

STATE OF ILLINOIS  
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Speaker Laurino: "The House will come to order. The Chaplain for today will be Pastor Cliff Beato from the Christian Life Assembly Church in Coal City. Pastor Beato is a guest of Representative Weller. The guests in the gallery wish to rise for the invocation."

Pastor Beato: "Like to just take first a moment to quote the Scripture. I'm reading from the new international version from the Book of Romans in Chapter 13, Verses 1 and 4, where it says that everyone must submit himself to the governing authorities. For there is no authority except that which is of God...which God has established. And the authorities that exist have been established by God. He is God's servant for doing good. Then over in Verses 6 and 7, the same Chapter in Romans says that this is why we pay taxes. For the authorities are God's servants, who give their full time to governing. Verse 7, give everyone what you owe. If you owe taxes, pay taxes. If you owe revenue, then revenue. If respect, then respect. And if honor, then honor. You know, I take issue with those who seem to be painting a picture today as though that government and Church were enemies. And I'd just like to...for us to think today about the fact that it is not only an incredible responsibility, but a sacred trust that God has given us in leading people. And to guard well that liberty that was paid for by the shedding of blood at Valley Forge, the Union preserved by the President who was given to the United States by this great state. And today with a satellite, we're able to witness daily as events in the world point out to the fact that there are those in the world in other places who are willing and ready to die for what many in America so often take for granted. And so with that thought in mind, I would just like to take a

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moment, not only to pray for the Assembly in general, but for you people personally as I talk to my best friend, Jesus. Could we bow for a minute. Lord, we do not take lightly the responsibility of liberty. For we know that there is no freedom without responsibility. God, we ask that the Holy Spirit of God might rivet our minds to the person of Jesus Christ, remind us of the dear price of freedom that He paid on the cross when He died for our sins to set us free. God, may we act responsibly and may we act in accordance with Your Scriptures. May the decisions that are made be decisions that are made in accordance with Your divine plan with the law of God. And with that in mind, Lord, I just commit every person in every seat in this House, Lord, today to Your divine care and guidance and the wisdom of the Holy Spirit of God in the name of Jesus, the Father, Son. Amen."

Speaker Laurino: "We'll now be led in the Pledge of Allegiance by Representative Rice."

Rice 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 Laurino: "Roll Call for Attendance. The Chair recognizes Representative Frank Giglio."

Giglio: "Mr. Speaker, let the record indicate that Representative Capparelli is excused absence and inform the Members that he's doing very well with his broken leg and he wishes... we wish him a speedy recovery."

Speaker Laurino: "The record will show. Let the record show that there being 117 Members present, we have a quorum. Agreed Resolutions."

Clerk Leone: "House Resolution 702, McGann; 704, Novak; 706, Johnson; 707, Mike Tate; 708, Hartke; 709, Pullen and

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Richmond; 710, Hultgren; 713, Matijevich et al; 714, Matijevich et al; 716, Barger; 718, Williamson; 720, Daniels; 722, Hultgren; 723, Steczo; 724, Steczo; 725, Richmond; 726, Stephens; 728, Balanoff; 731, Weller and 733, Balanoff."

Speaker Laurino: "Representative Giglio."

Giglio: "Mr. Speaker, Ladies and Gentlemen of the House, I've reviewed the Resolutions with the other side of the aisle and we all agree and therefore, I would move for the adoption of the Resolutions."

Speaker Laurino: "Representative Giglio moves the adoption of the Agreed Resolutions. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Resolutions are adopted. General Resolutions, Mr. Clerk."

Clerk Leone: "Senate Joint Resolution 66, offered by Representative Barnes and Daniels; House Resolution 701, offered by Representative Davis; 705, offered by Representative Johnson; 729, offered by Representative Lou Jones and 730, offered by Representative Novak et al."

Speaker Laurino: "Committee on Assignment. Death Resolutions, Mr. Clerk."

Clerk Leone: "House Resolution 711, offered by Representative Kulas in respect to the memory of Michael and Angelina Meccia; House Resolution 712, offered by Representative Regan in respect to the memory of Reverend Don Humbert; House Resolution 715, offered by Representative Shaw in respect to the memory of Thelma Smith; House Resolution 717, offered by Representative Jones in respect to the memory of Julian Lewis; House Resolution 719, offered by Representative DeJaegher in respect to the memory of Claude Pepper; House Resolution 721, offered by Representative Hultgren in respect to the memory of Ralph Eckley; House Resolution 727, offered by Representative Dunn in respect

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to the memory of Ellsworth Dansby and House Resolution 732, offered by Representative Johnson in respect to the memory of Weaver Healey."

Speaker Laurino: "Representative Giglio moves the adoption of the Death Resolutions. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Resolutions are adopted. Messages from the Senate."

Clerk Leone: "A Message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives the Senate has concurred with the House of Representatives on the passage of the following Bills together with Amendments in which...the adoption of which I am instructed to ask concurrence of the House of Representatives, to wit; House Bills 238, 545, 551, 584, 592, 595, 659, 830, 831, 832, 833, 836, 838, 840, 841, 842, 843, 844, 845, 846, 847, 849, 850, 859, 860, 864, 942, 1211, 1212, 1400, 1472, 1503, 1505, 1508, 1548, 1627, 1666, 1670, 1680, 1723, 1746, 1774, 1782, 1824, 1847, 1859, 1876, 1878, 1883, 2020, 2040, 2060, 2076, 2097, 2129 and 2174, passed the Senate as amended June 21st, 1989. Linda Hawker, Secretary of the Senate.'"

Speaker Laurino: "We have the change of vote forms up here at the well near the Clerk. Oh, they're being distributed? Alright, you'll have them on your desks, peruse them, bring them up by eleven o'clock on the Supplemental list for the Appropriation Bills, Supplemental #3 of yesterday. We'll now go to Supplemental #1 of today. We'll read the Bills individually, Mr. Clerk, and have...the Members can peruse those while they're on their desk and we'll wait for a period of time and see if any Amendments are filed."

Clerk Leone: "On Supplemental Agreed #1 Calendar - Senate Bills - Third Reading. Senate Bill 127, a Bill for an Act to amend the Minority and Female Business Enterprise Act. Third

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Reading of the Bill. Senate Bill 219, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Laurino: "Supplemental list #1 of today. We will go through these Bills individually and if there are any Amendments, we will bring it back to Second, vote on the Amendment and then move it to Third and hold it on Third. Mr. Clerk, House Bill...or Senate Bill 127. Representative Young is the House Sponsor."

Clerk Leone: "Senate Bill 127, a Bill for an Act to amend the Minority and Female Business Enterprise Act. Third Reading of the Bill."

Speaker Laurino: "Mr. Young."

Young, A.: "Yes, Mr. Speaker, I'd like leave to return this Bill to Second Reading for purposes of an Amendment."

Speaker Laurino: "The Gentleman requests that this Bill be returned to Second Reading. All those in favor indicate by saying 'aye', 'nay'...the opposed 'nay'. The 'ayes' have it. The Bill is on Second Reading, Mr. Clerk. Proceed, Representative Young."

Clerk Leone: "Floor Amendment #1, being offered by Representative Anthony Young."

Young, A.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 is the Amendment that was negotiated with the Governor's Office. It makes this Bill identical to the House Bill that the House passed earlier. I move for its adoption."

Speaker Laurino: "All those in favor to Amendment #1 to House Bill 120...or Senate Bill...Those in favor of Amendment #1 to Senate Bill 127 will indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Any further Amendments, Mr. Clerk?"

Clerk Leone: "There are no further Amendments."

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Speaker Laurino: "Third Reading. Senate Bill 219, Representative Sieben. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 219, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Laurino: "Third Reading. Senate Bill 296, Representative McCracken."

Clerk Leone: "Senate Bill 296, a Bill for an Act to amend certain Acts in relationship to actions for termination of parental rights. Third Reading of the Bill."

Speaker Laurino: "Third Reading. Senate Bill 505."

Clerk Leone: "Senate Bill 505, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Laurino: "Representative DeJaegher."

DeJaegher: "Thank you, Mr. Speaker. I'm sorry, I thought we was just moving these Bills for Amendment purposes. I have no Amendments that I'm going to be offering. Do you want me to go ahead and pass this Bill or what?"

Speaker Laurino: "We're just going to read them. We're going to leave it on Third right at the moment. We're not going to vote on it till later on. Third Reading. Senate Bill 733, Representative Keane."

Clerk Leone: "Senate Bill 733, a Bill for an Act to amend the Illinois Health Finance Reform Act. Third Reading of the Bill."

Speaker Laurino: "Third Reading. Senate Bill 895, Representative Williams."

Clerk Leone: "Senate Bill 895, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Laurino: "Representative Williams. Third Reading. Senate Bill 915, Representative Young."

Clerk Leone: "Senate Bill 915, a Bill for an Act to amend an Act relating to repossession of motor vehicles. Third Reading of the Bill."

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Speaker Laurino: "Third Reading. Senate Bill 963, Representative Giorgi."

Clerk Leone: "Senate Bill 963, a Bill for an Act to amend the Prairie State 2000 Authority Act. Third Reading of the Bill."

Speaker Laurino: "Third Reading. Senate Bill 1039, Representative Balanoff."

Clerk Leone: "Senate Bill 1039, a Bill for an Act in relationship to natural resources. Third Reading of the Bill."

Speaker Laurino: "Third Reading. Senate Bill 1075, Representative Ronan."

Clerk Leone: "Senate Bill 1075, a Bill for an Act to amend the Pharmacy Practice Act. Third Reading of the Bill."

Speaker Laurino: "Third Reading. Senate Bill 1075, Representative...Oh, I'm sorry. Okay, Senate Bill 1325, out of the record...has been removed from the Agreed Bill list, excuse me. Senate Bill 1330, Representative McAuliffe."

Clerk Leone: "Senate Bill 1330, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Laurino: "Third Reading. Senate Bill 1413, Representative White."

Clerk Leone: "Senate Bill 1413, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Laurino: "Third Reading. Senate Bill 1449, Representative Young."

Clerk Leone: "Senate Bill 1449, a Bill for an Act in relationship to public health. Third Reading of the Bill."

Speaker Laurino: "Representative Young."

Young, A.: "I will request leave to return this Bill to Second Reading for purposes of an Amendment."

Speaker Laurino: "The Gentleman asks leave of the House to bring this Bill back to Second Reading. Does he have leave?"

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Indicates...The House indicates he has. Second Reading,  
Mr. Clerk. Proceed. Are there any Amendments?"

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

Young, A.: "If I could handle the Amendment for Representative  
Homer? What Floor Amendment #2 does is it exempts law  
enforcement agencies, probation agencies and court service  
departments from...from the Clinical Laboratories Act. I  
move for its adoption."

Speaker Laurino: "Representative Young moves that Amendment #2 to  
Senate Bill 1449 be adopted. All those in favor indicate  
by saying 'aye', opposed 'nay'. The 'ayes' have it. The  
Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

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

Clerk Leone: "Senate Bill 1449, a Bill for Act in relationship to  
public health. Third Reading of the Bill."

Speaker Laurino: "Mr. Clerk, would you read Senate Bill 127 for a  
third time?"

Clerk Leone: "Senate Bill 127, a Bill for an Act to amend the  
Minority and Female Business Enterprise Act. Third Reading  
of the Bill."

Speaker Laurino: "Third Reading. Senate Bill 1075,  
Representative Ronan."

Clerk Leone: "Senate Bill 1075, a Bill for an Act to amend the  
Pharmacy Practice Act. Third Reading of the Bill."

Speaker Laurino: "Third Reading. I would like leave for the  
Bills that were amended on the Supplemental List #1 to be  
considered today, having been read a third time. Leave  
from the Attendance Roll Call. Is there leave? Leave  
being granted, the record will so show."

Clerk Leone: "Consent Calendar - Third Reading. Senate Bill 685,



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a Bill for an Act to amend the Open Meetings Act. Third Reading of the Bill."

Speaker Laurino: "Question is, 'Shall this Bill pass?' All those in favor indicate by saying 'aye'...vote 'aye', opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 117 'aye' votes, 0 voting 'nay' and 0 voting 'present' is hereby declared passed. Will the Members of the Executive Committee please report to Room 114 for the consideration of a Resolution. All Members of the Executive Committee please report to Room 114 immediately. The Rules have been waived and the...You have one Resolution to consider, you'll be back on the House floor. Thank you. We'll now proceed to the Bills that are on the Special Calendar. We're going to start with the State and Local Government, proceed down the list. These Bills have been read a second time. If any of the Members wish or desire to have these Bills passed today, please indicate so and we'll read it a third time and then you can have a vote on it. Senate Bill 249, Representative Novak."

Clerk Leone: "Senate Bill 249, a Bill for an Act to amend the Illinois Water Well Construction Code. It's been read a second time previously. There are no Committee or Floor Amendments."

Speaker Laurino: "Third Reading. Representative Novak, do you wish to have this Bill heard today? Read the Bill, Mr. Clerk, a third time."

Clerk Leone: "Senate Bill 249, a Bill for an Act to amend the Illinois Well Water (sic - Water Well) Construction Code. Third Reading of the Bill."

Speaker Laurino: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 249 amends the Water Well Construction

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Code to provide simply that wells that are depleted due to the high capacity pumping of neighbors shall be assured a supply of potable water. Essentially, the Bill's very simple and direct. Anyone that, whether you're...whether you happen to be in the business of irrigation or whether you happen to own a high capacity well that depletes a neighboring well because of the impact on the neighboring well, the waters...the water supply is depleted, the Bill simply mandates that the person who caused the depletion of the well supply is responsible for replenishing that supply of water, the precious resource to that individual's well who's impacted. I'd be happy to answer any questions."

