Would everyone please be in their seats so that Representative Jones can see if you're here or not. Alright, proceed Representative Jones. Now, Representative Jones, in fairness Representative Stephens also asks for a verification, so I presume you're switching names here, right?"

Jones, S.: "Representative Ben Martinez?"

Speaker McPike: "No, he was verified."

Jones, S.: "Representative Hensel? I can't see everybody is still standing up."

Speaker McPike: "He's in his chair."

Jones, S.: "I can't see Mr. Speaker."

Speaker McPike: "He's in his chair."

Jones, S.: "Okay, but will you please have them to sit down so that I see..."

Speaker McPike: "Well Representative Jones and Representative Balanoff would you sit down."

Jones, S.: "I wasn't talking about my helpers. Representative Ellis Levin?"

Speaker McPike: "He's verified."

Jones, S.: "Where is he?"

Speaker McPike: "He's verified."

Jones, S.: "Representative Williamson?"

Speaker McPike: "Representative Williamson. She's here."

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

128th Legislative Day

June 13, 1990

Jones, S.: "Representative Mary Flowers?"

Speaker McPike: "She's verified."

Jones, S.: "Mr. Speaker. Sieben, Representative Sieben?"

Speaker McPike: "He's here."

Jones, S.: "Weaver, Representative Weaver?"

Speaker McPike: "He's here."

Jones, S.: "Hultgren?"

Speaker McPike: "Representative Weaver is here."

Jones, S.: "Hultgren?"

Speaker McPike: "He was verified."

Jones, S.: "If I keep calling names and you keep saying people was verified. And I don't know nothing about it so I might as well forget about it Mr. Speaker, thank you anyway."

Speaker McPike: "Representative Mautino."

Mautino: "Has she completed her verification?"

Speaker McPike: "Yeah, she has finished her verification."

Mautino: "Then I'll vote 'no'."

Speaker McPike: "Representative Mautino, 'no'. Representative Leverenz votes 'aye'. Leverenz, 'aye'. On this Bill, there are 61 'ayes', 51 'nos'. Representative Black would like to change from 'present' to 'no'. Any other changes? On this Bill, there are 61 'ayes' and 52 'nos'. And Senate Bill 100 having received the Constitutional Majority is hereby declared passed. Representative Jones is in the Chair."

Speaker Jones, L.: "House Bill 722, Representative Capparelli. Out of the record. Senate Bill 1881, Representative Currie. Out of the record. Senate Bill 2050, Representative Lang. Out of the record. Senate Bill 2127, Representative Currie. Out of the record. Senate Bill 2187, Representative Daniels. Out of the record. We're going to Order of Insurance. Senate Bill 1568, Representative Wolf. Out of the record. Senate Bill 1569,

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

128th Legislative Day

June 13, 1990

Representative Hasara. Representative Hasara. Out of the record. Senate Bill 1864, Representative Goforth. Out of the record. Senate Bill 1962, Representative Mautino. Mautino. Out of the record. On Order of Transportation, Senate Bill 1491, Representative Hicks. Out of the record. Senate Bill 2167, Representative Novak. Out of the record. On the Order of Children, Senate Bill 1577, Representative Parke. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1577, a Bill for an Act to amend the Abused and Neglected Child Reporting Act. Third Reading of the Bill."

Speaker Jones, L.: "Mr. Parke."

Parke: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1577, requires the Department of Children and Family Services to notify orally within 24 hours the local law enforcement personnel and the office of the state attorney's office of any reports to the Child Abuse Hotline, of the death, serious injury or...sexual abuse of a child and to confirm the notice of writing within 48 hours of the oral report. I think this is a good idea, and I would ask that the House votes in favor of this Senate Bill."

Speaker Jones, L.: "The Gentleman has moved for passage of Senate Bill 1577. On that...on that being any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. On this question, there is 113 voting 'yes', none voting 'no'. This Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 2009, Representative Kubik. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2009, a Bill for an Act in relation

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

128th Legislative Day

June 13, 1990

to hearing impaired and behavior disordered children.
Third Reading of the Bill."

Speaker Jones, L.: "Mr. Kubik."

Kubik: "Thank you, Madam Speaker. Ladies and Gentlemen of the House. Senate Bill 2009 would create an inner agency board for the hearing impaired and behavior disordered children. Let me explain that this particular legislation comes out of...the Citizens Council on Children. And there's a small group of...a very small group of individuals in this state. I think there is about 130 of them who are both hearing impaired or deaf and behaviorly disordered. And what this board is going to do is to offer advice to the state superintendent...and to, how to coordinate programs for these young people. I'd be happy to answer any questions and would appreciate your support on this legislation."

Speaker Jones, L.: "Being no discussion. The question is, 'Shall House Bill...I'm sorry Senate Bill 2009, pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There are 116 voting 'yes', 0 voting 'present'. This Bill having received the required Constitutional Majority is hereby passed. Senate Bill 2093, Representative Kubik. I'm sorry, Senate Bill 2089, Representative Parke. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2089, a Bill for an Act to amend an Act concerning children. Third Reading of the Bill."

Speaker Jones, L.: "Mr. Parke."

Parke: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 2089, provides that an agency or investigative body, including the Department of Public Health and local board of health that is authorized to conduct an investigation into the quality of child care at hospitals or other state regulator facilities may obtain

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

128th Legislative Day

June 13, 1990

approval of the Director of the Department of Children and Family Services. DCFS child abuse and neglect records concerning children receiving care at the facilities. Requires courts filing a petition alleging that a minor is abused or neglected, or the victim of sexual abuse is immediately appointed a guardian ad idem for the child. I ask the passage of this good piece of legislation."

Speaker Jones, L.: "There being no discussion. The question is, 'Shall Senate Bill 2089 pass?' All in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There's 118 voting 'aye'. This Bill having received the required Constitutional Majority is hereby passed. Senate Bill 2093, Representative Kubik. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2093, a Bill for Act to amend an Act concerning abuse and neglect reports. Third Reading of the Bill."

Speaker Jones, L.: "Mr. Kubik."

Kubik: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 2093 would permit the Department of Rehabilitation Services to receive information from the Department of Children and Family Services. Regarding whether a prospective employee of the Illinois School for the Deaf, the Illinois School for the Visually Hearing Impaired and the Illinois School...the Illinois Children School and Rehabilitation Center would have to determine to be a perpetrator of child abuse or neglect. Essentially what this does is allow those particular schools, which are residential schools, to check out employees to see if they have any record of child abuse. I'd be happy to answer any questions. And would appreciate your support on this legislation."

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

128th Legislative Day

June 13, 1990

Speaker Jones, L.: "Being no discussion. The question is, 'Shall Senate Bill 2093 pass?' All in favor vote 'aye', all not in favor vote 'no'. The voting is open. Have all voted who wish? Mr. Clerk, take the record. There's 117 voting 'yes', none voting 'no'. And this...Hicks votes 'aye'. 118 voting 'yes', none voting 'no'. This Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 2108, Representative Parke. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 2108, a Bill for an Act to amend the Children and Family Services Act. Third Reading of the Bill."

Parke: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 2108, requires that the Department of Children and Family Services to make grants for programs to reduce or eliminate the involvement of youth in the Child Welfare Juvenile Justice System. This Bill is...makes it...mandatory that this program go in. We think it's a good idea to...have it set up...on a mandatory basis. And we ask for the passage of this fine piece of legislation."

Speaker Jones, L.: "Being no discussion. The question is, 'Shall Senate Bill 2108 pass?' All in favor vote 'aye', not in favor vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. There's 117 voting 'yes', none voting 'no'. This Bill, having received the required Constitutional Majority is hereby passed. Were now going to move to the Order of Second Reading, of Special Order of Children, Senate Bill 1612, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1612, a Bill for an Act to amend the Child Passenger Protection Act. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Jones, L.: "Any Motions filed?"

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

128th Legislative Day

June 13, 1990

Clerk O'Brien: "No Motions filed."

Speaker Jones, L.: "Any Floor Amendments."

Clerk O'Brien: "No Floor Amendments."

Speaker Jones, L.: "Third Reading. Order of State Government Administration, Senate Bill 1497, Representative Capparelli. Out of the record. Senate Bill 1700, Representative Phelps. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1700, a Bill for an Act to create the Cave and Rock Township Civic Center Authority. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Jones, L.: "Mr. Phelps. Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Jones, L.: "Any Floor Amendments."

Clerk O'Brien: "Floor Amendment #2, offered by Representative Weller - Tenhouse - Ewing."

Speaker Jones, L.: "Who was it Weller, Representative Weller."

Weller: "Thank you, Madam Speaker. Excuse me...Amendment #2 creates the Bourbonnais, Atwood and Schuyler County Civic Center Authorities. I've checked this Amendment with the...Sponsor he has no objection to the Amendment. I ask for your approval and move for it's adoption."

Speaker Jones, L.: "Is there any question on the Amendment? If not, the question is, on the Gentleman's Motion for the adoption of the Amendment. All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Further Amendments."

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

Speaker Jones, L.: "Representative Wojcik."

Wojcik: "Yes, Madam Speaker and Members of the House. Amendment #3, changes the Schaumburg Civic Center to the Illinois...or the name of the Schaumburg Civic Center."

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

128th Legislative Day

June 13, 1990

Pardon me, I withdraw Amendment #3."

Speaker Jones, L.: "Amendment #3 is withdrawn. Any further Amendments?"

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

Wojcik: "Amendment #4 changes the Schaumburg Civic Center, to the Illinois International Convention Center. Increases board membership to 9 from 7, and additional appointees are appointed by the Schaumburg Village President."

Speaker Jones, L.: "Is there any discussion on the Amendment? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Jones, L.: "She indicates she will."

Cullerton: "This Schaumburg Civic Center was this ever included in the previous Civic Center Bill, the House Bill that we passed earlier?"

Wojcik: "Yes."

Cullerton: "Was it included and did it pass the House?"

Wojcik: "Yes."

Cullerton: "Okay, thank you."

Speaker Jones, L.: "Further discussion? Hearing none, the question is, 'Shall Amendment #4 pass?' All in...the Lady from Cook, Ms. Wojcik."

Wojcik: "Question of Representative Cullerton. Representative..."

Speaker Jones, L.: "That's not in order."

Wojcik: "I want to clarify something."

Speaker Jones, L.: "Representative Cullerton, for what purpose do you rise?"

Cullerton: "Well, I had asked the Lady a question and she gave an answer. So, perhaps she wants to elaborate on her answer at this time."

Speaker Jones, L.: "Representative Wojcik."

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

128th Legislative Day

June 13, 1990

Wojcik: "That is correct. Representative, are you referring to the House Bill that passed and went over to the Senate just recently?"

Cullerton: "Yes."

Wojcik: "Then Schaumburg was not included in the House Bill."

Cullerton: "Well, then what..."

Wojcik: "It was last year."

Cullerton: "Oh, last year we passed."

Wojcik: "Right, last year."

Cullerton: "...We knew that, yeah. I'm trying to figure out..."

Speaker Jones, L.: "Any further discussion?"

Wojcik: "None, thank you."

Speaker Jones, L.: "If not, the question is, 'Shall Amendment #4 be adopted?' All those in favor vote 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk O'Brien: "Floor Amendment #5, offered by Representative Homer and Leverenz."

Speaker Jones, L.: "Representative Homer. Representative Homer."

Homer: "Thank you, Madam Speaker. This...Amendment would create the Canton Civic Center Authority as well as the Prophetstown Civic Center Authority which is in Representative Leverenz's district. It's virtually identical to the other civic center authorities that we have created previously. And I would ask for a...favorable consideration move adoption of Amendment #5."

Speaker Jones, L.: "Further discussion on the Amendment? Hearing none, the question is, 'Shall Amendment #5 be adopted?' All those in favor vote 'aye', opposed vote 'no'. Opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments."

Clerk O'Brien: "No, further Amendments."

Speaker Jones, L.: "Third Reading. Senate Bill 1904,

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

128th Legislative Day

June 13, 1990

Representative Stern. Out of the record. Senate Bill 1904, Representative Stern. Out of the record. Senate Bill 2150, Representative Myron Olson. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2150, a Bill for an Act pertaining to vehicle emission controls. Second Reading of the Bill. No Committee Amendments."

Speaker Jones, L.: "Any Amendments filed?"

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

Speaker Jones, L.: "Any Floor Amendments?"

Clerk O'Brien: "Amendments #1 and #2 lost previously. Floor Amendment #3 offered by Representative Myron Olson."

Speaker Jones, L.: "Representative Olson."

Olson, M.: "Thank you, Madam Chairman and Members of the General Assembly. Amendment #3, to the Vehicles Emissions Testing Bill, is offered by the Illinois EPA to clarify the language. And the major change is to base the testing schedule on model year rather than date of purchase. If you may recall an earlier conversation on this subject, it was put in over in the Senate and its Senator Phillip's Bill, that to meet the standards of the federal EPA and the state EPA...that we would have to meet certain emissions test. And so the way it was put together, that a vehicle that is three years or younger would not have to be tested, would have to be tested in the fifth and seventh year. And this clarifies the matter in which we do that, rather than going by the fighting of the title with the Secretary of State. Two other changes that are coming to this area, has to do with the expansion of the testing schedule starting next year. So that it could be easily scheduled and it also indicates that the standards by which we are doing this are set in an ambient...schedule and that is the consequences should be very easy to move. I would be happy

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

128th Legislative Day

June 13, 1990

to answer questions and I would move for the adoption of Amendment #3 to Senate Bill 2150."

Speaker Breslin: "The Gentleman has move the adoption of Amendment #3 to Senate Bill 2150. On the question, the Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of this Amendment. This Amendment is offered by the department and we are in accordance with the Amendment. I would ask for an 'aye' vote."

Speaker Breslin: "There being no further discussion. The question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Olson."

Olson: "Thank you again, Madam Chairman, Members of the House, Amendment #4 particulates a specific recommendation, rather to the size of fleet vehicles which need to be tested. It amends the vehicle code to permit small municipal fleets of vehicles of 15 or more that are subject to vehicle emission inspection to apply to the EPA. To self test or contractor for their private testing, rather than go to a state running testing facility. Current standards are 25, the reason that this is being offered is that you have many fleets who on a routine basis go in on off hours to be serviced for whatever necessary reason. And this would enable the small businesses to have that testing done at a convenient time so the vehicles would not be out of service. I move for the adoption of Amendment #4."

Speaker Breslin: "The Gentleman has moved the adoption of

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

128th Legislative Day

June 13, 1990

Amendment #4 to Senate Bill 2150. On the question, the Gentleman from Cook, Representative Kulas. Do you still wish to speak? No. There being no discussion. The question is, 'Shall Amendment #4 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Deuchler, Doederlein, Wennlund."

Deuchler: "Madam Speaker, Ladies and Gentlemen of the House. I have presented Amendment #5 to Senate Bill 2150 along with Representative Doederlein and Representative Wennlund. In an attempt to discuss further the options that might be open to us and some of the rural counties that we represent. So that zip codes could be used instead of entire counties. I have many small cities such as Maple Park, Lilly Lake, Burlington, Auburn, Sugar Grove many of these communities are under certainly 1000 population. Very, very lightly populated areas, I have talked to the EPA today. They certainly realize and know and seem to be neutral on the proposal, that where as administratively it may be easier to place an entire county in compliance with the emission and vehicle testing, that excluding some of these zip codes would certainly be a help to some of the rural people living in the rural areas and the Farm Bureau has talked to me and also supports this proposal."

Speaker Jones, L.: "Any discussion on the Amendment? Representative Olson."

Olson, M.: "Thank you very much, Madam Speaker, Ladies of the House. I move to oppose this Amendment. This is very similar to the two Will County Amendments that came in yesterday. This came to us with the blessing of the

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

128th Legislative Day

June 13, 1990

agencies that are concerned. Putting this in prospective, if we adopt the Bill in the form that we have offered here originally, this Bill will have a sunset period of December 31, 1966 by that time the area might very well be expanded to eight or nine counties to the metropolitan area. Areas in the rural area of the collar counties contribute to the air standards which are not as good as they should be. It is much easier to administrator at a county level rather than by zip codes. The rapidly growing population in collar counties are such that our ambiance will not be satisfactory perhaps as soon as two or three years away. So I would move and ask people to reject Amendment #5."

Speaker Jones, L.: "Further discussion? Representative Kulas."

Kulas: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. For the same reasons I argued against Representative Wennlund's Amendments yesterday, I don't want to repeat everything, but let's face it. This is an important issue to this state. We won't be able to administratively comply to the federal program if we start eliminating zip codes here and zip codes there. The Bill is watered down far enough as it is, you've got only, new cars are not included for the first three years, and then you've got scattered inspections, so it's really not a big responsibility to anybody. And I would ask all my colleagues to vote 'no' against this Amendment."

Speaker Jones, L.: "Further discussion? Representative Wennlund. Representative Doederlein."

Doederlein: "Madam Speaker, Ladies and Gentlemen of the House. I don't think that this Bill is watered down enough. I can agree that we do need some testing emissions. And I had a lesson in that today and we talked about it to different people. But have you heard of Pingree Grove? Have you heard of Plato Center? Have you heard of Gilberts? These

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

128th Legislative Day

June 13, 1990

are very tiny towns. And I don't think that they want all the people there to have this emissions inspection law. Can we take those zip codes out, those small towns? We are partly rural, we're not all big city and we'd like to keep it that way. I ask you to vote, I ask you to vote for this Amendment, thank you."

Speaker Jones, L.: "Representative Deuchler to close."

Deuchler: "I would like a Roll Call and ask for your acceptance of this Amendment."

Speaker Jones, L.: "The question is, 'Shall Amendment #5 of Senate Bill 2150 pass?' All in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There are 27 voting 'yes', 83 voting 'no', 3 voting 'present' and the Amendment fails. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Jones, L.: "Third Reading. Senate Bill 1496, Representative Capparelli. Is it 1496? I'm sorry, 1497, on the Order of Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1497, a Bill for an Act to amend the State Mandate's Act. Second Reading of the Bill. No Committee Amendments."

Speaker Jones, L.: "Any Floor Amendments?"

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

Speaker Jones, L.: "Representative Young."

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

Speaker Jones, L.: "Withdraw Amendment #1. Any further Amendment?"

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

Speaker Jones, L.: "Representative Young."