Speaker Laurino: "Representative Weaver."

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

Speaker Laurino: "Indicates he will."

Weaver: "Representative, you mentioned that high capacity pumps would deplete water supply or a well, artesian well...I'm over here. How would one go about proving the impact of a neighbor's well and which neighbor's pump depleted his water supply? If, for example, I've got a well on my farm and I've got a couple of neighbors, two, three, four neighbors who are using irrigation pumps, which one of them do I go after?"

Novak: "Well, it...I think by using the...the emphasis on this Bill, Representative Weaver, is going into court and proving your case, using the courts as a means to prove that neighbor John Doe right down the street from you depleted your well, the water supply in your well, because of his high capacity pumping. Cause there's nothing else in the Bill that states any type of regulations or how you're going to prove, you know, who's responsible for the...depleting your well. So in essence, it's the courts that will decide."

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Weaver: "But you're giving them a cause of action..."

Novak: "Yes, we are."

Weaver: "...without any way of proving that cause of action  
or..."

Novak: "Well, I'm not an attorney, but I would believe if you  
depleted...if you depleted my source of water,  
Representative Weaver, I could sue you, go into court,  
but I would have to show cause or I would have to...I would  
believe the burden of proof would be on me to prove that."

Weaver: "And they cannot currently do that?"

Novak: "No, not from my understanding."

Weaver: "Okay, Mr. Speaker, to the Bill. I think the Sponsor of  
this Bill has probably attempted to address an idea that we  
are going to have to deal with in very strict terms in the  
next coming years because of ground water supplies, ground  
water contamination. But I think with the haziness of the  
way the Bill is drafted and how it does not provide for a  
burden of proof or substantiation of the cause of action.  
It may be sending a lot of people to court without any  
guidance in terms of how that suit is to come out. And I  
think at this point, we need probably to refuse this Bill  
and set up some hearings and try and come up with something  
that's a little bit more workable, either in the fall or  
next spring. I...while I agree with what he is trying to  
do, I think maybe this is not the way to do it. It's a  
little bit early, and I would advise at least a 'present'  
or a 'no' vote on this Bill."

Speaker Laurino: "Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. I'd like to speak to the Bill. We've had this  
situation in my particular district where we have a well,  
high capacity well, and what you say, Representative, is  
go into to court. These people have been battling. The

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high capacity well was there long before subdivisions. Every time there's a water shortage, the people in the area claim that it's the golf course in my area. They've been in litigation, they've been fighting this for years and no one has solved the situation. I think this is something that cannot be resolved in court. I think there has to be a more scientific way to prove it. I don't think we have that technology at our hand right now and I would advise everybody to oppose this Bill. I also would like you to know that the Farm Bureau also is opposing this Bill. Thank you."

Speaker Laurino: "Representative Olson."

Olson, M.: "Morning, Mr. Speaker, Ladies and Gentlemen of the House. I'd like to speak briefly to this Bill. I think we would be well served in this General Assembly if we reconciled the various concerns on this issue rather than getting it into the courts. The courts may be the area of last resort, but an issue of this magnitude and with the evidence of this type of situation happening not only in Illinois but in Nebraska and in California and so forth. We would be well served to reject this concept and make sure that serious negotiations take place so that the elements can be put in better form before we make it a law."

Speaker Laurino: "Further questions? Seeing none, the question is, 'Shall Senate Bill 249 pass?' Representative Novak to close, I'm sorry."

Novak: "Thank you, Mr. Speaker. Just to the Bill, I realize that there's some...that there's controversy surrounding this and, you know, this is not a new subject. We've been dealing with this problem for about six or seven years in this state. Now I've had this problem in my district for that long. I've got poor people in my area don't have any

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water, don't have any water to take a bath, don't have any water to cook any of their food. They've been dealing with this problem for years. The administration had a Bill, House Bill 2710, that got bogged down in negotiations. They had thirty, forty people from various groups, business groups, environmental groups, irrigators, but they never called anybody back in my district to get input from them, the poor, indigent people in my district. So they called the black caucus though. They called the black caucus on my side of the aisle and said, Look, there's an administration Bill that's not addressing our needs, we don't even have any input into this...into the negotiation. So I conveyed that to the Governor's Office, so I did go to a meeting. We sat down. They never conveyed the interest to Senator Joyce, who's also been working on this problem for a number of years before I got down to this General Assembly. So finally we're starting to have little meetings, but we're still bogged down in negotiations because the concerns of the people in my district back home are not being met and they're not being heard. And I'm very concerned about that. This Bill is very simple. It's a tough Bill. It's very direct. It's probably a lawyer's dream. But all I'm trying to say is that we've got to go a step forward and deal with this problem. And I'd like your support."

Speaker Laurino: "Question is, 'Shall Senate Bill 249 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Representative Novak."

Novak: "Yes, I'd just like to explain my vote. Take one minute here. I realize the Farm Bureau is not supporting this and I've talked to the Farm Bureau many times. We've talked about this issue for five or six years. And now this not

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only affects Kankakee County and Iroquois County, it affects certain other areas of the state. Whiteside County has a certain...has a problem, a potential problem, also Fulton County and Tazewell County where Representative Homer resides. And it's not...this issue is not going to go away. We've got to deal with situations where if I deplete my neighbor's well by using a high capacity well, whether I'm an irrigator or use it for other means or other commercial means, somebody's got to be responsible. Somebody's got to be responsible for replenishing the water in that individual's well. So on the basis of that, I would...Mr. Speaker, Mr. Speaker."

Speaker Laurino: "Representative Novak."

Novak: "I would like to put it on Postponed Consideration."

Speaker Laurino: "Mr. Clerk, the Gentleman has requested that this be put on Postponed Consideration. Senate Bill 249 will be so disposed and put in Postponed Consideration. Senate Bill 890, Representative Williams. Representative Williams. Out of the record. We will take a vote on the Supplemental Senate Calendar on the #1, it was distributed today. The reason being is that it was stapled to the #3 of yesterday, and we will extend the deadline for the vote change at the...on your desk until twelve o'clock. So, right now we'll take a vote on the Supplemental List #1 that was distributed today. Question is, 'Shall these Bills pass?' All those in favor vote 'aye', those opposed vote 'nay'. Voting is open. Representative McCracken."

McCracken: "Thank you. Just so we all understand where we are. It's my understanding that we will vote using Agreed #2 attached...as attached to Agreed #3. Is that correct? So that's the form we should be filling out. People can ignore the vote change form marked Agreed #1, so just use 2 and 3 stapled together. Is that correct?"

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Speaker Laurino: "That's correct."

McCracken: "Thank you."

Speaker Laurino: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. You'll be able to change your vote up until twelve o'clock today, and the forms have been distributed and are on your desk if you so desire to use them. We'll proceed to Third Reading on State and Local Government. First Bill to be heard is Senate Bill #8, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill #8, a Bill for an Act in relationship to the removal of hazardous vehicles. Third Reading of the Bill."

Speaker Laurino: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill was...We started to debate this Bill earlier and I think Representative Hultgren had some questions and I asked to take it out of the record at that time and so in explaining the Bill, I will try to address the issues that he raised. The Bill permits the City of Chicago to enact an ordinance regulating the disposal of hazardous vehicles. So it's a request from the City of Chicago to have the authority to do this. And obviously it applies to Chicago because we have a problem with density and a problem of having so many cars in one location. Now the...the Bill defines hazardous vehicle as one which has had essential parts removed such that it may not be driven under its own power or a vehicle that presents a danger to the public safety. And what we're saying with this Bill is that the city if they wish, they can enact an ordinance that if this vehicle is hazardous that it may be removed immediately. Now under current law procedure for removal of a vehicle is dependent upon the status of its license

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plates or registration. If the automobile has current plates or registration, then the police must send a notice by certified mail informing the owner of a right to a hearing prior to towing. If the automobile does not have current plates and registration, then a notice is posted on the vehicle itself. If the vehicle is not removed within seven days, then the police may tow it. Now there was a federal...There was a federal case which came out of a 1974 case, dealing with this issue of the rights of people who own cars. And that court set up certain requirements for a jurisdiction to enact an ordinance for it to be proper. And there must be a governmental interest, there must be a special need for prompt action and the government must be the one, not a private party, that has control over determining what circumstances the property may be seized. Now this Bill was drafted with the cooperation of the Secretary of State's Office and the...a number of the proponents in the City of Chicago's Government as well as aldermen. And it would allow for this towing of these hazardous vehicles. The vehicle would be held for ten days while the registered owner or the lienholder is notified, and it would be allowed to be disposed of as junk after that period of time if no one claimed it. So the issue is it's a hazardous vehicle only or one...and that's defined as one that cannot be moved on its own power or one that presents a public safety...a problem of public safety, and it's an important enough concern that we are authorizing the city to enact an ordinance to allow for removal, immediate removal, of that from the streets. Now the issue that Representative Hultgren was talking about, I think, was a different issue and I will address as best I can the concerns he raised. We passed a couple of years ago an issue dealing with the judicative...I can't say that



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word...hearings, thank you, on parking tickets, parking violations. And right now in Chicago the parking tickets are quasi-criminal. You have to go to traffic court to...if you want to contest a parking ticket. We passed a Bill which authorized the city to set up hearings outside of the Court Building and which ultimately would result in losing your driver's license if you had ten or more hearings. Concern that many people outside of Chicago expressed was that the city might make a mistake in issuing these tickets and somebody downstate who has a license plate that's similar to somebody who was parking illegally in Chicago might inadvertently get all these tickets. Well, we debated that and hopefully we addressed that when we passed that other Bill. But what this is talking about is towing vehicles which are in Chicago. So if one of your constituents, they're not going to have to worry about getting a ticket and losing their driver's license. This is having the vehicle towed which is hazardous, which is not able to be moved on its own. So I really think that it's a different issue, and I don't think it's one that would pose any concerns to people outside of Chicago. And obviously, it's not a major concern outside of Chicago just because there's not as many cars and there's more space. But we're talking about vehicles which are hazardous. I believe that the Bill was drafted with the federal case of Graff versus Nickle in mind. It was drafted to...in an effort to conform with the requirements of that case, and therefore I believe it to be constitutional. And I'd be happy to answer any questions and appreciate an 'aye' vote."

Speaker Laurino: "The Gentleman moves that Senate Bill 8 be adopted. Are there any questions? Representative Stephens."

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Stephens: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. Representative Cullerton did a fine job of describing the Bill. The...sounds innocuous, however, those of us downstate should have some concern with this. Representative, if I might ask you a question. How do we define hazardous in your Bill?"

Cullerton: "Yes, there was an Amendment #1 that was adopted which modified the definition. You want to look on page 2 of the Bill, line's 26, we...You'll find the definition of..."

Stephens: "What's an essential part?"

Cullerton: "Hazardous dilapidated motor vehicle means any motor vehicle with a substantial number of essential parts as defined in Section 1-118 of the Illinois Vehicle Code either damaged, removed or altered or otherwise so treated that the vehicle's incapable of being driven under its own motor power."

Stephens: "If I drive my car to Chicago and somebody steals my tires, would those be four substantial parts of my car and would that be considered a substantial number of essential parts?"

Cullerton: "No, because it does not include a motor vehicle which has been rendered temporarily incapable of being driven under its own motor power."

Stephens: "What if they stole my four tires and my..."

Cullerton: "Engine?"

Stephens: "...drive shaft?"

Cullerton: "Yes. That would be a hazardous..."

Stephens: "That would be a substantial number of essential parts."

Cullerton: "Hazardous, dilapidated motor vehicle."

Stephens: "Okay. So I drive to Chicago and someone steals my tires and my drive shaft. Then...and the police come by and they put some sort of a sticker on it. Is that right?"

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Notifying me that they identified this as a hazardous, dilapidated motor vehicle."

Cullerton: "No, no, that's what the current law is. The current law is that they...assuming you have current plates and current registration, they put a notice on the vehicle. And if it's not..."

Stephens: "What will they under your Bill?"

Cullerton: "...and if it's not moved within seven days, then the Bill might...the police may tow it. Under this Bill, the vehicle is towed immediately from its location and you would be notified and have ten days to claim it."

Stephens: "Okay, alright. Well, I think I understand now and now I know why we're worried about it on this side of the aisle. So I drive to Chicago to see the Cubs beat up on the Cardinals like they've been doing all year and I'm in a bad mood anyway. My tires are stolen and my drive shaft's stolen while I'm commiserating about the last loss the Cardinals suffered. The police come by. I haven't even seen my car yet. The tires have been stolen and it's been declared a hazardous, dilapidated vehicle. The police have it towed. Okay. I understand under your law that even though I haven't seen the vehicle yet, I'm in trouble a little bit. So let's say that it was wrongfully towed, that they realize that gee, this guy was a victim of a crime and we're sorry and we towed it in error. In your Bill, who pays for the towing if it's been established that it was towed in error, whether under the scenario that I described or one a little more valid?"

Cullerton: "I didn't understand how it would be towed in error. You said..."

Stephens: "Well, I gave you a scenario that it was... that damage had been done to my car or enough theivery to it that in my absense that crime was committed, and in the meantime it

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was established by the police that the vehicle was a hazardous vehicle and I hadn't seen it yet. So I think it might have been towed in error."

Cullerton: "I don't understand why that would be towed in error. If the vehicle is nondriveable..."

Stephens: "Well, I haven't even seen it yet and had a chance to put tires on it."

Cullerton: "Yea, well, no. You... It's not necessary for you to see it to determine that it's hazardous..."

Stephens: "Alright. That's what worries me a little bit. I think that we've skipped a little bit of what I hear you defend oftentimes on the House floor, something called due process. Here I am, I've come to the city to spend some money and watch my team get beat up, but in the mean time I've been a victim of a crime, and I don't even have a chance to go out and buy four new tires and a drive shaft to get it repaired. It's just towed away. But let's say that's an unusual scenario and maybe unrealistic scenario. What if it is towed in error. Who pays? Does the police department pay or does the towing people pay? Is there such a thing as a vehicle being towed in error? Could there possibly be a mistake made and it be towed in error?"

Cullerton: "Well, I guess the only time it could be towed in error would be if it is driveable and therefore is not a hazardous vehicle and then the police would tow it..."

Stephens: "Let's say that...that it isn't..."

Cullerton: "That's not what the Bill authorizes."

Stephens: "And that sounds realistic. They look at the car and they see that it looks in pretty bad shape, and the engine doesn't..."

Cullerton: "Maybe they see your license plates."

Stephens: "Doesn't look good. Yes. And they see my plates..."

Cullerton: "They see your license plates, they say Representative

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Stephens is in town."

Stephens: "If they see my Boston Celtics sticker on the back, they're probably going to tow it because they're all Bulls fans. So they tow it but actually I could get it started, but it looks pretty beat up."

Cullerton: "Well, I'd say this that any time right now somebody's car is just in perfectly good condition and registered plates are okay and the police just come in and tow it, right now that could theoretically happen, I guess, and there would be a cause of action against the city for doing that. There's no question about that."

Stephens: "Would it be against the city or the firm that did the towing?"

Cullerton: "Right. Oh no, the city. This is a city authorizing the tow. Now just let me go back though to your example. If your vehicle is not operable, the drive shaft has been stolen, I guess there's a market for drive shafts and all your wheels, and the police tow it, not at your expense, but at their expense, they tow it and put it in the pound. I personally think you're better off then you would be if you came back from the Cub game and found that your car was...didn't have any wheels and didn't have a drive shaft and was not operable. You'd have to pay for the tow to bring it to some station and have it repaired."

Stephens: "Okay. That's an interesting perspective."

Cullerton: "In the meantime...In the meantime, the public interest that's served here is that that vehicle is off of the streets of the city and that's the concern that we have. It's better off being in a pound because I'll tell you something. If you got a car in Chicago that's got the wheels gone and the drive shaft gone, you leave it out there for a week, you're going to find that there's a few other things that are going to be gone within that week."

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So you're going to be much better off having your car protected in a tow. And of course your notified..."

Stephens: "That's an interesting city that you live in and I'm learning more about it everyday."

Cullerton: "Well, remember this Bill only applies to the city."

Stephens: "I know and that's why I've got a lot of questions. You know, we travel to Chicago quite frequently, and I'm not sure why, but actually it's a very enjoyable city. And they have a fine baseball team and they keep proving it but, the ten day notice, let's say that I do run my car up to Chicago and it is in pretty bad shape and it becomes disabled while I'm there..."

Speaker Laurino: "Excuse me, Representative Stephens. Representative Flinn, for what reason do you rise?"

Flinn: "I wonder if your timer is broke up there. We're getting tired of this diatribe."

Speaker Laurino: "Dually noted. Representative Stephens, please bring your remarks to a close. There's a number of people that have questions also."

Stephens: "Thank you very much, I'm just trying to carry the ball here. I drive to Chicago, my car becomes disabled. There's a ten day notice period. That kind of concerns us. The...That's a pretty short term given the fact that there was no due process under the...when you took our vehicle. And now we're given ten days and given the clerical skills that we've seen exemplified when the...some of us downstate get parking tickets from the City of Chicago even though we may have never had our vehicle in the city. We're a little concerned that you might not be able to handle the clerical duties that that ten day period called for. We're quite fearful that you're going to sell our vehicles, either within the ten days before we're notified or after the ten days and then on the eleventh day we get notified. So

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we're very concerned that we're going to be losing vehicles, and we think that for downstaters this is a bad idea. It sets a bad precedent, it eliminates due process. And Mr. Speaker, Ladies and Gentlemen of the House, I urge a 'no' vote."

Speaker Laurino: "Representative Parcells."

Parcells: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I, too, rise in opposition to this Bill. I think it's a terrible Bill. I don't know why we always have to legislate for Chicago. Let them do it themselves. This is not a good Bill for those of you from downstate or the suburbs for that matter. It sounds like a Bill that was made for Lincoln Towing and other towing companies. This is a subjective decision made by a policeman so if he's in a bad mood, he can tow your car right away. Says that looks like a bad car, I think I'll take it and have it towed. At least in the old days under the present law, he had to wait seven days and maybe his mood would get better or at least he had seven days to see it sitting there. Think of this, one of your constituents drives to Chicago to see the big city. They have kind of a rusty, old car, but it's operating for them. They go to town, they park it in front of their relative's house. They go in, spend the night. They come out the next day, it's gone. He can have this car towed immediately if he decides to. Now in the old days he had to be notified by certified mail from his license plate that his car was being towed. Now we're going to send it by regular mail. You all know how effective regular mail is. He may or may not get it. Furthermore, he only has ten days and if he is spending a week or two in the city, by the time he gets home his car may be turned into junk, because the tower is told that he must get rid of the car, not that he may, that he must get

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rid of the car. So now if the car is towed in error, who's going to pay you for that towing? Who's going to replace your car? There is nothing in this Bill that says who has that responsibility. Do you think the police are going to do it? Do you think Lincoln Towing is going to do it? This is a terrible Bill. It's bad for all of you, those in the city and those without. They don't pick up the hood of your car to see if it's nonfunctioning. They don't know if it's nonfunctioning. And how can it be bad for the health, safety and welfare if it's parked next to the curb. The present law allows him to pull it in seven days. The junkers can be pulled away then. But cars that don't look so good sometimes operate just fine. It's not hurting the health, safety and welfare. I don't think this law should be changed. I ask for your 'no' vote on S.B. 8."

Speaker Laurino: "Representative Countryman."

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

Speaker Laurino: "Yes."

Countryman: "You mentioned something about a Chicago authorized tow. What is that?"

Cullerton: "First of all, are you asking questions...I assume you're asking questions about the Bill because you're genuinely concerned with the Bill."

Countryman: "Oh, yes."

Cullerton: "It's not just some... It's not just some game plan."

Countryman: "Do I...Do I..."

Cullerton: "I'm just going to assume that because as you know this Bill only applies to Chicago."

Countryman: "Yea, but I go there quite a bit."

Cullerton: "Right."

Countryman: "And a lot of my constituents go there."

Cullerton: "The towing has to be authorized by the police department."



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Countryman: "And that's what a Chicago authorized tow is?"

Cullerton: "I didn't say a Chicago authorized tow, maybe somebody else did. It only applies to Chicago and it has to be authorized by the police department."

Countryman: "Okay, earlier this year I had a constituent come in my office and he was probably from Chicago. I don't recall, but he'd gone to school out in DeKalb. And he did as many college students sometimes do, he went home and his car wasn't running too well because he didn't have a lot of money. And he went home for semester break at Christmas time there and he was gone, oh, I don't know, four or five weeks as they are now. And when he came back, his car was gone and..."

Cullerton: "In DeKalb? His car was in DeKalb when it was stolen?"

Countryman: "Yea, it was in DeKalb. Yea. And he found out that it had been towed under one of these towing laws, and so the difficulty was that it wasn't really a great car. I don't know quite what it, how you'd define a hazardous car, but it didn't appear to be a hazardous car. But the problem was he'd had a computer and a computer was quite valuable and he felt the safest place for that computer was in the trunk of his car. So he put the computer in the trunk of his car and when he got back, he found that his car had been towed on a law that he didn't realize was on the books. And then he went to the guy who towed the car and he said, 'What happened to this car?' And the guy said, 'Well, under the law we destroyed it.' Now whether that guy destroyed it or not, I can't tell you. But he said to me, 'Can I sue this company that towed the car?' So I pulled the law down and looked at it and it said you can't sue them. Even for something that was in the car, they had total, complete immunity. I didn't think that was

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quite right so I put in a Bill that said if they're guilty of willful and wanton negligence and the destruction of property under that Act, that..."

Cullerton: "You're talking about current law now?"

Countryman: "Pardon?"

Cullerton: "You're talking about current law."

Countryman: "Yea."

Cullerton: "I would... Was the car towed legally?"

Countryman: "Right."

Cullerton: "It was towed legally?"

Countryman: "Right."

Cullerton: "Pursuant to the law. Okay, and what you're saying is if it's towed legally, you can't sue the municipality..."

Countryman: "What I'm saying is it destroyed it and it destroyed the property that was in there, and there's no obligation as I can see under the law where the tower, destroyer or the person ends up with the car to protect the other property, personal property of the individual that may be in that car. Do you see any protection for the other personal property that you may have in that car?"

Cullerton: "If the law right now says that if cars are towed legally, there's no redress..."

Countryman: "Right."

Cullerton: "...then I'm not changing that."

Countryman: "Yea, that's what concerns me. I mean, I can go to..."

Cullerton: "But, Representative Countryman, what would your cause of action be if there's no negligence on behalf of the... Where's the negligence on behalf of the governmental agency?"

Countryman: "On the governmental agen... but it applies also to the towing company."

Cullerton: "Well, they tow the car legally..."

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Countryman: "Yea, but they destroy the car, too."

Cullerton: "...pursuant to statute."

Countryman: "Yea, but I mean, what if you've got your brand new IBM Macintosh or whatever computer you got in the trunk of that car? The guy opens it up as he puts this in the crusher. You think he's going to let it go in the crusher? Somebody ended up with that computer somewhere."

Cullerton: "Well, you know, I don't disagree with you at all. I don't disagree with you at all. Maybe there's...But it seems like we're debating a different Bill. That's not included in this Bill. This is entirely different."

Countryman: "Well, this would apply to me, would it not? I go... fly out of O'Hare Airport a lot and I drive in there and park in those various parking lots and that's in the City of Chicago, as I understand it. Right?"

Cullerton: "Right."

Countryman: "And if I go to California for two weeks and I leave my car in that airport parking lot, paying, I don't know, \$9 a day, or whatever it is, and in the meantime somebody comes in and takes the tires off my car or does something that makes it look like it's in hazardous condition, this law could apply, couldn't it?"

Cullerton: "Well, I answered Representative Stephens."

Speaker Laurino: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker. I move the previous question."

Speaker Laurino: "The Gentleman has moved the previous question. Question is, 'Shall the main question be put?' All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The main question has been put. Representative Cullerton to close."

Cullerton: "Yes, well, I'll attempt to answer Representative Countryman's concerns. The definition of hazardous motor vehicle is put in the Bill. It has to be damaged. It has

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to have essential parts damaged, removed or altered so that the vehicle is incapable of being driven. We're talking about a car that's basically stripped. It does not talk about vehicles which are rendered temporarily incapable of being driven under its own motor power. And I would even concede that someone taking all four tires off your car is not...I would say that is rendered temporarily incapable of being driven. So what we're saying is this Bill which applies only to the City of Chicago which authorizes them to enact an ordinance along these lines: would allow for those hazardous vehicles to be taken from the street and then you are notified and have an opportunity to come and reclaim your vehicle which has been rendered incapable of motor travel by virtue of someone damaged it in the first place. So I would remind you of the experience that Representative Stephens was talking about. If your car has been stripped by someone in the City of Chicago, you're better off having that car towed by the police, getting it off the street and getting it into a safe pound before more of the car would be destroyed. And so I think it's a fair Bill. I think as I indicated it was drafted with the constitutional requirements in mind and I would urge an 'aye' vote."

Speaker Laurino: "Representative Cullerton moves that Senate Bill 8 pass. All those in favor vote 'aye', those opposed vote 'nay'...'no'. This is... Voting is open. This is final passage. Representative Barger, one minute to explain your vote."

Barger: "Thank you. I would like to suggest that this Bill could easily have been handled by the City Council of the City of Chicago if they wanted to. In many of the suburbs, if a car is left parked on the street after two o'clock, it is hauled...at night, it is hauled off by the police and has

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to be redeemed at the yard. They're given thirty days to get them back and in this...I don't think that the City of Chicago, all of the people of the City of Chicago want this or they could handle it in their own council rather than sending it down here. This can be done and it is being done in a similar fashion in other communities but the rights of the property owners are protected in that there is a longer waiting period for redeeming your vehicle. And I would suggest very strongly that we vote 'no' on this."

Speaker Laurino: "Representative Balanoff, one minute to explain your vote."

Balanoff: "Yes, Mr. Speaker, to explain my vote. First of all, this is not a Bill for Lincoln Towing because the City of Chicago does its own towing and it must be authorized by the Chicago Police Department. As a former Superintendent of Streets and Sanitation in the City of Chicago, I know firsthand that one of the biggest complaints that we would get from residents would be about abandoned, hazardous automobiles on the streets, in the alleys and in vacant lots. Often children play in these cars. They are attractive nuisances. It is important that we do what is necessary to be able to remove these hazardous automobiles as quickly as possible for the safety of our neighborhoods and our children. And I would urge an 'aye' vote."

Speaker Laurino: "Representative Black, one minute to explain your vote."

Black: "Thank you very much, Mr. Speaker. If it only affected Chicago I wouldn't be very upset about the Bill, but I call attention to what I think is a technical flaw in the Bill to Members on both sides of the aisle. It does affect everybody in the State of Illinois. There is a provision in that Bill that decreases the number of days from fifteen to five that the new owner of a vehicle has to apply to SOS

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for transfer of title. Now this applies statewide, folks. Now this could arbitrarily affect an individual who has nothing to do with towing or abandoned cars. You take, for example, downstate. A farmer purchases a new combine or a new farm implement vehicle, but he can't pick it up within five days because of the distance he has to travel or due to bad weather. If he doesn't pick it up within that five days, he's in trouble with the Secretary of State because what this Bill does, and I think it's technically flawed, it decreases the number of days from fifteen to five that the new owner of a vehicle has to apply for a transfer of title statewide."