Young, A.: "Thank you, Madam Speaker. Ladies and Gentlemen of

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

128th Legislative Day

June 13, 1990

the House. Floor Amendment #2 specifies that due process mandates concerning the administration of justice will be mandated to be reimbursed by the state. But the other due process mandates not dealing with the administration of justice are removed from the Bill. And I move for its adoption."

Speaker Jones, L.: "Any discussion on the Amendment? Hearing none, the question is, 'Shall Amendment #2 pass?' All in favor 'aye', excuse me. Representative Countryman."

Countryman: "Will the Gentleman yield?"

Speaker Jones, L.: "Indicates he will."

Countryman: "Can you give me some example of what we would now have in the administration of justice due process Amendments? Is that something we have to pass?"

Young, A.: "The original Bill says, that all of the due process mandates that if they weren't reimbursed by the state, then in fact the local government would not have to comply. Our concern was that they included such mandates as the Open Meetings Act or the Freedom of Information Act. Of course I felt that the Freedom of Information Act is in fact the due process mandates. So we didn't want that to be covered by the underlying Bill."

Countryman: "Okay, so now if we pass a Bill that says, 'Every criminal defendant's entitled to a fair preliminary hearing,'. Does that mean we have to reimburse the counties for the cost of operating the court houses?"

Young: "That's true with the underlying Bill with or without this Amendment. You're addressing the underlying Bill. The Amendment took some due process mandates out of the Bill. It did not take the administration of justice out of the Bill."

Countryman: "But, the ones that leaves deal with the administration of justice."

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

128th Legislative Day

June 13, 1990

Young: "That's correct."

Countryman: "How do we define the administration of justice? Do we have a definition in there?"

Young: "The definition is not in the Bill, it's in the statute, I don't have it handy."

Countryman: "Thank you, Madam Speaker."

Speaker Jones, L.: "Any further discussion? The question is, 'Shall Floor Amendment #2 to Senate Bill 1497 pass?' All in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Jones, L.: "Third Reading. Senate Bill 1864, Representative Goforth, on the Order of Insurance. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1864, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Jones, L.: "Representative Goforth."

Goforth: "Thank you, Madam Speaker. May I bring this Bill back to Second Reading for purpose of an Amendment?"

Speaker Jones, L.: "The Gentleman asks leave to return this Bill to Second Reading, does he have leave? Leave is granted. Any Amendments, Mr. Clerk?"

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

Speaker Jones, L.: "Representative Goforth."

Goforth: "Thank you, Madam Speaker. This adds an Amendment to Religious and Charitable School Trust Act. Provides that long term care facilities owned and operated by tax exempt units of local government. Would be allowed to participate in risk pools authorized by this Act, for legal liability coverage, this is currently allowed for hospitals and there's no known opposition in the mail. This was suggested by the Illinois Association of Homes for the

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

128th Legislative Day

June 13, 1990

Aging. I move for adoption."

Speaker Jones, L.: "Discussion on the Amendment? Representative Cullerton."

Cullerton: "Yes, I have a question about Amendment. I know this is Amendment #3, did you adopt Amendment #2 in committee?"

Goforth: "No, I believe it was adopted on the House Floor."

Cullerton: "Amendment #2, I wish I had been there for that, because...I was going to ask you about that. It had to do with earthquakes didn't it? Amendment #2 has to do with earthquakes?"

Goforth: "No, Amendment #2 designated what the zone was."

Cullerton: "Designated what?"

Goforth: "What the zone was."

Cullerton: "The zone that...that's called the New Madrid. Earthquake zone."

Goforth: "Yeah, I believe that's how you pronounce it."

Cullerton: "New Madrid Seismic Zone. And this Amendment has to do with long term care facilities."

Goforth: "That's correct."

Cullerton: "So we got an earthquake/long term care facility Bill then."

Goforth: "Sounds like a good idea to me."

Cullerton: "Well, I know it's only Second Reading, but I got to ask you about this earthquake that's coming up on Third Reading. We're going to call this right now?"

Goforth: "Well, I will if the Chair will allow."

Cullerton: "Okay, alright. Well the Amendment sounds alright."

Goforth: "Not yet it isn't."

Speaker Jones, L.: "Is there any further discussion? Hearing none, the question is, 'Shall Floor Amendment #3 of Senate Bill 1864 pass?' All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Further Amendments?"

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

128th Legislative Day

June 13, 1990

Clerk Leone: "There are no further Amendments."

Speaker Jones, L.: "Third Reading. The Gentleman has asked leave for immediate consideration of Senate Bill 1864. Does he have leave? Leave is granted by use of the Attendance Roll Call. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1864, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Jones, L.: "Representative Goforth."

Goforth: "Thank you, Madam Speaker. This has been discussed before, I just move for its adoption."

Speaker Jones, L.: "Representative Goforth."

Goforth: "Yeah, I just move for...you know to roll it."

Speaker Jones, L.: "Further discussion? Representative Cullerton."

Cullerton: "Well, when you said, Madam Speaker, further discussion. I'd like to have at least some discussion on what the Bill does in the first place. He says this has been discussed before, this is Third Reading, when was it discussed before in committee? Everybody could just stand up here and say, 'Well, this Bill was discussed in committee, I think we should pass it.' I think he should at least tell us what the Bill does. And then I would like to ask some questions."

Speaker Jones, L.: "Representative Goforth, could you please tell Representative Cullerton what the Bill does?"

Goforth: "Well, I'd be more than happy to, if he was on the House Floor yesterday, we did discuss it on the House Floor. What the Bill basically does is, it tells when insurance companies sell insurance they are...This Bill says that they shall tell them that the earthquake insurance is available. That's basically all it does except for the Amendment #2, which describes the zone of the area it was in which is 29 counties I believe...the location of it."

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

128th Legislative Day

June 13, 1990

And Amendment #3, we just got through discussing it, so that's basically the Bill."

Cullerton: "Well, the Sponsor yield?"

Speaker Jones, L.: "Indicates he will."

Cullerton: "Could you tell me a little bit more about Amendment #2...Amendment #2 reads, 'as the defined by the United States Geological Survey in Illinois, susceptible to Modify Mercalli Intensity #8 for greater damage information shall...' What is the Modify Mercalli Intensity #8?"

Goforth: "You know, the legislative aid here just told me, a bunch of stuff, I can't even pronounce half the words. Why don't I just send him over to you and he can explain to you just what he explained to me."

Cullerton: "You gotta have it on the record and you're the Sponsor of the Bill, it's gotta come from your mouth."

Goforth: "Alright. Modified Mercalli measures the intensity of the earthquake...destructiveness in those 29 counties, eight or greater so it be very strong."

Cullerton: "Well, what is the New Madrid Seismic Zone, is that..."

Goforth: "That's the 29 counties that we define. Do you want the names of the counties?"

Cullerton: "And what the Bill says then, is that everybody in those 29 counties have to be told that they can buy some earthquake...is it insurance or insurance...That'd be down there it would be insurance."

Goforth: "No, if they make application for insurance, then the companies tell...homeowners...is it homeowners insurance? Yes."

Cullerton: "Now, let me ask you this. What would be the damage to these 29 counties in terms of dollars if there was a big earthquake?"

Goforth: "Now, I'm not no God, I can't forecast what the damage

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

128th Legislative Day

June 13, 1990

would be."

Cullerton: "Well, let's take East St. Louis. What would be the economical damage."

Goforth: "No, you take East St. Louis, I don't want it."

Cullerton: "If it was destroyed by an earthquake, how much would it cost in terms of loss."

Goforth: "I have no ideal. Maybe Wyvetter Younge would be more qualified to answer that since that's her area and she lives there."

Cullerton: "Well, you know, I'm not from this area, I'm just wondering how likely is it that this earthquake is going to take place."

Goforth: "You want my personal opinion?"

Cullerton: "Yeah, like during your legislative term."

Goforth: "I think the odds they said are 50 percent in the next thousand years."

Cullerton: "50 percent in the next thousand years?"

Goforth: "Make it the year two thousand. That's not very good odds. That's almost as good as the odds that we have on our lottery, though."

Cullerton: "Within the next five years? Do you think they are going to blame you for this earthquake?"

Goforth: "They ain't blaming me, I can guarantee you, 'cause I ain't going to be here."

Cullerton: "Well, let me ask you this, is this going to help the insurance companies sell more earthquake insurance or is it going to help banks? Are the banks going to sell this now this earthquake insurance. Or does the insurance companies are they in favor of this or are they against it?"

Goforth: "They've got no opposition to it. I don't think there was any opposition to the Bill until you stood up."

Cullerton: "No, I'm not saying I'm against it..."

Goforth: "Yeah, they are in favor of it. They...Senator Dunn

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

128th Legislative Day

June 13, 1990

said that they was in favor of it. So I'll take my Senator's word for it. It's his Bill by the way."

Cullerton: "Okay, we'll keep waiting for the earthquake then."

Goforth: "Okay, you are going to support this Bill after all this surely?"

Cullerton: "Probably."

Goforth: "Ah, you're a good man."

Speaker Jones, L.: "Any further discussion? Representative Goforth to close."

Goforth: "Roll her."

Speaker Jones, L.: "The question is, 'Shall Senate Bill 1864 pass?' All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There are 113 voting 'yes', none voting 'no'. And this Bill having received the required Constitutional Majority is hereby declared passed. Order of State Government Administration, Senate Bill 2229, Representative Munizzi. Senate Bill 2229, out of the record. Representative Davis, for what reason do you seek recognition."

Davis: "Madam Speaker, I just wanted to take this opportunity to introduce the House to the father of the famous illustrious singer Lou Rawls. His father, Dr. Rawls, is over in the chair talking to Representative Shaw. Give him a hand for Dr. Lou Rawls. Thank you, very much."

Speaker Jones, L.: "Order of State Government Administration, Third Reading. Senate Bill 2052, Representative Munizzi. Senate Bill 2052, Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 2052, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Jones, L.: "Representative Munizzi."

Munizzi: "Thank you, Madam Speaker. Senate Bill 2052 provides

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

128th Legislative Day

June 13, 1990

provisions for judicial enforcement of administrative fines in orders resulting from municipal building code violation. It establishes the same enforcement procedures for administrative adjudication of building code violations as currently exists under state law for the administrative adjudication of parking tickets and it permits municipalities to consolidate multiple findings as well. I ask for a favor Roll Call on the Bill. Thank you."

Speaker Jones, L.: "Any discussion? Hearing none, the question is, 'Shall Senate Bill 2052 pass?' All in favor vote 'aye', opposed 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There are 113 voting 'aye', none voting 'no'. And this Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 2217, Representative White. Out of the record. Under the Order of Public Utilities. Third Reading, Senate Bill 2091, Representative Hoffman. Out of the record. Third Reading, Human Services. Senate Bill 1881, Representative Currie. Mr. Clerk, Read the Bill."

Clerk Leone: "Senate Bill 1881, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Jones, L.: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. This Bill would apply the opportunities for preventive mammograms, for women age 35 and older, at regular intervals for those women who are on the rolls of the Illinois Department of Public Aid. In effect, what the Bill does is apply to the welfare clients who are...whose medical care is our charge, the same opportunity for better health and a longer life, that last year we applied to private insurance arrangements in the state. I would appreciate your support for its provisions and I'd be happy

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

128th Legislative Day

June 13, 1990

to answer any questions."

Speaker Jones, L.: "Any discussion? Hearing none, the question is, 'Shall Senate Bill 1881 pass?' All those in favor vote 'aye', opposed 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There are 115 voting 'aye', none voting 'no'. And this Bill having received the required Constitutional Majority is hereby passed. Going back to the Order of Second Reading. A lot of Representatives were not here this morning and we're going to go through them one more time. On the Order of Second Reading, Senate Bill 2083, Representative Hicks. Out of the record. Senate Bill 934, Representative Hicks. Out of the record. On the Order of Second Reading, Senate Bill 1523, Representative Turner. Representative Turner? Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1523, a Bill for an Act to amend an Act relationship...relating to the scholarship programs. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Jones, L.: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Jones, L.: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2 is being offered by Representatives Weller and Turner."

Speaker Jones, L.: "Representative Weller."

Weller: "Thank you, Madam Speaker. Amendment #2 authorizes the establishment of a special program to recruit returning Peace Corps veterans in Education. It's identical to House Bill 3158 which was passed the House without opposition. I've talked to the Sponsor, of course, he's a Cosponsor of this Amendment. I would ask for it's adoption."

Speaker Jones, L.: "Any discussion on the Amendment? Hearing

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

128th Legislative Day

June 13, 1990

none, the question is, 'Shall Floor Amendment #2 pass?' All in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representatives Levin and Turner."

Speaker Jones, L.: "Representative Levin? Representative Turner?"

Turner: "Yeah. Amendment #2 adds to the Motor Vehicle Code the inclusion of the offense of driving under the influence of alcohol and drugs and the effects that it has on public safety. This is the Cosentino Amendment that I approve of and I move for the adoption of Amendment #3 to this House Bill."

Speaker Jones, L.: "Any discussion on the Amendment? Hearing none, the question is, 'Shall Amendment #3 pass?' All in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Jones, L.: "The Amendment is adopted. Third Reading. Senate Bill 1585, Representative Bob LeFlore. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1585, a Bill for an Act to amend the School Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Jones, L.: "Any Floor Amendments?"

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

Speaker Jones, L.: "Representative LeFlore."

LeFlore: "Madam Speaker, apparently, that's a mistake. I did not present an Amendment for this Bill. So, I would like to withdraw this Amendment."

Speaker Jones, L.: "Amendment #1 is withdrawn. Any further

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

128th Legislative Day

June 13, 1990

Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Jones, L.: "Third Reading. Senate Bill 1591, Representative Levin. Levin? Out of the record. Senate Bill 1766, Representative Kirkland. Senate Bill 1766, Representative Kirkland. Out of the record. Senate Bill 1843, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1843, a Bill for an Act to amend the School Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Jones, L.: "Any Floor Amendments?"

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

Speaker Jones, L.: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker (sic - Madam Speaker). Amendment #1 is the substance of the Bill which was 4220 which was held in the Rules Committee in the Senate. What it does is it affects the school district 218 in regards to the redistricting. It passed this House by approximately 115 votes and I urge for the adoption of the Amendment."

Speaker Jones, L.: "Any discussion on the Amendment? The Gentleman from Cook, Representative Steczo."

Steczko: "Madam Speaker, I approve of the Amendment and would concur in its adoption."

Speaker Jones, L.: "Any further discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Third Reading...Any more Amendments?"

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

Speaker Jones, L.: "Representative Steczo."

Steczko: :Thank you, Madam Speaker and Members of the House.

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

128th Legislative Day

June 13, 1990

Amendment #2 deals with teachers' rights in the consolidated districts. In the past we have, when we have undertaken issues of consolidation, we have determined at that point that the teachers' rights in the new district should be the same as the teachers rights in the old district. There are some situations, however, where that is not taken into account. So, Amendment #2 simply specifies that in all those cases that the contractual provisions and rights of teachers in the old district shall transfer to the new."

Speaker Jones, L.: "Any discussion on the Amendment? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', all opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #3 offered by Representatives Homer and Edley."

Speaker Jones, L.: "Representative Homer."

Homer: "Thank you, Madam Speaker. I might ask the, for some reason I've been having trouble with my light. My light switch is not on so I can't tell whether my microphone is on or not. I'd like the electrician to look at that. This Floor Amendment #3 is identical to House Bill 3336 which passed here on May 9th. It was on Short Debate the Bill passed by a vote of 95 to 18. And would simply provide that any school district who's assessed valuation for 1988 is 55 percent or less of its assessed valuation for 1981 would be allowed to utilize a factor of point eight. With respect to its computation of the 1990-1991 school aid formula. This Bill effects 11 of the poorest school districts in the State of Illinois. The total cost of the funding is \$350,000 approximately. And it is designed to help those school districts which for a variety of reasons

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

128th Legislative Day

June 13, 1990

have lost a dramatic decline in their assessed valuation over the period of 1988-1981. It is not a supplemental payment. It is not an additional payment. It causes no more revenue to be raised. It simply, is a revision of the school aid formula, which would have a minimal negligible impact on any other school district in this state and is in accord, consistent with what we've done in the past to try to help those school districts that have suffered dramatic losses of revenue in order to allow them provide and maintain a quality educational program for the students under their charge. We discussed the Bill, House Bill 3336 on Third Reading in May. It had a full hearing at that time, received 90 some votes. I would urge and would move the adoption of Floor Amendment #3."

Speaker Jones, L.: "Further discussion on the Amendment. The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker. It seems nice to have someone new in the Chair. We're delighted that you're there. Would the Sponsor of this Amendment yield for a question, please?"

Speaker Jones, L.: "He indicates he will."

Cowlshaw: "Thank you. Representative Homer, I believe that we not only discussed this Bill at length in committee but also on the floor. As I remember you hadn't even...Well, you had originally believed that this was going to apply only to one school district, but then when the State Board of Education ran that through all of its informational sources there it was discovered there were perhaps ten or at least a number greater than one. I believe you had a list of the names of those school districts. If you still have that available it might be helpful for you to revive everyone's memory about the districts the specific districts that would...I hesitate to say benefit because

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

128th Legislative Day

June 13, 1990

they're in severe financial problems, but at least would have those problems partially addressed by this Bill."

Homer: "Yes. Representative Cowlshaw, I'm looking for that list that I can't find but I recall from memory there were 11 different small rural school districts. The staff has just given me the list. It's Plymouth district, Lewistown district, Balyki, Astoria, O'Dell, Tower Hill, Community district 211, Till district, Pritchard Clark, Sunberry. And, insofar as where they're located with regards to legislative districts, they're located, the one school district's in my district, Representative Edley has some of those districts, Representative Noland, Goforth, Granberg and Ewing have the others. So they're located throughout the state actually, and there are 11 school districts. The total dollars is \$331,000."

Cowlshaw: "Very good. Representative Homer, I really appreciate you're taking the time to locate that information. I thought it might really be helpful to the people here to have their memories somewhat revived about the specifics of that Bill. I supported this Bill in committee. I support it here on the floor. I think we need to do these kinds of things for school districts with very particular problems. And I suggest that we adopt this Amendment. Thank you for your answers. And, thank you, Madam Speaker."

Homer: "Thank you."