Speaker Laurino: "Representative Levin, one minute to explain your vote."

Levin: "Yes, in explaining my 'aye' vote. I think this is an excellent Bill. I'd like to commend Representative Cullerton as well as Alderman Bernie Hanson for their very hard work. Many hard hours were put in to develop what I think is a very workable proposal. You know, I'm one of those people who's had experiences with cars being dumped in front of my house. I live fairly far North. There needs to be a mechanism, a reasonable mechanism, to be able to get those cars moved. I think this is such a mechanism. And I encourage even more 'aye' votes."

Speaker Laurino: "Representative Pedersen, one minute to explain your vote."

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill represents a quick-fix solution to a major problem in the City of Chicago, that of disposing of the enormous number of cars abandoned in the city every year. Unfortunately, this Bill has numerous problems and few if any safeguards for the owner of a vehicle that would declare to be a hazard. And I might add one of the

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problems is probably the City of Chicago doing the towing. It would be better if they privatize it. In any event, there are all kinds of problems which we've already pointed out. We urge a 'no' vote."

Speaker Laurino: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Representative McCracken, for what reason do you rise?"

McCracken: "For verification...for verification."

Speaker Laurino: "This Bill having received 65 'ayes' and 50 'nays', 0 voting 'present'...Mr. McCracken has requested a verification. Mr. Clerk...Mr. Clerk, read those not voting."

Clerk Leone: "Poll of those not voting. Representative Hicks and Phelps are not voting."

Speaker Laurino: "Read the Affirmative Roll Call."

Clerk Leone: "Poll of those voting in the Affirmative. Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Cullerton. Curran. Currie. Davis. DeJaegher. DeLeo. Didrickson. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Homer. Lou Jones. Shirley Jones. Keane. Krska. Kulas. Lang. Laurino. LeFlore. Leverenz."

Speaker Laurino: "Representative Young asks leave to be verified. Does he have leave? Leave is granted. Continue, Mr. Clerk."

Clerk Leone: "Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. McAuliffe. McGann. McNamara. McPike. Morrow. Munizzi. Novak. Preston. Rice. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Shaw. Stange. Steczo."

Speaker Laurino: "Excuse me, Mr. Clerk. Representative Martinez wishes to be verified. He's in the center aisle. Proceed, Mr. Clerk."

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Clerk Leone: "Steczo. Stern. Sutker. Terzich. Trotter. Turner. Van Duyne. White. Williams. Wolf."

Speaker Laurino: "Excuse me, Mr. Clerk. Representative Krska wishes to be verified. Proceed, Mr. Clerk."

Clerk Leone: "Woolard. Anthony Young. Wyvetter Young and Mr. Speaker."

Speaker Laurino: "Representative Currie wishes to be verified. Does she have leave? She does. Proceed with your verification, Mr. McCracken."

McCracken: "Thank you. Representative Keane?"

Speaker Laurino: "Representative Keane. Representative Keane. Is he in the chambers? Remove him."

McCracken: "Representative Shaw?"

Speaker Laurino: "Representative Shaw. Representative Shaw. Is he in the chambers? Remove him."

McCracken: "Representative Van Duyne?"

Speaker Laurino: "Representative Hicks wishes to be voted 'aye'. Representative Van Duyne. Is Representative Van... Representative Van Duyne is in the aisle."

McCracken: "Representative Lou Jones?"

Speaker Laurino: "Representative Lou Jones."

McCracken: "I see her. Representative Phelps?"

Speaker Laurino: "Representative Phelps is not voting. He's standing...but he'd like to be recorded as 'aye'."

McCracken: "I'm glad I reminded him to vote. Representative Williams?"

Speaker Laurino: "Representative Williams is in his seat."

McCracken: "Representative Morrow?"

Speaker Laurino: "Representative Morrow. Is Representative Morrow in the chambers? Remove him. Representative Jesse White would like to be verified."

McCracken: "Yes."

Speaker Laurino: "Mr. Clerk, add Mr. Phelps to the 'aye' Roll



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Call. Proceed, Mr. McCracken."

McCracken: "Representative DeLeo?"

Speaker Laurino: "Representative DeLeo. Surprise. Is he in the chambers? Remove him."

McCracken: "Representative Davis?"

Speaker Laurino: "Representative Davis. She's right in front."

McCracken: "Alright. Alright. Representative Dunn?"

Speaker Laurino: "Representative Dunn. Representative John Dunn. Is he in the chamber? He's at the side door."

McCracken: "Alright. Representative Turner?"

Speaker Laurino: "Representative Turner is at his desk."

McCracken: "Representative Balanoff?"

Speaker Laurino: "Representative Balanoff. Representative Balanoff. He's right here on your side of the aisle."

McCracken: "Okay. Alright."

Speaker Laurino: "Representative Bugielski wishes to be verified."

McCracken: "Yes. Representative Saltsman?"

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

McCracken: "Representative Didrickson?"

Speaker Laurino: "Representative Didrickson. Is the Lady in the chamber? Representative Didrickson. Remove her."

McCracken: "Representative Stange?"

Speaker Laurino: "Representative Stange. Is the Gentleman in the chambers? Appears he is not, remove him."

McCracken: "Representative Farley?"

Speaker Laurino: "Representative Farley is always in his chair."

McCracken: "Nothing further."

Speaker Laurino: "This Bill having received 61 'ayes', 50 'nays' and 0 voting 'present', having received the required Constitutional Majority, is hereby declared passed. House Bill 243...or Senate Bill 243, Representative Terzich. Out of the record. It's on Postponed Consideration, sorry."

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Senate Bill 248, Representative Leverenz. Read the Bill,  
Mr. Clerk."

Clerk Leone: "Senate Bill 248, a Bill for an Act to amend an Act  
in relationship to stormwater management. Third Reading of  
the Bill."

Speaker Laurino: "Representative Leverenz."

Leverenz: "Mr. Speaker, I'd ask leave that we take this back to  
Second Reading?"

Speaker Laurino: "Gentleman asks leave to take this Bill back to  
Second Reading. Does he have leave? Indicates...The House  
indicates you have leave, Representative. Proceed."

Leverenz: "Thank you."

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

Leverenz: "Yes, the Amendment..."

Speaker Laurino: "Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. The Amendment would address  
concerns by the construction industry that the Amendment  
would provide that it would not interfere with any of the  
works in progress. And I would ask for the adoption of the  
Amendment."

Speaker Laurino: "Representative Leverenz moves for the adoption  
of Amendment #1 to Senate Bill 248. All those in favor  
indicate by saying 'aye', opposed 'nay'. The 'ayes' have  
it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

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

Clerk Leone: "Senate Bill..."

Speaker Laurino: "Gentle...Representative McCracken."

McCracken: "Yes, I object to hearing the Bill on Third Reading  
today."

Leverenz: "Why?"

Speaker Laurino: "Representative Leverenz has a question for you,

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Representative McCracken."

McCracken: "Shoot."

Leverenz: "Why?"

McCracken: "Because that's what they pay me to do."

Leverenz: "I don't know if you're paid too much or not paid enough. I suggest you are not paid enough."

McCracken: "So do I."

Leverenz: "Could I help you find a spot in private...the private sector? What...inquiry of the Chair. What does it take to get the job done to read it on Third today?"

Speaker Laurino: "Seventy-one votes. If you..."

Leverenz: "Oh boy. Oh boy. Would you turn my mike off?"

Speaker Laurino: "Leave the Bill on Third Reading, Mr. Clerk. Senate Bill 373, Representative Hartke. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 373, a Bill for an Act to create the Private Enterprise Review and Advisory Board. Third Reading of the Bill."

Speaker Laurino: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Senate Bill 373 creates the Private Enterprise Review and Advisory Board for the purposes of studying the possibility of privatizing certain governmental functions. I would be happy to answer any questions on this Bill."

Speaker Laurino: "Are there any questions? Seeing none, Representative Hartke moves that Senate Bill 373 pass. All those in favor vote 'aye', those opposed vote 'nay'. Voting is open and this is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 115 'ayes', 0 voting 'nay' and 0 voting 'present', having received the required Constitutional Majority, is hereby declared passed. Senate Bill 467, Representative

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Kubik."

Clerk Leone: "Senate Bill 467, a Bill for an Act to amend an Act to protect and preserve the taking of aboriginal records. Third Reading of the Bill."

Speaker Laurino: "Representative Kubik, would you hold this Bill for one second. We have an introduction. Representative Stephens. Representative Stephens."

Stephens: "Thank you. I'm sure Representative Flinn is excited about this. Ladies and Gentlemen of the House, if I could have your attention, please. It's my honor to have the pleasure to introduce to you 1988...or excuse me, 1989 Miss Illinois Dawn Spicuzza from Collinsville. Dawn. Excuse me, Mr. Clerk, could you read the Resolution?"

Clerk Leone: "House Resolution 726. Whereas, It has come to the attention of this body that Dawn Michele Spicuzza of Collinsville was chosen as Miss Illinois 1988; and Whereas, After completing her Bachelor of Arts Degree in Speech Communication at Southern Illinois University at Edwardsville, Dawn plans to earn a Master's Degree in Public Relations; and Whereas, Throughout her high school career, Dawn received recognition for achievements in numerous vocal competitions, as well as earning academic recognition; and Whereas, During college, Dawn has been a member of the Concert Chorale and was selected for a 33 day European Holy Land Tour, where she performed for a Papal Audience and met Pope John Paul II, as well as won a second place in the international choral competition in Italy; and Whereas, Recently, Dawn has accepted a position as an instructor at a school for the performing arts, and she has been active with numerous singing and modeling engagements; and Whereas, During her reign as Miss Illinois 1989, Dawn has been honored at Disneyland, has entertained in USO shows for the troops, and has been a feature entertainer on the

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Variety Club Telethon; and Whereas, Dawn was selected as hostess of the 1989 American Cancer Society Mardi Gras Ball, and she has been a special guest model for many fashion shows and was featured on the front page of the USA Today; and Whereas, In addition she has appeared with such celebrities as Stella Parton; Merv Griffin; Lance Dlehr, former Mr. Universe; Sammy Davis, Jr., Bobby Joe Mason of the Harlem Globe Trotters; and Curtis Gentry, former Chicago Bear therefore, be it Resolved, by the House of Representatives of the Eighty-Sixth General Assembly of the State of Illinois, that we congratulate and commend Dawn Spicuzza, Miss Illinois 1988, on her numerous achievements and extend our very best wishes to her for continued success in her future endeavors; and be it further Resolved, That a suitable copy of this preamble and resolution be presented to Dawn Spicuzza, Miss Illinois 1988."

Stephens: "You've heard House Resolution 726. All in favor say 'aye', opposed the same sign. In the opinion of the Chair, the 'ayes' have it and the Resolution is adopted. Dawn Spicuzza."

Dawn Spicuzza: "Thank you very much. I would like to tell you just one of the things that I have made it my goal to do as my year has progressed, I...speak out at any type of educational institution that I have the opportunity, because the Miss America Pageant is a scholarship pageant, it's very important that people are aware of that. My entire education has been funded through the Miss America program, and that is very exciting for me to be able to say that. I have no student loans. Everything is paid for. And, so actually I speak out, especially about the cultural arts. I am a trained opera singer, and so I have been in choral groups since I was very small. And I think that right now we are faced with a problem, because the cultural

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arts are being dropped from many of the secondary schools. And within myself I realized that it's a responsibility. If I'm not on a soccer team, I don't have the responsibility to show up at the practice. But if I'm in the choir because I can sing and have that ability, I still am able to create that responsibility within myself. And I think that our young people of today need that responsibility to be able to progress. And so I'd like to say thank you very much. I'm going into the public relations field and hopefully maybe one day might even represent some of you in your campaigns. So I'd like to say thank you very much and have a good afternoon."

Speaker Laurino: "Thank you, Dawn, Representative Stephens. Representative Kubik, proceed. Senate Bill 467, Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Do I have leave of the House to return this Bill to Second Reading for the purposes of an Amendment?"

Speaker Laurino: "Representative Kubik, do you wish this Bill brought back to Second Reading for purposes of an Amendment?"

Kubik: "Yes."

Speaker Laurino: "Does the Gentleman have leave? House indicates he does. Proceed, Representative. Any Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #1, offered by Representative Wennlund."

Speaker Laurino: "Representative Wennlund on the Amendment."

Wennlund: "Withdraw, Mr. Speaker."

Speaker Laurino: "Withdraw the Amendment. Further Amendments?"

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

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

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House. Floor Amendment #2 is a...an Amendment which is an accommodation to Senator D'Arco in the Senate. It would establish a program whereby there is a state review of the...by the Historic Preservation Agency of all state projects and activities which may have an effect upon the archaeological and paleontological resources of this state. It exempts out the Department of Mines and Minerals and the coal mining industry and the oil and gas industry. I'd be happy to respond to any questions, and I would move for the adoption of the Amendment."

Speaker Laurino: "Representative Kubik moves for the adoption of Amendment #2 to Senate Bill 467. All those in favor indicate by saying 'aye', opposed 'nay'. The Amendment is adopted. Further Amendments, Mr. Clerk?"

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

Speaker Laurino: "Amendment #3, Representative Wennlund wishes to withdraw Amendment #3. Further Amendments?"

Clerk O'Brien: "No further Amendm...I'm sorry. Floor Amendment #4, offered by Representative Wennlund."

Speaker Laurino: "Representative Wennlund on Amendment #4."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This was House Bill 346 that passed out of here with 114 votes. It designates the state fossil. I move for its adoption."