Speaker Jones, L.: "Are there any further discussion? Hearing none, the question is, 'Shall Amendment #3 to Senate Bill 1843 be adopted?' All in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Jones, L.: "Third Reading. Order of Environment, Second

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

128th Legislative Day

June 13, 1990

Reading. Senate Bill 1508, Representative Balanoff.
Senate Bill 1508. Read the Bill Mr. Clerk."

Clerk Leone: "Senate Bill 1508, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Jones, L.: "There's a request for a fiscal note. Has it been filed, Mr. Clerk? Out of the record. Senate Bill 1838, Representative Brunsvold. Out of the record. Senate Bill 2001, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 2001, a Bill for an Act in relationship to recyclable and degradable products. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker Jones, L.: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Jones, L.: "Any Floor Amendments?"

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

Speaker Jones, L.: "Representative Breslin."

Breslin: "Thank you, Madam Speaker, Ladies and Gentlemen. Amendment #3 is offered on behalf of the ceramics industry. And it provides that...this Bill does not apply to any glass or ceramic product used as packaging which is intended to be reusable or refillable and where the lead and cadmium from the product do not exceed the toxic characteristic leachability procedures of leachability under the Federal U.S. EPA Act. I believe that this is an appropriate exemption and should be adopted."

Speaker Jones, L.: "Any discussion on the Amendment? Hearing none, the question is, 'Shall Amendment #3 of Senate Bill 2001 be adopted?' All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

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

128th Legislative Day

June 13, 1990

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

Speaker Jones, L.: "Representative Breslin."

Breslin: "Thank you, Madam Speaker. I understand that Amendment #4 is a technical correction in Amendment #2 and is not controversial. I would therefore ask for the adoption of Amendment #4."

Speaker Jones, L.: "Any discussion on the Amendment? Hearing none, the question is, 'Shall Floor Amendment #4 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and Floor Amendment #4 is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #5 being offered by Representatives Balanoff and Trotter."

Speaker Jones, L.: "Representative Balanoff."

Balanoff: "Take it out of the record. I don't want it."

Speaker Jones, L.: "Withdraw Amendment #5. Any further Amendments?"

Clerk Leone: "Floor Amendment #6 being offered by Representatives Balanoff and Trotter."

Speaker Jones, L.: "Representative Balanoff."

Balanoff: "Yes, Madam Speaker. Amendment #6 would impose a five year moratorium on the construction or operation of new incinerators in the State of Illinois. Moreover the Amendment provides that no incinerator shall be permitted after the expiration of the moratorium period unless the such incinerator is located in a planning jurisdiction; it has adopted a solid waste management plan which includes and provides for waste reduction of at least 60 percent to be achieved by means of recycling source reduction and composting. It specifically authorizes the use of incineration and requires a demonstration that any proposed incineration facility will not adversely impact the

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

128th Legislative Day

June 13, 1990

environment. Finally, the Amendment prohibits, beginning January 1st, of 1991 the incineration of any of the following: batteries, plastics containing chlorides or metal additives, landscape waste, tires, chlorinated paper or paper product, chlorinated paper products, and any other material determined by the Illinois Environmental Protection Agency to either produce toxic combustion products when incinerated or be reusable, recyclable, or compostable. The incinerator industry is in a frenzy to build incinerators in the south suburbs of around Cook County. They have tried to sell their poisons in many communities. Many in this chamber have come out against incinerators in their own back yards. Many in this chamber have said that incinerators should not be sited in highly populated areas. But that's not enough, if they're not safe, we have to admit the terrifying reality that present incinerator technology is not safe for any area. I don't want them in my back yard. I don't want them in your back yard. Not on our planet Earth because good planets are very difficult to find. And I just want to say a little bit more about incineration as a technology and what they have found in the Netherlands. They've banned the sale of meat and milk around their largest incinerator within a one mile radius because of the very high levels of dioxans in the meat and the milk and they treat milk fat that's skimmed off as hazardous waste. In France, they've found very serious increase in respiratory problems within two miles of their incinerators. In Florida, they've asked people not to eat the fish because of the very high levels of mercury. And in incinerator technology they do not know how to scrub out mercury vapor. I'm a believer that incineration as a technology is just not safe. The answer is source reduction, recycling, and composting. This

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

128th Legislative Day

June 13, 1990

legislation would accomplish what many of us have been accomplishing over and over again in many different communities across this state for the last year. And that's the banning of the burn at any rate, not to go on, I'd be certainly very happy to answer any and every questions. And I would ask for a 'yes' vote on Amendment #6 because, as I said earlier, good planets are very difficult to find."

Speaker Jones, L.: "Further discussion, the Gentleman from Cook, Representative Shaw."

Shaw: "Will the Sponsor yield, Madam Speaker?"

Speaker Jones, L.: "Indicates he will."

Shaw: "Representative Balanoff, what will this do with the now negotiated incinerator plant that's about to be constructed in Robbins, Illinois?"

Balanoff: "Unfortunately, the law does not permit that we can grandfather them in."

Shaw: "Beg your pardon?"

Balanoff: "Unfortunately, the law does not permit us to grandfather them in, so they would be unaffected. Other than what they would have to keep out of the incinerator, they would not be allowed to burn batteries, tires and other things that cause, you know, have toxic emissions. But other than that, it would not affect the construction of Robbins, unfortunately."

Shaw: "This would, alright, what would it do with this Amendment? Would this enhance them being issued an operating permit?"

Balanoff: "They've already been issued an operating permit in the Village of Robbins."

Shaw: "For the plant?"

Balanoff: "That's correct."

Shaw: "So this doesn't do anything to them?"

Balanoff: "It would not do anything other than keep certain

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

128th Legislative Day

June 13, 1990

things out of the waste stream. They would not be allowed to burn a couple of things but other than that no, there would not be any other effect. They can still construct and build. We're gonna look for another angle to beat that."

Shaw: "You are aware that the Mayor of Robbins..."

Balanoff: "This does not effect Robbins."

Shaw: "But you are aware that the Mayor of Robbins supports...wants this incinerator plant there?"

Balanoff: "I'm aware of that."

Shaw: "And like you and I, she speaks for the people of Robbins, is that right?"

Balanoff: "There were many people in Robbins that spoke out very vehemently against the incinerator. She's an elected official and she speaks for herself and some of the people, I'm sure, in Robbins. Many of the people in Robbins did not want that permit to be issued. But this, but as I said, this does not affect Robbins."

Shaw: "Okay."

Speaker Jones, L.: "Further discussion? The Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Madam Speaker. Will the Sponsor yield to a question?"

Balanoff: "Absolutely."

Speaker Jones, L.: "Indicates he will."

Kulas: "Representative Balanoff, how many incinerators have been sited in the State of Illinois in the last 20 years?"

Balanoff: "Robbins was the first one that has been permitted for municipal solid waste."

Kulas: "So, in the last 20 years we have one incinerator which has been so far permitted. Is that correct?"

Balanoff: "To the best of my knowledge."

Kulas: "Then why would you want to put a moratorium on something

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

128th Legislative Day

June 13, 1990

that doesn't hardly exist?"

Balanoff: "Because with the permitting of Robbins, this may be opening up the door. And we certainly don't want to allow that to happen."

Kulas: "Oh, thank you, to the Amendment. Madam Speaker, Ladies and Gentlemen of the House. This was a Bill which was heard before. It was defeated before. It doesn't belong on this Bill which deals with the recycling which is an important Bill for the Department of Energy and Natural Resources. I don't think that at a time when this state is facing a solid waste crisis that we should be putting a moratorium on incineration. And I'd also ask all of you to vote 'no' on this Amendment."

Speaker Jones, L.: "Further discussion? The Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Madam Chairman. Will the Sponsor yield for a question or two please?"

Speaker Jones, L.: "Indicates he will."

Didrickson: "Representative Balanoff, you've already said that this will not affect the Robbins siting of the incinerator there."

Balanoff: "Correct. Right."

Didrickson: "And, of course, those of us in the southern suburbs want to make certain that good planning evolves. That there, if incineration is appropriate and right and done properly, we want that option out there. And so, you are already assuring us that this Bill would have nothing to do with the Robbins siting. However, in the Amendment language I'd like to understand a little bit about what you mean by line 21 on page #1, with regards to planning jurisdiction. How do we define planning jurisdiction?"

Balanoff: "Under the law that I believe you passed a year ago, or a year and a half ago, it could be a county or a city."

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

128th Legislative Day

June 13, 1990

There are different kinds of planning jurisdictions. They have to come up with solid waste plans."

Didrickson: "Is that defined in your Bill?"

Balanoff: "No it's not. It's defined in the bigger Act."

Didrickson: "Oh. Because out by us planning jurisdiction could be the south suburban...(tape inaudible)"

Balanoff: "It's a county."

Didrickson: "...It could be the County of Cook, it could just be simply Robbins and I think that that language needs to be tightened up. On page #2 you talk about composting and you talk about recycling. Can you explain to me how we can...On line #1, 'provides for the diversion of at least 60 percent of that waste strain, municipal waste strain has to be done through source reduction, recycling, and composting.' Can you explain to me how that can be done, to that extent and where you got the 60 percent?"

Balanoff: "Composting in itself will be about 18 to 20 percent. We have to dramatically, in this state, increase recycling efforts and source reduction efforts: that would be taking packaging that is not recyclable, taking things like disposable diapers out of the waste stream, taking things like those nice little juice boxes out of the waste stream. Those are ways that we can reduce as far as source reduction. And the goals that we're talking about are not unreasonable. In many states..."

Didrickson: "Goals? Are these goals or are these realities?"

Balanoff: "Well, this is what we're going to have to hit. If that, as part of a plan, if people want to be able to say, 'well, let's site an incinerator.' I think part of it though...go on."

Didrickson: "I think...What I'm hearing from some of the municipalities, the grave concern here is also the time frame that you would be mandating with this Amendment, by

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

128th Legislative Day

June 13, 1990

1991 recycling, composting. We're just beginning. We're just beginning. How do we hit those time frames that you have written up here?"

Balanoff: "It is by '96, if you wanted to site a facility, you have to be doing certain things by 1996."

Didrickson: "Okay. Well, let's move down on page #2 on line 25. Beginning January 1, 1991, 'no person may incinerate or accept for incineration any of the following: lead, acid, household or other, battery, electronic componants, plastic containing chlorides or metal additives any yard or landscape waste' And it goes on and on here there's a whole host of such requirements by 1991, January. How do you expect municipalities to meet that time line?"

Balanoff: "Well, I'll tell you what. If they're going to use incineration as part of waste disposal they should figure out how to pull those things out of the waste stream. Because they, the toxic emissions from incinerators, including things like dioxan for which there is no known safe level. It is a carcinogen. It causes cancer. They certainly should be pulled out and must be pulled out for the public health."

Didrickson: "Where is the funding source for this Amendment in this proposal, that back to the locals that you would be mandating on them?"

Balanoff: "Well, I'll tell you. I think if we, my feeling has always been that if we were to start recycling now, it would be a cost saving to municipalities. My understanding..."

Didrickson: "By January '91 this would have to be in effect. I guess, that's my question: where is the funding going to come from?"

Balanoff: "No. We're pulling out these things out of the waste stream for incineration. If they're going to do it they

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

128th Legislative Day

June 13, 1990

certainly ought to figure out how to be able to do it so it's not going to be causing a problem to public health."

Didrickson: "Excuse me, to the Amendment, Madam Chairman. I would rise and join Chairman Kulas from the Energy Committee with regards to this Amendment. I don't think it deserves to be passed at this time. It is entirely too premature. Certainly, there are communities that want to be looking at this as an option. And, obviously, if we're going to mandate back on municipalities. The fact that they have to get rid of this waste in, by a time frame of January '91 without any funding source or any consideration of that. I would suggest that a 'no' vote is an appropriate vote."

Speaker Jones, L.: "Further discussion? The Gentleman from Cook, Representative McNamara."

McNamara: "Thank you, Madam Speaker. The Gentleman will yield for a question?"

Speaker Jones, L.: "He indicates he will."

McNamara: "I understood in your comments that you indicated that Robbins' facility would not be affected by this measure. Is that correct?"

Balanoff: "It would not be impacted as far as it's construction permit or it's operating permit, other than like every other incinerator, it would not be allowed to accept certain things for incineration. That is correct."

McNamara: "Okay. If I read this Bill correctly, what your measure does is eliminate the operating permit for Robbins."

Balanoff: "That is not correct."

McNamara: "That is not the interpretation that I have."

Balanoff: "Well, maybe there's, there's just a difference of interpretations."

McNamara: "Yes, there is also..."

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

128th Legislative Day

June 13, 1990

Balanoff: "Unfortunately. I wish we could do that but we can't."

McNamara: "Yeah, there is also a difference in interpretation as far as how bad or how good incineration is. There is also a difference in interpretation as to whether your suppositions or my facts are correct. And, in regard to this, the incineration process is part of the total overall garbage control that we must have for the entire State of Illinois. We are under a crisis. We cannot improve technology if we are going to kill technology before it starts. Let's face that fact. Henry Ford would not have developed his car if all of a sudden the first motor vehicle that was ever invented was not allowed to exist. So, therefore, let's not bury our heads in the sand as many people have said on this House Floor and say that this is good, bad or indifferent. The experts have told us that the incineration process that is proposed for the Robbins' facility is the best technology available. That it happens to be a safe process according to all standards. Let's let technology go ahead. I urge an 'aye'...negative vote on this Amendment."

Speaker Jones, L.: "Any further discussion? Hearing none, the question is, 'Shall Floor Amendment #6 to Senate Bill 2001 pass?'"

Balanoff: "Can I close? Can I close? Can I close? Can I close? Can I close?"

Speaker Jones, L.: "All those in favor say 'aye', opposed 'no'. All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. 23 voting 'yes' 70 voting 'no' and the Amendment fails. Further Amendments?"

Clerk Leone: "Floor Amendment #7 offered by Representative Keane."

Speaker Jones, L.: "Representative Keane."

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

128th Legislative Day

June 13, 1990

Keane: "Thank you, Madam Speaker. Withdraw Amendment #7. It's technically incorrect."

Speaker Jones, L.: "Withdraw Floor Amendment #7. Any further Amendments?"

Clerk Leone: "Floor Amendment #8 offered by Representative Kulas."

Speaker Jones, L.: "Representative Kulas."

Kulas: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #8 was put in at the request of the wine industry. We found out that the packaging products that the D & R Bill addressed would affect certain portions of the wine industry. And all they are asking is to extend for one year the date to comply because they sealed their wines for the purposes of aging until foil. And this would allow them an extra year so they could come into compliance. I've checked with the department. The department supports the Amendment and I would ask for a favorable Roll Call."

Speaker Jones, L.: "Any discussion on the Amendment? Hearing none, the question is, 'Shall Floor Amendment #8 to Senate Bill 2001 pass?' All in favor vote 'aye', opposed vote 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #9 offered by Representative Wennlund."

Speaker Jones, L.: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Floor Amendment #9 creates an incentive for Counties who have, number one, filed a solid waste management plan in accordance with the Solid Waste Management Planning and Recycling Act. And the county that has not been determined to have failed to meet its target waste disposal limit. That those counties cannot accept

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

128th Legislative Day

June 13, 1990

garbage or waste from any other county or state primarily unless the waste is generated in a jurisdiction in which a Solid Waste Management Plan was adopted. Unless it was generated where the jurisdiction has not been cited for failure to meet it's targeting limits. Or, also where they've been under a contract where there's municipal waste was accepted for incineration or disposal pursuant to a contract in existence on the effective date of the Act. Or, where there was generated in a jurisdiction where the waste contains not more than 33 percent or 1/3 by volume of recoverable materials which are recyclable materials. This gives the counties in the jurisdictions an incentive to reduce the amount of waste generated. And, it also will prevent the dumping of out of state waste in counties which have indeed gone forward and met all the provisions of the Solid Waste Act and filed their plans. And I move for the adoption of the Amendment."

Speaker Jones, L.: "Further discussion on the Amendment? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Jones, L.: "Indicates he will."

Cullerton: "Could you describe what you have in mind specifically, with regard with this Amendment? In other words, if this was law right now, what county would be prohibited from having their waste incinerated by another county?"

Wennlund: "Well, right now we require all counties in the State of Illinois to file and comply with the Solid Waste Management and Planning Act. To date, there's only one county that has complied."

Cullerton: "What county is that?"

Wennlund: "Lake County."

Cullerton: "Lake County?"

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

128th Legislative Day

June 13, 1990

Wennlund: "Correct."

Cullerton: "Do they have an incinerator in Lake County?"

Wennlund: "No, Sir."

Cullerton: "So, what you're saying is right now if this became law it wouldn't effect any current actions with regard to incinerating?"

Wennlund: "Well, that's correct. That's correct. But what we're trying to do is to get all counties in the state to comply with the provisions of the Solid Waste Management Act and give them an incentive if they, in fact, do comply...without penalty at all, no penalty at all. It's an incentive to get them to comply with provisions of the Act which they haven't complied with yet."

Cullerton: "Well, what counties have incinerators?"

Wennlund: "Wisconsin and Indiana, for instance, they have similar provisions...only by way of penalty, in the State of Indiana and the State of Wisconsin do. And you know, because they have done, they've gone to the same plan, waste from both of those states are being brought into Illinois. I know they're being brought into Representative Olson's district from the State of Indiana."

Cullerton: "This only effects incinerators, right?"

Wennlund: "No."

Cullerton: "You're talking about incinerators. The effect of this Amendment is to say that you cannot take..."

Wennlund: "It...no. It applies to a pollution control facility, landfill or incinerator."

Cullerton: "It applies to landfills as well?"

Wennlund: "Correct."

Cullerton: "Let's say if Cook County was not in compliance."

Wennlund: "Then they couldn't have the benefits of the provisions of this Amendment."

Cullerton: "Would this have the effect of saying that none of

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

128th Legislative Day

June 13, 1990

their waste could be put in any landfill in any county or incinerated in any other county that had complied?"

Wennlund: "If...No it doesn't have that effect either at this point and time. I mean, if at some point in time every county in the State of Illinois complied, then they would be in a position county by county to exclude waste products from Wisconsin or Indiana. One hundred and one have not complied."

Cullerton: "Let me ask my question again. If Cook County did not comply, but some downstate county had the landfill did comply, would the effect of this Amendment be that that landfill could not take waste from Cook County?"

Wennlund: "Not necessarily. Because if the waste generated in Cook County was generated under a contract in existence in the effective date of this then...Or had...that the 33 percent requirement was met it would not affect Cook County at all."