Speaker Laurino: "Representative Wennlund moves for the adoption of Amendment #4 to Senate Bill 467. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. Representative Kubik. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 467, a Bill for an Act to amend an

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Act to protect and preserve the taking of aboriginal records. Third Reading of the Bill."

Speaker Laurino: "Representative Kubik. Representative Cullerton in the chair."

Kubik: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 467, with the Amendments now is...Amendment #1 which you heard previous...I'm sorry, the adoption of Amendment #2 we explained previously and with the adoption of Amendment #4 we designate a state fossil. The underlying Bill is a Bill that has been put forward by the Historic Preservation Agency and essentially it would increase the vandalism penalties at historic sites. It standardizes the permit program in the Historic Preservation Agency. It would designate the State Museum as a depository for artifacts and it extends protection to local government and university...universities at local historic sites. I would move for the adoption of the Bill and would be happy to answer any questions."

Speaker Cullerton: "Yes. First of all, Representative Kubik... Representative Kubik would move that the appropriate rules be suspended so that this Bill, having been amended today can be considered on Third Reading. Is there leave? Leave by the Attendance Roll Call is granted for Representative to consider the Bill. Representative Kubik has moved for the passage of Senate Bill 467. Is there any discussion on this matter? There being none the question is, 'Shall Senate Bill 467 pass?'. All those in favor vote 'aye', all those opposed vote 'no'. The voting is open and this is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 105 voting 'yes', 4 voting 'no', 2 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared



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passed. Senate Bill 852. Representative Leverenz, out of the record. Senate Bill 922, Representative Laurino. Mr. Clerk, please read the Bill."

Clerk O'Brien: "Senate Bill 922, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Cullerton: "Representative Laurino on Senate Bill 922."

Laurino: "Thank you Mr. Speaker. Senate Bill 922 clarifies that all owners of for-rent vehicles must give proof of financial responsibility to the Secretary of State regardless of how long the motor vehicle is leased. It also gives you the alternate methods of giving proof of financial responsibility depending on whether the vehicle is leased on a daily or weekly basis or less. I urge for the passage of Senate Bill 922."

Speaker Cullerton: "The Gentleman moves for the passage of Senate Bill 922. On that, is there any discussion? There being none, the question is, 'Shall Senate Bill 922 pass?'. All those in favor vote 'aye', all those opposed vote 'no'. The voting's open, this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, please take the record. On this question there are 116 voting 'yes', none voting 'no', none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Representative Ewing on Senate Bill 1096. Representative Ewing. You'll have to indicate, Representative Ewing, whether or not you wish us to call this Bill or not. Mr. Clerk, please read the Bill."

Clerk O'Brien: "Senate Bill 1096, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker Cullerton: "Representative Ewing on Senate Bill 1096."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, a similar Bill, or identical Bill has passed both Chambers and is on

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the way to the Governor's desk. It would be redundant to continue with this Bill and I would ask leave to have it put on Interim Study."

Speaker Cullerton: "The Gentleman asks leave to put Senate Bill 1096 on Interim Study. Leave is granted by the Attendance Roll Call. The Bill is on Interim Study. Representative..."

Speaker Laurino: "Senate Bill 1258, Representative Cullerton. Senate Bill 1096 has been placed on Interim Study, Mr. Clerk. Senate Bill 1258."

Clerk O'Brien: "Senate Bill 1258, a Bill for an Act in relation to compensation of certain Members of the General Assembly. Third Reading of the Bill."

Speaker Laurino: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker. The Bill as it passed the Senate didn't provide for stipend...I'm sorry, increase in salaries of legislative leadership. The Bill was sent to Committee and it was stripped and became a shell. I would move for the adoption of the Bill."

Speaker Laurino: "Representative Cullerton moves the adoption of Senate Bill 1258. Is there any discussion? Seeing none... All those in favor vote 'aye', those opposed vote 'nay'. Voting is open and this is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 75 'ayes', 36 'nays', 5 voting 'present', having received the required Constitutional Majority is hereby declared passed. Senate Bill 1262, Representative Black. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1262, a Bill for an Act to amend sections of the Agricultural Fair Act. Third Reading of the Bill."

Speaker Laurino: "Representative Black."

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Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1262 amends the Agricultural Fairs Act. It simply extends the sunset provision regarding state reimbursement to county fairs for liability and casualty insurance premiums. This is set to expire December 31st, 1989. Should this Bill pass, it will simply extend that deadline date...or expiration date to December 31st, 1992. The Department of Agriculture and the Illinois Association of Agricultural Fairs supports the Bill and it passed the Senate 58 to 0. I would respectfully ask your support of Senate Bill 1262."

Speaker Laurino: "Is there any discussion? Seeing none, Representative Black moves that Senate Bill 1262 pass. All those in favor vote 'aye', those opposed vote 'nay'. Voting is open, this is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 110 'ayes', 0 'nay' and '0' voting 'present', having received the required Constitutional Majority is hereby declared passed. Senate Bill 1415, Representative Ronan. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1415."

Speaker Laurino: "Representative Ronan."

Ronan: "Yes, Mr. Speaker. Before I move this Bill I want to make sure there's an Amendment. been filed to it. Floor Amendment."

Speaker Laurino: "Do you wish this Bill brought back to Second Reading?"

Ronan: "That's what I want. Mr. Speaker, if there's an Amendment filed. I've got an Amendment that I think I filed on this. I just want to make sure it's been filed and then I want to bring the Bill back."

Speaker Laurino: "They're checking it right now. It's filed, but

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it has not been printed, Representative."

Ronan: "Then can we come back to it when it's printed, Mr. Speaker?"

Speaker Laurino: "Certainly."

Ronan: "Graciously. Thank you, Mr. Speaker."

Speaker Laurino: "You're welcome."

Ronan: "You know, you should be the real Speaker, Mr. Speaker."

Speaker Laurino: "I took this job not to be harrassed. We'll proceed to House Resolutions. Representative Black on House Resolution 545."

Black: "Thank you very much, Mr. Speaker. House...do you want me to proceed, Mr. Speaker?"

Speaker Laurino: "Representative Black on House Resolution 545."

Black: "Mr. Speaker, House Resolution 545 must be amended. We could proceed with Amendment #1 to House Resolution 545?"

Speaker Laurino: "The Gentleman moves that House Resolution 545 be discharged from the Executive Committee without further consideration and be placed on the Calendar for immediate consideration. Is there leave? Leave is granted by the Attendance Roll Call. Representative Black, proceed."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. What I would ask you to vote on today is Amendment #1 to House Resolution 545. What the Amendment does is to make this task force on rural day care be created under the Department of Children and Family Services rather than created by the Illinois House of Representatives. I think with that change...I'm not aware of any major opposition to the Resolution. What the Resolution simply calls for is that a task force be appointed to study the issue of rural day care and hopefully we can get some information that we can bring back to this body and perhaps encode that information into some future legislation. With that explanation, I'll be

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glad to answer any questions and ask for your affirmative action on Amendment #1 to House Resolution 545."

Speaker Laurino: "Is there further discussion? Seeing none, we're in the adoption of Amendment #1 to House Resolution 545. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, the Amendment is adopted. Proceed, Representative Black."

Black: "Thank you very much Mr. Speaker and Ladies and Gentlemen of the House. The Amendment now is House Resolution 545. I think I explained it previously and I would ask favorable consideration of HR 545."

Speaker Laurino: "The Gentleman moves for the adoption of House Resolution 545. The Resolution has to be adopted by the Attendance Roll Call. All those in favor indicate by saying 'aye', opposed 'nay'. The Attendance Roll Call is used and the Resolution is adopted, Representative. We'll proceed to Criminal Law. Before we go into Criminal Law, we'll go to another Resolution. Senate Joint Resolution 67, Representative Brunsvold. Is the Gentleman in the Chambers? Appears he is not. Alright, we will proceed to Criminal Law, page 10 on your Calendar. Senate Bill 743, Representative Homer. Out of the record. We'll...now we'll go to Criminal Law Third Reading, page 3 on your Calendar, Senate Bill 125, Representative Black. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 125, a Bill for an Act in relation to probation. Third Reading of the Bill."

Speaker Laurino: "Representative Black."

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 125 amends the Unified Code of Corrections and the Juvenile Court Act. The Bill adds conditions under which a court may impose on probation or conditional discharge or supervision. Amendment #1 that

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was adopted deletes any reference to a public or private apology as such a condition because of, as I understand it, some court decisions. Amendment #2 which has been adopted delays the implementation of the separate facilities for adults and juveniles under the Local Government's Act. Be glad to answer any questions you might have. I would urge your favorable consideration of Senate Bill 125."

Speaker Laurino: "Is there any discussion? Seeing none, Representative Black moves the passage of Senate Bill 125. All those in favor vote 'aye', those opposed vote 'no'. Voting is open, this is final passage. Have all voted who wish? Have all voted who wish? Representative Cullerton, for what reason do you rise?"

Cullerton: "Yes. The Bill that we're voting on, I believe it's going to go to a Conference Committee. I hope it goes to a Conference Committee because it's going to cost the state two million dollars. Thank you."

Speaker Laurino: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 98 'ayes', 12 voting 'no' and 4 voting 'present', having received the required Constitutional Majority is hereby declared passed. Senate Bill 126, Representative Homer. Out of the record. Senate Bill 234, Representative Barnes. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 234, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker Laurino: "Representative Barnes."

Barnes: "Mr. Speaker, I would like to bring Senate Bill 234 back for purposes of an Amendment."

Speaker Laurino: "The Lady from Cook wishes to return this Bill to Second Reading, does she have Leave? Leave being granted, Representative, the Bill will return to Second Reading. Are there any Amendments?"

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

Speaker Laurino: "Representative Barnes."

Barnes: "Mr...Mr. Speaker, before I do that, it has been agreed between Representative Young and myself to table Amendment #1."

Speaker Laurino: "The Lady wishes to table Amendment #1. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. Amendment #1 is tabled. Amendment #2...Representative Barnes."

Barnes: "Mr. Speaker, I would like to table Amendment #2."

Speaker Laurino: "Withdraw Amendment #2? Representative withdraws Amendment #2. Further Amendments?"

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

Speaker Laurino: "Amendment #3, Representative Barnes."

Barnes: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 really replaces the entire Bill and what the Amendment does, it satisfies all the objections and now we have the support of the Illinois Restaurant Association, the Hotel-Motel Associations, the Associated Beer Distributors, and Jim Rittenburg, and other groups. I would ask for an 'aye' vote."

Speaker Laurino: "Representative Barnes moves the adoption of Amendment #3 to Senate Bill 234. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No Further Amendments."

Speaker Laurino: "Third Reading. Representative Barnes. Read the Bill, Mr. Clerk."

Speaker Laurino: "Leave to have the Bill considered today. Leave is granted by the use of the Attendance Roll Call. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "Senate Bill 234, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker Laurino: "Representative Barnes."

Barnes: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 234 is known as the Happy Hour Bill. Senator Mahar and myself introduced this Bill at the request of one of our Mayors of Orland Park, who considered the happy hour two for one drinks hazardous. What it does, it balances competition among the different establishments in the different areas, because they don't travel from one village to another village for the happy hours. We feel that this is a Bill that is going to save lives because statistics prove that there are more deaths between the hours of four and eight, which are happy hour hours. We have had, I would say, maybe eight or nine meetings with all of the different groups that I forementioned, to satisfy their objections. The intent of the Bill is not to harm any business of any type, it's just to go along with the...what people do now, drinking more in moderation, and people are far more concerned with people driving and drinking and killing pedestrians and other people on the streets. We have the support of the Tribune, the Sun-Times, the Illinois Restaurant Association, the Hotel-Motel Association, the Associated Beer Distributors, Jimmy Rittenburg, who owns Ditka's City Lights and other establishments, the Illinois Alcoholism and Drug Dependency Association, and on and on. The MADD...Mothers Against Drunk Driving, and Alliance Against Intoxicated Motorists. I would ask for an 'aye' vote."

Speaker Laurino: "Further discussion? Representative Weaver?"

Weaver: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Representative, under the Bill now as amended, would it still allow for reduced prices for drinks?"



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Barnes: "No, It would not."

Weaver: "It would not? It was my understanding that it would, as long as that reduced price was on a daily basis, rather than on an hourly basis."

Barnes: "Well that's...what we want you to do is to be able to pay for each drink separately. It would be like, ladies nights where you wouldn't charge any fees at all. I think what you and I discussed, if you would go in and just like...pay one fee and drink for the night, it would...it would not...approve of that."

Weaver: "But on an individual drink basis it still would allow for...say if you wanted to run a special for a drink for one day you could still do that?"

Barnes: "Yes."

Weaver: "Okay. Would it prohibit the packaging of say...like, if a hotel wanted to offer a weekend package which included room, meals and drinks. Would the drinks be not allowed to be part of that package, under this law?"

Barnes: "It would not interfere with any type of packaging that hotels or motels offered. That was one of the agreements that we reached with the hotel-motel industry."

Weaver: "I understand. And it would not prohibit such as pitchers of beer or buckets of beer?"

Barnes: "It would not prohibit any specialties such as a bucket of beer or a pitcher of wine or a pitcher of margaritas, as long as they're served to more than one person at a table."

Weaver: "Okay. Mr. Speaker, to the Bill...I have to commend the Sponsor for working very closely with all the parties involved. As a matter of fact, I've been in close communication with a couple of the original objectors to this Bill. She's worked very diligently in working out all the problems in getting agreement and I think it's in a final form now that most everyone can accept and...speaking

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as a previous opponent to this Bill, I've been switched over and...she's taken care of all my concerns and I now urge an 'aye' vote on this Bill."

Speaker Laurino: "Further questions? Representative Ropp."

Ropp: "Thank you, Mr. Speaker. To the Bill...you know it is difficult and not always good policy for government to establish guidelines for the operation of a private business in which they exist within our communities. But on the other hand, we have this situation where the consumption of a particular liquid has a detrimental effect upon us both mentally and often times physically to the degree that we have, in fact, established a number of laws that regulate and put severe punishment on those people who drive automobiles, primarily because of the effect that those people who drive automobiles...through their reckless driving cause a number of fatalities, damage to their automobiles and other property. And so the state does, from time to time, get involved in attempting to save the lives. This is a Bill that I think begins to infringe a bit on private industry, although the impact of loss of life is more important than the regulations on a particular business. And so I highly stand in support of this measure, which attempts to somewhat, in a small way, discourage additional consumption of alcohol during times of after work and prior to, often times, going home. So I think this is a good Bill. It shows the intent of the state to encourage people to drink with some degree of moderation, because the lives of people are certainly more important than the pocket...than the pennies in the pockets of those promoters."

Speaker Laurino: "The Chair would like to remind the Members of the House that we have two days left to finish the entire Session on these Senate Bills, and I urge your

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consideration of the other Members who have Bills that want to be heard, so if we can keep our remarks to a minimum, it would certainly be helpful. Representative Mautino, one minute."

Mautino: "Thank you very much, Mr. Speaker. Will the Lady yield for a question or two?"

Barnes: "Yes."

Speaker Laurino: "She indicates she will."

Mautino: "Representative Barnes, as I look at Amendment #3...I think the question may have been asked, but I'm not certain whether or not. In a case of a benefit for a third party, entity or a person, like a civic or social agency, mental health facility, et cetera...That benefits are put on by a retailer at their place of business, this would not disallow that to occur, when in fact...have that young man move, I can't see who...thank you very much. That would not disallow a one price ticket for that particular event, would it?"

Barnes: "It would not, Representative Mautino. I think that was one of the questions that you had asked and we took your concerns and we took care of it in the Bill."

Mautino: "Okay. That is addressed in your Amendment? From the concerns of the wholesalers, we agree and we appreciate the attention you've addressed to the advertising issue which have made...was a major concern with us on this. The other question that was raised and I didn't hear responded to, or I must have missed it, was your comments on something like a ladies night. Would you please explain that one more time for me?"

Barnes: "I would be very happy to explain it. It would prohibit ladies nights where ladies would drink all night free."

Mautino: "Thank you very much for your comments."

Barnes: "You're welcome."

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Speaker Laurino: "Representative Edley, one minute."

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

Speaker Laurino: "She indicates she will."

Edley: "She will? Representative Barnes, on...Concerning the serving of two or more drinks at one time. The question I have is along this scenario. If you're sitting in a bar and you've got half a drink finished and someone offers to buy you a drink, would they be prohibited from buying you a drink?"

Barnes: "They would not, Representative, because you would've paid for your drink and then the person that is buying would be paying for a drink. So, it's not a two for one. Those are considered separate drinks and separate payment."

Edley: "Well, it says here, 'serve two or more drinks of alcoholic liquor at one time to one person for consumption'."

Barnes: "That addresses the happy hour."

Speaker Laurino: "Further questions? Representative Barnes to close."

Barnes: "Thank you, Mr. Speaker. I would like to thank in closing, the Judiciary Committee who had the confidence that Senator Mahar and myself would work out the problems that we had on this Bill. I would like to thank all of the different people that worked with us so that we could come up with this agreed Bill, which we think is so important because it is going to save lives, and I would appreciate an 'aye' vote."

Speaker Laurino: "Representative Barnes moves Senate Bill 234 pass. All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Representative Balanoff to explain his vote."

Balanoff: "Yes, to explain my vote. As the Sponsor said, there's

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a tremendous increase in the number of alcohol related accidents and deaths between the hours of four and eight P.M. The happy hours. I remember many times stopping after work for a drink with friends, just before the happy hours were going to end, and I would see many patrons ordering four and five drinks at a time and downing them very quickly to get in on the deal of happy hour. Then they'd get behind the wheel and they'd go on home. I'm voting 'yes', and I urge all of my colleagues to vote 'yes'. For all of my friends and yours in the hope that no more will die at the hands of drunk drivers."

Speaker Laurino: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. This Bill having received 98 'ayes', 11 voting 'no', and 7 voting 'present'. Having received the required Constitutional Majority is hereby declared passed. Senate Bill 559, Representative Petka. Representative Petka? Out of the record. Senate Bill 1180, Representative Pullen. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1180, a Bill for an Act to amend sections of the Criminal Code. Third Reading of the Bill."

Speaker Laurino: "Representative Pullen."

Pullen: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1180 would make it a Class II felony for someone who is infected with the AIDS virus and knows that he or she is infected, to perform activities which would transmit the virus. We passed a very similar Bill in the House several weeks ago and I would urge passage of Senate Bill 1180."

Speaker Laurino: "Any discussion? Representative Bowman."

Bowman: "First of all, a question of the Sponsor, please. Representative Pullen, what was that Bill number that we passed in the House?"

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Pullen: "I believe it was House Bill 1871."

Bowman: "Thank you. Mr. Speaker, Ladies and Gentlemen, to the Bill. We are embarking on a whole new area of criminal law with legislation of this sort. We do not now have on the law books legislation that imposes criminal penalties for transmission of disease, knowingly or unknowingly, or with malice aforethought or anything of that nature. Typhoid Mary got off scot free. What we are doing here is opening up, truly, a Pandora's box. What will it be next? Are we going to make it a Class B misdemeanor for the transmission of the flu? Or a Class IV felony for transmission of tuberculosis? Or a Class III felony for the transmission of mumps or measles? An aggravated transmission if the transmission of mumps is to an adult? Ladies and Gentlemen of the House, I know that the Lady is sincere in her efforts to try and deal with a disease that is truly a scourge on our land. But this sort of legislation, to criminalize the transmission of an illness, is a very, very dangerous precedent. And also, consider this...the...consider how such an issue would be litigated. How would this issue be brought to the court? What standard of proof would have to be used and what kind of testimony would have to be brought forth and put on the...before the court in order to secure a conviction? We all know that AIDS... the symptoms of AIDS might not show up for years. Years after the exposure to the HIV virus was first experienced. What about the statute of limitations? It seems to me that the many, many questions that legislation of this sort raises is reason enough for...at a minimum...for us not to rush through this and to carefully examine the issues and study them more thoroughly. I urge a 'no' vote."

Speaker Laurino: "Further discussion? Representative Petka."

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Petka: "Thank you very much Mr. Speaker, Members of the House. I rise in support of this very fine piece of legislation. Recently, I attended a graduation party in the City of Chicago with one of my best friends who is on the Chicago Police Department. We talked about this piece of legislation. He informed me that on several occasions he's had the opportunity of being on a sweep to arrest people, where he's arrested homosexuals who unfortunately have had this disease. He said that they are in a very, very precarious situation, the police officers, since these individuals have threatened to bite the peace officers. We actually had an incidence of this in the State of Michigan where a person who had contracted this dreaded disease simply sought to impress his teeth marks and break the skin, which can be a means of transmitting this dreaded disease. Now, the previous speaker has made reference to the possible criminalization of..."

Speaker Laurino: "Bring your remarks to a close, please, Representative."

Petka: "The individual...simply sought to bite the police officer because he feared that...of being caught. Now the previous illnesses that were referred to, the flu virus and those are not fatal. AIDS happens to be fatal. And this criminal legislation simply is a bridge between not having any offense at all and what the more serious offense of attempted murder, because that's what we're really doing here, by transmitting this virus which could prove to be fatal, but yet...yes, there is a statute of limitations that may come into play. So if the person knowingly transmits this virus, knows that he or she is infected with the virus and does certain acts, yes indeed, under those controlled circumstances, the statutes will be triggered. The means of proof are the same means that are used by any

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decent prosecutor in any other criminal case. Therefore, this piece of legislation is much needed and to the credit of the Sponsor, is something that should be placed on the books. Once again I urge your support for this legislation."

Speaker Laurino: "Further discussion? Seeing none, Representative Pullen to close."

Pullen: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. This Bill is very carefully defined. It deals with a serious problem in our society which is going to grow more serious in time. It deals with protection of the innocent from the transmission, in a knowing fashion, of a virus which delivers one of the most horrible, painful, lonely deaths you can imagine. It's time to do this. Some other states have done this, despite the indication that this is unprecedented. And for many, many years there are other states that have had on the books laws criminalizing the transmission of other sexually transmitted diseases and even other communicable diseases. So this is not unprecedented, but it is needed at this time and I urge your support, please, for Senate Bill 1180."

Speaker Laurino: "Representative Pullen moves that Senate Bill 1180 pass. All those in favor vote 'aye', those opposed vote 'nay'. Voting is open, this is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 90 'ayes', 18 'nay' and 6 voting 'present', having received the required Constitutional Majority is hereby declared passed. The Chair would like to make an announcement that those slips of paper that were on your desks to change your vote on Supplementals 1, 2 and 3... Please bring them up to the Clerk's desk, or the well up here, so that we can have a vote on them. The hour of 12



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o'clock having arrived, it's essential that we get those slips in. Alright, you've got a couple more minutes, but at 12 o'clock we'll no longer accept any slips and then I'll announce the Roll Call. On this Order of Business we go to Senate Bill 1315, Representative Petka. Out of Order. Okay. We'll now proceed to Government Administration Second Reading. Senate Bill 107, Representative Granberg. It's on page 8 of your Calendar. Out of the record. Senate Bill 257, Representative Keane. Out of the record. Senate Bill 384, Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 384, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Laurino: "Representative Giorgi. Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Laurino: "Any Amendments?"

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

Speaker Laurino: "Amendment #2, Representative Giorgi."

Giorgi: "Mr. Speaker, Amendment #2 makes the Bill another shell Bill and that's by request again of the Council on Long Term Care and people...they're negotiating with the Department of Public Aid, so I'd like to adopt Amendment #2, make it a shell Bill, put it on Three and send it to the Senate so we've got a Conference Committee work to do with it."

Speaker Laurino: "Representative Giorgi moves the Amendment #2 to Senate Bill 384 be adopted. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, the Amendment is adopted. Any further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

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

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Clerk O'Brien: "Senate Bill 384. a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Laurino: "Representative Giorgi."

Giorgi: "Mr. Speaker, this is a shell Bill. I'd like to send it back to the Senate so we can further negotiate with the Department of Public Aid and the people that are interested in this business."

Speaker Laurino: "Further discussion? Representative Giorgi moves that Senate Bill 384 be adopted...pass. All those in favor vote 'aye', those opposed vote 'no'. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 103 'ayes', 6 voting 'nay' and 5 voting 'present', having received the required Constitutional Majority is hereby declared passed. Representative Bugielski on Senate Bill 473. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 473, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any Motions?"

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

Speaker Laurino: "Proceed, Representative Bugielski."

Clerk O'Brien: "Third Reading."

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

Clerk O'Brien: "Senate Bill 473, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Laurino: "Proceed, Representative."

Bugielski: "Thank you, Mr. Speaker, Members of the House. Senate Bill 473 requires that in determining the reimbursement rate for nursing care, the cost reports from the previous year must be used to compute the rate instead of the

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reports from two years ago. This is cost equity legislation. Reimbursement for nursing care should be treated just the same way as any other provider. No Illinois business should be required to provide services and be paid on the basis of cost from two years ago. This legislation will take effect in the next fiscal year and is supported by the Illinois Council on Long Term Care, Illinois Health Care Association, the County Nursing Home Association, Catholic Conference of Illinois, and the not-for-profit Illinois Homes for the Aging. Director Suter of the Department of Public Aid has indicated her support for this fairness measure. I ask your favorable support."

Speaker Laurino: "Representative Bugielski moves that Senate Bill 473 pass. Is there any discussion? Representative McCracken."

McCracken: "Ladies and Gentlemen, I rise in opposition to this. The department has a written position paper on this and various other Bills, and in writing, the Department of Public Aid is opposed to this Bill. The Department of Public Aid currently uses an inflation factor to account for the lapse of time between the authorized cost levels used and the date of payment. This Bill will cost 18.8 million dollars. I rise in opposition to this Bill. It's unnecessary, it's unduly costly, there is no room for it in the budget."

Speaker Laurino: "Further discussion? Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. I rise in support of this position...this Bill. I think it's a good and right Bill. I think we in the state have to become a good partner with our providers, with the long term care people. What we're doing right here is moving

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the payment cycle up one year prior to the year before, versus two years prior. I think that's only fair and right and I believe that there is agreement on this Bill and I think an 'aye' vote is the appropriate vote."

Speaker Laurino: "Further discussion? Representative McCracken."

McCracken: "Representative Didrickson persuaded me to see the light. I withdraw my opposition to the Bill."

Speaker Laurino: "Religion, right on the House floor. Further discussion? Seeing none, Representative Bugielski to close."

Bugielski: "Alright, thank you, Mr. Speaker, Members of the House. Just...you heard some of the debate on it. It is a very important issue. Right now, Illinois is 43rd in the country on reimbursement to nursing care. The rates...I feel this is very important legislation, because at the present time, the average cost right now for reimbursement is \$39.05, which is very, very little. It costs more to keep a horse at any race track than we're doing for our people in nursing homes. It is a very important piece of legislation and I ask for your favorable support."