Cullerton: "I guess I'm just... We haven't had the chance to digest this Amendment. Could you tell me a little background as to the genesis of this Amendment? Who's..."

Wennlund: "The genesis of this Amendment is from...is to try and create an atmosphere of compliance with the Solid Waste Management Planning Act which would prevent waste from..."

Cullerton: "I understand that. I mean the purpose...did you make this up yourself or is there some department..."

Wennlund: "Well, the purpose is to do it without penalties. And we're not...You know, they don't want to put any penalties on the City of Chicago or the County of Cook. The purpose of it is to create incentives for counties to, in fact, comply without penalty."

Cullerton: "Well, I'll tell you what. Just to be on the cautious side until we've had a chance to look at it. I seek some advice from Mr. Chairman, Representative Kulas. But I

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

128th Legislative Day

June 13, 1990

think there's an inclination to be opposed to it. But I just wanted to ask those questions. I appreciate your answers."

Wennlund: "I've spoken to the Sponsor of this Bill, and she has no opposition to the Amendment whatsoever."

Cullerton: "Okay. Thank you."

Speaker Jones, L.: "Any further discussion? Representative Kulas."

Kulas: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We have had for almost a year's time a task force that has been trying to address the problem of the solid waste siting, recycling, reduction, etc. This Amendment is before its time. It doesn't belong on this Bill now, we've got...we have a Bill out there, House Bill 4013, on which we have agreed to extend the deadline until November 30th. So we can address this problem and have all the interested parties work on this...on the problem during the summer and then we can address this problem in the fall. And I would ask all my colleagues to vote against this Amendment."

Speaker Jones, L.: "Represent...Representative Wennlund to close."

Wennlund: "Madam Speaker..."

Speaker Jones, L.: "I'm sorry. Representative Olson."

Olson: "Would the Sponsor yield?"

Speaker Jones, L.: "Indicates he will."

Wennlund: "Yes."

Olson: "Representative, as I understand this. Those counties that comply with the Solid Waste Planning and Recycling Act meet certain qualifications, could then refuse to accept out of state waste, that doesn't meet those same qualifications."

Wennlund: "That's correct. That's correct. That doesn't meet the same qualifications. That's correct."

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

128th Legislative Day

June 13, 1990

Olson: "Thank you. To the Bill. I have in my home county a small mom and pop type landfill which was purchased and is currently accepting out of state waste. This does not win any popularity contests. It's something that can happen to any of you who have active landfills in your district where possibly, and it's a long way off, I guess the siting of new landfills. I think you ought to consider this very carefully. If you're receiving waste from Ohio, New Jersey, New York, this can be an asset in keeping that hometown landfill for hometown waste. I urge a favorable vote on this Amendment."

Speaker Jones, L.: "Representative Wennlund to close."

Wennlund: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Two years ago or three years ago we passed the Solid Waste Management and Planning Act. And we required all counties above 100,000 first to plan, to file Solid Waste Management Plans. And then we extended it last year to counties under 100,000. They have not been complying to date because there's not been a submission incentive for them to comply to date and this provides the incentive to get all counties in Illinois on board with the Solid Waste Management and Planning Act. The Act is already in existence. This does not impose any penalties. It creates an incentive for all counties in the State of Illinois to plan for Solid Waste Management Planning and to get serious about meeting their target limits of reduction which are already set out in the Solid Waste Management Act at 25 percent. It encourages counties and gives them an incentive to meet those target limits and to in fact go ahead and do your planning and file your plan and get in approved by the EPA. This is a good Bill. It's a good incentive for Illinois and it's a good incentive for counties. Roll Call vote, please. I request a Roll Call."

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

128th Legislative Day

June 13, 1990

Speaker Jones, L.: "Any further discussion? Hearing none, the question is, 'Shall Floor Amendment #9 be adopted?' All in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. There are...Representative McCracken."

McCracken: "Yes, change me to 'yes'."

Speaker Jones, L.: "Change Representative McCracken to 'yes'. Representative Wait."

Wait: "Aye."

Speaker Jones, L.: "Votes 'aye'. Representative Ackerman votes 'aye'. Representative Matijevich votes 'aye'. Munizzi 'no'. Representative Young 'aye'. Hicks 'aye'. Keane 'aye'. Anthony, Tony Young...Representative Stern 'aye'. Representative Wyvetter Younge 'aye'. Representative Zickus 'no'. Is anyone else seeking recognition? Representative Rice 'aye'. Representative Flowers 'aye'. Representative Frederick 'aye'. Petka 'aye'. Santiago 'aye'. No, I'm sorry. Santiago 'no'. Is that it? Representative Harris 'aye'. Representative Williams 'aye'. Currie 'aye'. That's 71 voting 'aye', 44 voting 'no' and the Amendment is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #10 being offered by Representative Keane - Barnes - McGann."

Speaker Jones, L.: "Mr. Clerk who was that?"

Clerk Leone: "That's Representative Keane offering Amendment #10."

Speaker Jones, L.: "Representative Keane."

Keane: "Madam Speaker, I don't believe that that has been printed and distributed."

Speaker Jones, L.: "It has not been distributed. Representative Breslin."

Breslin: "Madam Speaker, hold the Bill on Second so that

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

128th Legislative Day

June 13, 1990

Representative Keane will have an opportunity to present his Amendment. Thank you."

Speaker Jones, L.: "Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Jones, L.: "The Bill will be held on Second Reading. Representative Breslin in the Chair."

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

Olson, M.: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The Republicans request a Caucus for one half hour in 118. I understand the Democrats are also requesting a Caucus in a very, very few minutes and if that is satisfactory we both will go to Caucus."

Speaker Breslin: "Okay. Representative Kulas, we would rather that you would hold that request until 5:30. Just a moment. Would that be acceptable Representative Olson? Representative Olson?"

Olson, M.: "Thank you very much. We need to go to Caucus immediately, Madam Speaker."

Speaker Breslin: "Representative McCracken, for what reason do you seek recognition? Ladies and Gentlemen, we are going to work until 5:30 and then proceed to mutual Caucuses. The next Bill, on the Order of Second Reading, under the Order of Environment is Senate Bill 2037, Representative Goforth. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2037, a Bill for an Act concerning natural resources in data collection. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Senate Bill 2038, Representative Weaver. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 2038, a Bill for an Act in relation

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

128th Legislative Day

June 13, 1990

to animal research. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Amendments?"

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

Speaker Breslin: "Representative Weaver."

Weaver: "Thank you very much, Madam Speaker. Amendment 2 makes a good Bill better. The Bill passed out of committee 11 to 0 with 4 voting 'present'. The Amendment was drawn to answer the questions and concerns of those 4 'present' votes. We've consulted with most of them and I think there's no opposition to this Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 2 to Senate Bill 2038. On that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment 2 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 2253, Representative Currie. Representative Currie, do you wish to call this Bill? Out of the record. The next order in Second Reading is Criminal Law. The Sponsors are Hensel, Homer, Goforth, Matijevich, Weller, Parcels and Anthony Young. The first Bill on the Order is Senate Bill 1515, Representative Hensel. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1515, a Bill for an Act relating to crime statistics reports. Second Reading of the Bill. Amendment #1 is adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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

128th Legislative Day

June 13, 1990

Clerk O'Brien: "No Motions filed. Floor Amendment #2 offered by Representative Countryman."

Speaker Breslin: "Representative Countryman. Is the Gentleman in the chamber? Representative Countryman? Proceed on your Amendment, Sir."

Countryman: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Amendment deletes the sections which requires that the City of Chicago be excluded from reporting their crime statistics and they would be treated just like every other municipality with a university in the state. I move its adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 2 to Senate Bill 1515. On that question, the Gentleman from DuPage, Representative Hensel."

Hensel: "Will the Sponsor yield?"

Speaker Breslin: "He will."

Hensel: "If I read the Amendment right, it deletes lines 30 thru 35 on page four of the Bill?"

Countryman: "That's what it says."

Hensel: "Is that correct?"

Countryman: "That's what it says."

Hensel: "Well then if I...if we delete that it eliminates all municipalities including Chicago. Is that what you're trying to do?"

Countryman: "No, I'm trying to include Chicago."

Hensel: "Well, what we are eliminating is it says crime statistics for the proceeding year applicable to each city. Excluding...but if you take out that whole thing you're going to eliminate all municipalities aren't you? Including Chicago? Are you putting it in or..."

Countryman: "Well that...well they either should all be in or all be out. So I guess they'll all be out."

Countryman: "Well I think what you're trying to do with you're

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

128th Legislative Day

June 13, 1990

Amendment is not in order and I just ask for a 'no' vote on the Amendment."

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

Cullerton: "Well, yes, would the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "Just to clarify what the purpose of your Amendment is. The way the Bill was originally drafted, apparently by Representative Hensel and this is a new Act. One of the things that had to be included in the report is information for the most recent school year about crime statistics for the previous year. Applicable to each city in which the institution of higher education is located. Now I assume that they excluded Chicago because such a big city it doesn't mean anything to have crime statistics for the City of Chicago be reported in a university report to some university located in the City of Chicago. Now, the way you describe your Amendment I thought that you were trying to have Chicago included. And the way I read it, as did Representative Hensel, what you're saying is that you're simply removing the requirement that this report include crime statistics from the previous year. Is that your intent?"

Countryman: "Well, my intent was when I asked to have the Amendment drafted, my intent was to have the crime statistics for Chicago just as if they would be for DeKalb, Champaign, Carbondale."

Cullerton: "Okay. Well, that's clearly not what the Amendment does."

Countryman: "But since the Amendments been called here and Representative Hensel pointed it out, obviously, the drafters in LRB didn't catch..."

Cullerton: "So do you want to withdraw the Amendment?"

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

128th Legislative Day

June 13, 1990

Countryman: "Well no, because then the Bill will go to Third Reading. And, as the Bill stands, I don't think it's good legislation because I don't think that you oughta single out downstate communities and say that you have to report crime statistics there, when you don't report it in Chicago."

Cullerton: "Well, I'm not the Sponsor of the Bill. I mean I didn't draft the Bill. But I would assume that what Representative Hensel had in mind was that if you've got a college town where that's the, the university is the main focus of that city, then maybe the city wide crime statistics mean something. But in the City of Chicago it's meaningless to report to the people of the University of Illinois or Northeastern University what the overall statistics for crime statistics for the City of Chicago."

Countryman: "I would disagree. I mean, in the effect of the Amendment is it's wrong, although it didn't capture my intent, is to delete this with regard to any city."

Cullerton: "Okay. Well now we're getting to what you really want to do with the Bill. You want to not have the crime statistics from a local municipality have to be disclosed in this report. That's what you really want to do."

Countryman: "Well, that's what the Amendment will do. I'm satisfied that if it does that because I think that what will happen is that it will pick on Carbondale, for instance, who might have in one year a higher crime rate in some area than in another..."

Cullerton: "Well, why don't you just vote against the Bill on Third Reading?"

Countryman: "Well, I did that in committee and one week I got it held in committee and someone defeated it. And the next week all of a sudden arms are twisted and things are happening and it gets passed. So I would like to amend

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

128th Legislative Day

June 13, 1990

it."

Cullerton: "Okay, well as long as you know that the Amendment doesn't do what you said it did."

Countryman: "Yeah, but it's fine the way it does it because it deletes the objectional parts."

Speaker Breslin: "Any further discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' All those in favor say 'aye' all those opposed say 'no'. All those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 8 voting 'aye' and 100 voting, only 99 voting 'no'. You didn't break the record Representative Countryman. The Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Senate Bill 1518, Representative Homer. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1518, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. Ladies and Gentlemen, the hour of 5:30 has arrived. It is the intention of the Chair to adjourn at this time and for each Caucus to go into Caucus. The Democratic Caucus will be discussing the Compensation Review Board's Report in room 114. Excuse me. Representative Cullerton, for what reason do you seek recognition?"

Cullerton: "I think you should tell the Republicans what they're going to talk about too, because otherwise they might not go."

Speaker Breslin: "Well, I think that's for the Republicans to..."

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

128th Legislative Day

June 13, 1990

Cullerton: "Well, I know what they're going to talk about."

Speaker Breslin: "You tell us then."

Cullerton: "They're going to talk about the census."

Speaker Breslin: "I wonder why."

Cullerton: "Apparently, they think it's important. They want to make sure everybody gets counted here in Illinois. But they're not in favor of overcounts. No one's ever accused anybody of doing over counts."

Speaker Breslin: "Okay, now we all know what everybody is talking about. There is one change, the Republicans will report to room 114 to discuss the census. The Democrats will report to room 118 to discuss the Compensation Review Board Report. We have one last item of business. Representative Matijevich is recognized for a Motion."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House. I would ask leave of the House and use of the Attendance Roll Call for the purpose of waiving the posting notice for Senate Joint Resolution 191. So that it can be heard in the Speaker's Conference Room, the Rules Committee meeting at 11:00 a.m. in the morning. And I'd ask the..."

Speaker Breslin: "We are changing that to 11:50, Representative Matijevich, 11:50."

Matijevich: "11:50. I thought that's what I said. 11:50. Alright."

Speaker Breslin: "You've heard the Gentleman's Motion. Is there any objection? Hearing no objection, the rules are waived to allow Resolution 191 to be heard by the Rules Committee at 11:50. And now, Representative Matijevich moves that the House stand adjourned until 12:00 noon tomorrow. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the House will go into Perfunctory Session for the purposes of some small items of business. This House is adjourned now until 12:00 noon

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

128th Legislative Day

June 13, 1990

tomorrow except for this small Perfunctory Session.
Democrats go to 118, Republicans to room 114."

Clerk O'Brien: "Committee Report. Representative Bowman, Chairman of the Committee on Appropriations II, to which the following Bills referred, action taken June 13, 1990, reported the same back with the following recommendation: 'do pass' Senate Bill 1785. A Message from the Senate by Mrs. Hawker, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives the Senate has adopted the following Senate Joint Resolutions, the adoption of which I'm instructed to ask concurrence in the House of Representatives, to wit; Senate Joint Resolution #192, adopted by the Senate June 13, 1990. Linda Hawker, Secretary. There being no further business, the House now stands adjourned."

STATE OF ILLINOIS
86TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

JUNE 13, 1990

SB-0100	THIRD READING	PAGE	47
SB-1051	SECOND READING	PAGE	4
SB-1484	SECOND READING	PAGE	6
SB-1497	SECOND READING	PAGE	76
SB-1508	SECOND READING	PAGE	91
SB-1515	SECOND READING	PAGE	109
SB-1518	SECOND READING	PAGE	113
SB-1523	SECOND READING	PAGE	85
SB-1531	SECOND READING	PAGE	15
SB-1550	SECOND READING	PAGE	26
SB-1571	SECOND READING	PAGE	6
SB-1577	THIRD READING	PAGE	65
SB-1578	SECOND READING	PAGE	15
SB-1585	SECOND READING	PAGE	86
SB-1593	SECOND READING	PAGE	27
SB-1612	SECOND READING	PAGE	68
SB-1643	SECOND READING	PAGE	28
SB-1659	SECOND READING	PAGE	7
SB-1700	SECOND READING	PAGE	69
SB-1736	SECOND READING	PAGE	28
SB-1767	SECOND READING	PAGE	29
SB-1843	SECOND READING	PAGE	87
SB-1864	RECALLED	PAGE	78
SB-1864	THIRD READING	PAGE	78
SB-1864	THIRD READING	PAGE	80
SB-1881	THIRD READING	PAGE	84
SB-1906	SECOND READING	PAGE	14
SB-1949	SECOND READING	PAGE	7
SB-1965	SECOND READING	PAGE	10
SB-1994	SECOND READING	PAGE	13
SB-1996	THIRD READING	PAGE	43
SB-2001	SECOND READING	PAGE	91
SB-2009	THIRD READING	PAGE	65
SB-2012	SECOND READING	PAGE	13
SB-2037	SECOND READING	PAGE	108
SB-2038	SECOND READING	PAGE	108
SB-2052	THIRD READING	PAGE	83
SB-2058	THIRD READING	PAGE	40
SB-2075	SECOND READING	PAGE	14
SB-2076	SECOND READING	PAGE	14
SB-2089	THIRD READING	PAGE	66
SB-2093	THIRD READING	PAGE	67
SB-2106	SECOND READING	PAGE	6
SB-2108	THIRD READING	PAGE	68
SB-2119	SECOND READING	PAGE	5
SB-2150	SECOND READING	PAGE	72
SB-2168	RECALLED	PAGE	46
SB-2168	THIRD READING	PAGE	46
SB-2168	THIRD READING	PAGE	47
SB-2176	SECOND READING	PAGE	26
SB-2195	SECOND READING	PAGE	15
SB-2216	SECOND READING	PAGE	4
SB-2231	THIRD READING	PAGE	42
SB-2239	SECOND READING	PAGE	26
SB-2291	SECOND READING	PAGE	26
SB-2312	THIRD READING	PAGE	114
SJR-0191	MOTION	PAGE	114

SUBJECT MATTER

HOUSE TO ORDER - MCPIKE IN THE CHAIR	PAGE	1
PRAYER - REVEREND CHAMBLISS	PAGE	1
PLEDGE OF ALLEGIANCE - ROPP	PAGE	1
ROLL CALL FOR ATTENDANCE	PAGE	1

STATE OF ILLINOIS
86TH GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
DAILY TRANSCRIPTION OF DEBATE INDEX

JUNE 13, 1990

SUBJECT MATTER

COMMITTEE REPORT	PAGE	2
REPRESENTATIVE FLINN IN THE CHAIR	PAGE	2
INTRODUCTION - MISS ILLINOIS - TEEN USA	PAGE	2
REPRESENTATIVE ANTHONY YOUNG IN THE CHAIR	PAGE	3
MESSAGE FROM THE SENATE	PAGE	4
REPRESENTATIVE MCPIKE IN THE CHAIR	PAGE	47
REPRESENTATIVE LOU JONES IN THE CHAIR	PAGE	64
INTRODUCTION - DR. RAWLS	PAGE	83
REPRESENTATIVE BRESLIN IN THE CHAIR	PAGE	108
ADJOURNMENT	PAGE	114
PERFUNCTORY SESSION	PAGE	114
COMMITTEE REPORT	PAGE	115
MESSAGE FROM SENATE	PAGE	115
PERFUNCTORY SESSION - ADJOURNMENT	PAGE	115