Speaker Laurino: "Representative Bugielski moves that Senate Bill 473 pass. All those in favor vote 'aye', those opposed voting 'nay'. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 113 'aye', 1 'no', and 2 voting 'present', having received the required Constitutional Majority, is hereby declared passed. Senate Bill 819, Representative Hicks. Out of the record, Mr. Clerk. Senate Bill 983, Curran. Representative Curran. Out of the record. Senate Bill 988, Representative Novak. Representative Novak? Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 988, a Bill for an Act to amend the

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Illinois State Collection Act. Third...Second Reading of  
the Bill. No Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Novak: "Thank you Mr. Speaker, Ladies and Gentlemen of the House.  
Amendment #1 merely makes a technical wording change.  
We're in the midst of negotiating with the chief Sponsor of  
this Bill in the Senate, Senator Welch, on rewriting the  
Illinois Collection...Debt Collection Act. And we'd just  
like to keep this Bill alive and send it over to the Senate  
so we can keep it on the Calendar. I ask for your  
support."

Speaker Laurino: "Representative Novak moves to adopt Amendment  
#1 to Senate Bill 988. Is there any discussion?  
Representative McCracken. Tom, evidently you don't know  
your switch is on?"

McCracken: "Yes. To address the Amendment."

Speaker Laurino: "Oh. Okay."

McCracken: "Will the Sponsor yield?"

Speaker Laurino: "He indicates he will."

McCracken: "What, generally, is wrong with this Act? I mean,  
generally speaking, what is the intention?"

Novak: "Representative, I know you can term this as a vehicle  
Bill. I mean, we just made a technical change, but in  
talking to Senator Welch, he has some concerns about the  
enforcement power under the Act. And we're just in  
negotiation with that, that's all."

McCracken: "Okay. Well, I rise in opposition, then. This is a  
vehicle Bill and who knows what it'll be used for? I don't  
necessarily think it will be something that we on this side  
of the aisle would approve of, so I think we should vote  
'no' on the Amendment and then we'll pass the Bill. So

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that the Senate Sponsor has gotten his...whatever the original Bill is."

Speaker Laurino: "Representative Novak moves for the adoption of Amendment #1 to Senate Bill 988. All those in favor indicate by saying 'aye'. 'Nays'? The 'ayes' have it, Amendment is adopted. It's already adopted. Representative McCracken has requested a Roll Call on Amendment #1 to Senate Bill 988. All those in favor indicate by voting 'aye', opposed 'nay'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Amendment having received 68 'aye', 45 'nay' and 2 voting 'present' is hereby declared adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 988, a Bill for an Act to amend the Illinois State Collection Act. Third Reading of the Bill."

Speaker Laurino: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I urge your support on this Bill. Thank you."

Speaker Laurino: "Any discussion? Seeing none, Representative Novak moves for the adoption ...or the passage of Senate Bill 988. All those in favor indicate by voting 'aye', those opposed vote 'nay'. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 83 'aye' votes, 27 'nay' and 3 voting 'present', having received the required Constitutional Majority is hereby declared passed. Senate Bill 1200, Representative McGann. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1200, a Bill for an Act to amend the Public Aid Code. This Bill's been read a second time previously. Amendments #1 and 2 were adopted in

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Committee."

Speaker Laurino: "Proceed, Representative McGann. Are there any Motions or Floor Amendments?"

Clerk O'Brien: "A Motion to table Committee Amendments #1 and 2 by Representative McGann."

McGann: "Mr. Speaker, Members of the Assembly, I would ask that we would table Amendments #1 and 2 which were introduced in Committee."

Speaker Laurino: "Would you like those acted on at the same time, Representative McGann?"

McGann: "Pardon?"

Speaker Laurino: "You're withdrawing Amendments #1 and 2. Would you like those withdrawn and acted upon at the same time?"

McGann: "Yes."

Speaker Laurino: "The Gentleman moves to table Amendment #1 and 2 to Senate Bill 1200. Does he have leave? Leave being granted, the Amendments are withdrawn. Or tabled. Further Amendments?"

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

McGann: "I'd like...Mr. Speaker I'd like...and Members of the Assembly, I'd like to withdraw Amendment #3."

Speaker Laurino: "Withdraw Amendment #3, Mr. Clerk. Further Amendments?"

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

Speaker Laurino: "Representative Homer on Amendment #4 to Senate Bill 1200."

Homer: "Withdraw the Amendment, please."

Speaker Laurino: "Withdraw Amendment #4, Mr. Clerk. Further Amendments?"

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

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Speaker Laurino: "Representative McGann on Amendment #5."

McGann: "Thank you, Mr. Speaker and Members of the Assembly.

Amendment #5 to Senate Bill 1200 actually guts the Bill...the original Bill. The Amendment will become the Bill. It changes the title, rewrites the original provisions of the Bill and adds a provision requested by the Mental Health Association of Illinois. Amends the Department and requires the Agency to establish area service councils in relation to each state operated mental health facility to increase communication with service providers to discuss new initiatives in community needs and to provide input to the department regarding programs, rules and funding. It requires the councils to meet at least annually. And it goes on to say that we have help in planning for the preadmission screening through the agency's area consumer advocacy groups. I would ask for adoption of Amendment #5 to Senate Bill 1200."

Speaker Laurino: "Representative McGann moves for the adoption of Amendment #5 to Senate Bill 1200. Is there any discussion? Representative McCracken."

McCracken: "Thank you, Mr. Speaker. The Department has opposed Senate Bill 1200 generally, and acknowledges that these Amendments take out a lot of the cost of the Bill, but still stands in opposition to the Amendments as well as the Bill. Alright. I take that back. Someone else made me see the light this morning. We are in favor of 5 and 6, Representative McGann."

Speaker Laurino: "Hallelujah! Will miracles never cease? Representative McGann moves for the adoption..."

McGann: "That's a breath of fresh air from the other side of the aisle in acknowledging that. Beautiful! Thank you for the fine cooperation in the mental health field."

Speaker Laurino: "Representative McGann, would you like your



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Amendment adopted?"

McGann: "Yes, I would. Move for its adoption."

Speaker Laurino: "Fine. Representative McGann moves for the adoption of Amendment #5 to Senate Bill 1200. All those in favor indicate by saying 'aye'. 'Nay?' The 'ayes' have it, the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6 offered by Representative Homer."

Speaker Laurino: "Representative Homer on Amendment #6 to Senate Bill 1200."

Homer: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Amendment would amend the Mental Health and Developmental Disabilities Confidentiality Act so as to allow community mental health centers to institute collection actions on delinquent accounts. Currently there's a problem in doing that because of the confidentiality provisions of that Act and has been determined to prohibit the filing of collection proceedings, so this would simply provide an exception for that purpose. It's been drafted by the department and is modeled after a provision that is already in the law with respect to their ability to collect delinquent accounts. I would answer questions, but move for the adoption."

Speaker Laurino: "Representative Homer moves for the adoption of Amendment #6 to Senate Bill 1200. Any discussion? All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, the Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #7 offered by Representative McGann."

Speaker Laurino: "Representative McGann on Amendment #7."

McGann: "Thank you Mr. Speaker and Members of the Assembly. Amendment #7 actually answers a request that we put forth

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under House Bill 849, which was signed into law requiring the citizens assembly to set up a plan so that we could have local...comprehensive local planning throughout the state in the mental health field. Citizens assembly have done a good job in this regard and have brought forth this Amendment. It addresses the current lack of comprehensive local planning in regards to delivery of state services for the mentally ill and developmentally disabled. It establishes a uniform statewide planning structure. The local planning authority would consist of qualified members appointed by the county board chairman and the director of the Department of Mental Health and Developmental Disabilities. This would be established in each county. Members appointed to these local planning authorities would consist of both the mental health developmentally disability advocates, also representative of the 708 board, if one exists and a...persons knowledgeable and experienced regarding services to the mentally ill. The counties have further permissibly authorized to submit multi-county plans, if such a regional approach is deemed appropriate. This is because of some of your smaller counties which would be better off to have a multi-county approach. I would ask for adoption of this Amendment #7 to Senate Bill 1200, so that the citizens council can continue with the department in working out this comprehensive local plan, which is so badly needed as much as we don't have the region approach any longer. This is good legislative intent and we are just following through what we had done under a previous statute. I'd ask for its adoption."

Speaker Laurino: "Representative McGann moves for the adoption of Amendment #7 to Senate Bill 1200. Are there any questions? Representative Didrickson."

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Didrickson: "Thank you, Mr. Speaker, Members of the House. While Representative McCracken has seen the light, I think that I am going to have to stand up and say that I don't on this particular Amendment, unfortunately, Representative McGann. I think the problem here is the fact that you're setting up 103 different planning units across the state. You are ignoring the fact...or not acknowledging the fact or building on Illinois' system of private not-for-profit community mental health agencies. It duplicates the current system of permissive local mental health boards and in fact is going to establish a competing system. In Cook County, you're going to be eliminating the township role with regards to township mental health boards. In Cook County also you're going to be establishing two boards that is going to be set up by the chairman and established by the chairman of the Cook County board. With regards to cost of this duplication, you're adding 1.2 million dollars for additional Department of Mental Health and D. D. staff, which is in excess of what they're requiring or needing. I think it is a inappropriate Amendment and I don't think it is acknowledging a unified planning system across the state when you're setting up 103 separate, different boards and so in that regard, I respectfully disagree with your Amendment and would suggest, at least on our side of the aisle, that we vote 'no'."

Speaker Laurino: "Further questions? Representative Deuchler."

Deuchler: "Will the Sponsor yield?"

Speaker Laurino: "He indicates he will."

Deuchler: "Representative McGann, I believe a fiscal note was filed on this Amendment. Do you have the answer?"

McGann: "Yes. Yes, we, do. I disagree with the fiscal note, but that's neither here nor there. The fact is that the fiscal note, as set forth, calls for a cost of about roughly 1.2

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million dollars. But what it does, it fails to recognize the actual work that is being done in these communities that will not have to be duplicated as the previous speaker had stated. I would say that if it cost 25,000 dollars it would be a lot to assist the individual planning council...the local planning councils. So I disagree with the fiscal note just like I've disagreed with the previous fiscal notes on other Bills that come out. I'm trying to help the department and the department doesn't want the help. So I would say that they are totally wrong in this fiscal approach."

Deuchler: "Is that the entire extent of the fiscal note? Is the 1.2 million? Isn't there an additional cost, possibly to staff these committees...?"

McGann: "No, it's actually in counting the staff and everyone, it's 1...1,161,000 is what they're stating. They are stating that they're going to have to have staff totally of 29 involved in this, but that staff of 29 also is involved in other work in the department. So it isn't actually a cost specifically to this area."

Deuchler: "To the Bill, Mr. Speaker. If I...I stand in opposition, additionally. I worked in mental health agencies in my community and it would seem as though many of the difficulties that we are facing today in mental health services is a lack of funding from the state, rather than a lack of planning. So I would stand in opposition, additionally."

Speaker Laurino: "Further discussion? Representative DeJaegher."

DeJaegher: "Thank you, Mr. Speaker. Representative McGann, I have a printout here that I'm a little bit concerned with. For instance, Franciscan Medical Health Center in Rock Island...if this Amendment were to be adopted, would lose 520,000 dollars. If the Spoon River Community Mental

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Health Center itself would lose 925,000. These are the things that I'm concerned about. The lack of funding that's going to be provided or the diminishing of funds that's going to be provided in this Bill. Is there substance to this?"

McGann: "I'm...I'm...Representative, I'm so glad you brought that up. That is totally erroneous because of the fact that it addresses another Amendment. It doesn't address this Amendment at all. It has nothing to do with this Amendment. There's no setting of...of...shall we say formulas, funding formulas or anything else by these local planning councils. They put a fact sheet out on the wrong Amendment, is what happened. And I am very glad you brought it up."

DeJaegher: "Then in other words Andy, I have your assurance that what Franciscan Hospital has been receiving in Rock Island County will not be diminished by this Amendment."

McGann: "It has nothing to do with this Amendment whatsoever."

DeJaegher: "Thank you."

Speaker McPike: "Representative Satterthwaite. Representative McPike in the Chair."

Satterthwaite: "Mr. Speaker and Members of the House, I rise in support of the Gentleman's Amendment. I think that what we see as we look at the provision of mental health services across the State of Illinois, is that some counties have taken the initiative to form local planning agencies and local taxing bodies where they are looking at the needs of the people within that county in regard to services that are provided either at the local level or through state funding. However, not every county in the state has taken the initiative to have that kind of a local body and so there are some areas of the state where there has been practically no documentation in terms of the client needs

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within that county. This would provide us for the first time with a way of getting some planning into those areas that have not taken the initiative to form their own local bodies. It provides a way for integrating the planning in the counties that have those local bodies. And so I think that it would be a big service to the state to have this plan in place where there would be further documentation for the needs for service and from there we could then determine how to serve those clients best. I support the Gentleman's Motion for adoption of Amendment #7."

Speaker McPike: "Representative McGann to close."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. It's unfortunate the true information and factual information is not presented to you in the vein that it should be. What we are doing with this Amendment is, we are starting from the bottom and planning, planning upwards with this comprehensive local planning council. It has nothing to do with any of the previous speakers stating that it's interfering with other boards. It does not. It has nothing to do with them. In fact, in a survey of the 708 boards, most of them are complimentary in this type of an approach through the studies from the citizens assembly. They want this type of approach. They want to have the local community input. We're not going to have 102 local plannings because many of the small counties will be merging together to serve together in placing their input with the department. It's strictly a guidance formula. It's not a distribution of dollars. It's...All it's going to do is to say this is what is needed in this local community and we're asking for consideration from the budget we're presenting to you in effect some recognition from the department. That's all we are doing. We're not setting formulas, we're not changing anything else. Truly

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a guidance of state funding. I ask for adoption of Amendment #7."

Speaker McPike: "The question is, 'Shall amendment #...' The question is, 'Shall Amendment #7 be adopted?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment there are 59 'ayes' and 54 'nos', 2 voting 'present' and the...Representative McCracken...for a verification. Mr. Clerk, poll the absentees."

Clerk O'Brien: "Poll of those not voting. Mautino and Mulcahey. No further."

Speaker McPike: "Mr. Clerk, read the affirmative votes."

Clerk O'Brien: "Balanoff, Bowman, Breslin, Brunsvold..."

Speaker McPike: "Excuse me. Representative Flowers, right in the front here would like to be verified. Thank you. Mr. LeFlore right here, Mr. Levin would like to be verified. Yes, Mr. McCracken."

McCracken: "I'm going to withdraw the verification on the Amendment."

Speaker McPike: "Thank you. Thank you. The Amendment has 59 'ayes' and 54 'nos' and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #8 offered by Representative McCracken."

McCracken: "Withdraw."

Speaker McPike: "Representative McCracken withdraws Amendment #8. Further Amendments?"

Clerk O'Brien: "Floor Amendment #9 offered by Representative McCracken."

Speaker McPike: "Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. Amendment #9 would require the department to come up with a funding formula for distribution of state monies throughout the state. This

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formula would be adopted in the discretion of the department pursuant to rule and it would have to consider the following factors: population served, the need of the population, relative poverty and geographic location of such populations and awards shall be provided in the formula for areas of high achievement or improvement. Now, the department admits, as a matter of fact as recently as this morning, that its funding is based on history and tradition. There is no systematic formulation for a fair distribution of these monies throughout the state. It is long overdue and I move the adoption of this Amendment. Again, the department will adopt the formula in its discretion pursuant to rule and report back here in about one year."

Speaker McPike: "Representative McGann on the Amendment."

McGann: "Thank you, Mr. Speaker. Would the Sponsor of the Amendment yield?"

McCracken: "Yes."

McGann: "Representative McCracken, this is only going to be a study and a development of a funding formula. For intent, this is not going to have an implementation without having to come back to the General Assembly for the proper distribution and appropriation."

McCracken: "Yes, that's correct."

McGann: "Thank you."

Speaker McPike: "Anything further? Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker McPike: "Yes, he will."

Hultgren: "In developing the new formula under the guidelines that you've set forth, without any additional dollars and with the new formula, then wouldn't it be correct to say that there would be some communities, some agencies that would have to be net losers?"



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McCracken: "I don't see any logical way to avoid that."

Hultgren: "So, in..."

McCracken: "Unless, of course, the department decides to act illogically."

Hultgren: "So, effectively what you're saying is for some agencies and perhaps even for some geographic areas of the state, this new formula which you proposed that the department would adopt, might end up with fewer dollars in the department of mental health budget, is that right?"

McCracken: "Yes, that's correct."

Hultgren: "Now, since we're not dealing with a specific formula, I suppose it's a little difficult to anticipate what areas might end up net losers, but do you have any contemplation as to where those parts of the state might be?"

McCracken: "I have no idea."

Hultgren: "Well, Mr. Speaker, to the Amendment. Let me suggest that all of us should be very wary, it seems to me, of this Floor Amendment #9. The Sponsor candidly, and I think correctly, points out that without the specific formula. We don't know whether our communities and the agencies that operate in our communities will be net losers or net gainers under this new formula. But the Sponsor also candidly, and I would submit correctly, concedes that there will, in fact, be some communities that will be hurt by this Amendment. Until we see the specific proposal, until we know how it's going to affect our communities, let me suggest that I think a vote in favor of this Amendment would be ill advised."

Speaker McPike: "Representative DeJaegher."

DeJaegher: "Representative McCracken, one more time. Basically, why does the formula need to be changed and why should that be addressed to?"

McCracken: "Well, currently the manner for distribution as the

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department admits candidly is history and tradition. It is not driven on a per capita basis. It does not necessarily respond to current needs of current populations. It has not kept up with the demographic changes. There's no indication that there is anything other than what could ultimately be in a particular case, an arbitrary use of their discretion to distribute the funds. We're asking that a formula be adopted which takes into account those things I've specified in...as the manner for determining which communities will receive grants and how much."

DeJaegher: "Basically then, Tom, once this study has been submitted, then they would review and basically it would go back into a competitive nature which agencies would receive what portion of the state dollars?"

McCracken: "Yes. That's correct. Once the formula is proposed, there will be an opportunity to review it and determine whether it should be adopted. This is not self-executing. This asks that a plan be formulated and reported back to the General Assembly."

DeJaegher: "Thank you."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I rise in support of the Gentleman's Motion. Some of the task forces that have been in existence have explored this possibility and the department has begun some preliminary studies to see what should be done to advise us about a different distribution of the funds. I disagree with the statements that there are necessarily losers in the process. There are only losers in the process so long as we talk about a set number of dollars. But if, in fact, we are able to better indicate where there is a need for service and as long as the distribution is responsive to certain factors that indicate that there is a higher incidence of need,

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then we should be distributing those funds according to that need, rather than on the basis of some arbitrary decision that has been made in the past. Any proposed changes in the funding mechanism, as I understand it under this Amendment, do have to come back to the legislature for approval and so we can be assured that the political process will come into play at that time, if it looks as though that is going to be adversely affecting some part of the state. It's something that is much needed to give us better direction about how our mental health dollars should be expended and I rise in support of the Amendment."

Speaker McPike: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House, I too rise in support of this Amendment. It's a much needed Amendment. I happen to represent an area that's been unrealistically funded by the present formula. It's even been a punitive formula with regards to the area that I represent out in South Suburban Cook County. I think that this sets in an element of fairness and I want to applaud Representative McCracken for bringing that to us, it's long overdue."

Speaker McPike: "Representative McCracken to close."

McCracken: "Again, this is a study, it's where we are asking for our consideration of a rational formula to be delivered back here before it is implemented, and I ask for support of this Amendment."

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

McGann: "I'm just going to explain my vote when you call for the vote, Mr. Speaker."

Speaker McPike: "In favor of the Amendment?"

McGann: "Yes, I'm very much so in favor of the Amendment."

Speaker McPike: "Well, the question is, 'Shall the Amendment be

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adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Did you wish to call the Bill at this time Representative McGann?"

McGann: "Yes, Mr. Speaker."

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

Clerk O'Brien: "Senate Bill 1200, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker McPike: "Representative McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly, I think we've taken enough time of the House with Amendment #7 and Amendment #9, which is actually the Bill. I would ask for favorable support. This is another direction in trying to resolve some of the problems that are existing in our Mental Health System in the State of Illinois. I would ask for many, many green votes, a bipartisan support of this Senate Bill 1200 as amended. Thank you"

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. Gentleman asks for a poll of the Absentees."

Clerk O'Brien: "Poll of those not voting, Representative Rice, no further."

Speaker McPike: "Representative McGann. Representative McGann, do you want this on postponed or..."

McGann: "Just, could we Poll the Absentees."

Speaker McPike: "We did, sir. We already did."

McGann: "Oh, I'm sorry. Mr. Speaker."

Speaker McPike: "Yes."

McGann: "I would like to place in the record intent to hear that this Senate Bill 1200 as amended, and especially Amendment #9, is not going to have anything to do with the specific

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funding presently in any of the Communities of this State. What it's going to do is to try to come about with a improved formula that is not archaic and that will do our job and then come back to the General Assembly and they'll decide the formula. The General Assembly will decide the formula. Please change your red votes to green. Let's put this back to the Senate. Appreciate."

Speaker Keane: "Representative Rice."

Rice: "Interum Study please."

Speaker Keane: "Representative McGann, do you want to place the Bill on postponed consideration?"

McGann: "Postponed consideration."

Speaker Keane: "The Gentleman asks leave to place the...on postponed consideration and the Bill will be so reported. Senate Bill 1210, Representative Currie. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1210, a Bill for an Act relating to firearms and firearm ammunition. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Keane: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2, I would like to withdraw and I think there's been an agreement on this Bill and we will be supporting Amendment #3."

Speaker Keane: "Amendment #2 has been withdrawn. Any further Amendments?"

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

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Speaker Keane: "Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. This is the agreed upon Amendment, Amendment #3 and I move it's adoption."

Speaker Keane: "Is there any discussion on Amendment #3. There being none, the question is ' Shall Amendment #3 be adopted?' All those in favor vote 'aye'... or say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and Amendment #3 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. The Lady asks leave to hear the Bill on Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1210, a Bill for an Act relating to firearms and firearm ammunition. Third Reading of the Bill."

Speaker Keane: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. The Bill as amended adds one category under which the Department of State Police could revoke or reject a firearm owners identification card, permit or applicant and that category is the kind of behavior that suggests an individual would be a likely threat, an immediate threat to his or her own health and safety or to the health and safety, the life of somebody else. I know of no opposition to the Bill, I would be happy to answer your questions and would urge your support for Senate Bill 1210."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 116 voting 'aye', none voting 'no', none voting 'present', and Senate

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Bill 1210 having received the required Constitutional Majority is hereby declared passed. Rep...Kubik in the Chair."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. If we could take...have your attention for just a few brief moments, we have a special guest with us today, and along with Representative Terzich and Representative Matijevich who are both Croatian Americans. I'd like to introduce a Gentleman by the name of Dobroslav Paraga. Mr. Paraga is a leading Croatian Human and Religious Rights Activist and he is in the United States and in Illinois sharing his views and his experiences and speaking out on his...bringing his message to the State of Illinois. So would you please join me in welcoming Mr. Dobroslav Paraga."

Paraga: "Mr. Speaker and Members of the Illinois House of Representatives. I am very thankful to be received by the Illinois House of Representatives. I stand before you as a representative of all those who struggle for human rights and religious freedom which you have enjoyed for over two hundred years in this Country. America is truly the beginning of hope for all oppressed people. On behalf of all dissidents, I thank you very much."

Kubik: "Make sure you vote for Terzich's Bills, too."

Speaker Keane: "Alright, while we're on this order of business, we'll return to Senate Bill 1200. Sponsor has leave to bring the Bill back to Second Reading. Is there leave? Leave, and the Bill is on Second Reading. Representative McGann."

McGann: "Thank you, Mr. Speaker. Having voted on the prevailing side, I would like at this time to recognize...have you recognize Representative McCracken."

Speaker Keane: "Representative McCracken."

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McCracken: "Yes, I agree to...that the Amendment should be tabled."

Speaker Keane: "Gentleman asked to leave to table Amendment #9. Is there leave? Leave, and Amendment #9 is adopted...or is tabled. Thank you. Any further Motions? Any further Amendments?"

Clerk O'Brien: "No further Amendments."

McGann: "Having...Mr. Speaker. Mr. Speaker, in regards to Senate Bill 1200..."

Speaker Keane: "The Bill is now on Third Reading. Alright, House Bill 1200, Representative McGann."

McGann: "Just for one moment, out of the record."

Speaker Keane: "We'll have leave to come back to that item. We'll now go to Government Administration. Third Reading. On that order is Senate Bill 255, Representative McPike. Out of the record. Senate Bill 392, out of the record. Senate Bill 555, Representative Hoffman. Representative Hoffman, do you wish to call the Bill? Out of the record. Senate Bill 613, Representative Lou Jones. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 613, a Bill for an Act to amend an Act in relation to adult substance abusers. Third Reading of the Bill."

Speaker Keane: "Representative Jones."

Jones, L.: "Thank you, Mr. Speaker, could I take this Bill back to Second for the purpose of two technical Amendments?"

Speaker Keane: "The Lady asks leave to return the Bill to Second Reading. Is there leave? Leave, and the Bill is on Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker Keane: "Representative Jones."

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



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Amendment #3 just makes a couple of technical changes that DASA and Public Health needed and now their in support of the legislation."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and Amendment #3 is adopted. Any further Amendments?"

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

Speaker Keane: "Representative Jones."

Jones: "Thank you, Mr. Speaker. Also Amendment #4 does practically the same thing #3 does, it just makes minor changes. It brings it to where DASA and also the Department of Public Health wants the Bill, and I'd ask for a favorable vote."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall Amendment #4 be adopted?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and Amendment #4 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Representative Jones. Is there leave to hear the Bill the same day? Leave, by the Attendance Roll Call. Leave, and leave has been granted. Representative Jones. Mr. Clerk, read the Bill a third time."

Clerk O'Brien: "Senate Bill 613, a Bill for an Act in relation to adult substance abusers. Third Reading of the Bill."

Speaker Keane: "Representative Jones."

Jones, L.: "Thank you, Mr. Speaker and Members of the House. Senate Bill 613 amends various Acts to expand programs for pregnant women who are addicted to controlled substance or alcohol. It also makes other changes. I ask for a favorable vote."

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

McCracken: "Yes, the Amendment just adopted address certain technical problems with the Bill, however it did not remove the Department of Public Health's opposition to the Bill."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all those opposed vote 'no'. The voting is open. Have all voted who wish? Representative Flowers. Okay. Have all voted who wish? Mr. Clerk, take the record. Representative, record Representative Johnson as voting 'aye'. Mr. Clerk,...there are 71 voting 'aye', 39 voting 'no', none voting present, and Senate Bill 613 having received the required Constitutional Majority is hereby declared passed. Senate Bill 716, Representative Bowman. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 716, on Page 12 of the Calendar, a Bill for an Act in relationship to taxation. Third Reading of the Bill."

Speaker Keane: "Out of the record. Senate Bill 1345, Representative Myron Olson. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1345, a Bill for an Act concerning grants, loans and other financial assistance. Third Reading of the Bill."

Speaker Keane: "Representative Olson."

Olson, M.: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 1345 is a Department of Commerce and Community Affairs initiative which we amended last Friday by virtue of Floor Amendment #2. This is indeed what has been come to be called the Sears Amendment and it basically allows DCCA to expand capabilities, to retain existing large business concerns in Illinois and to qualify these businesses we described must

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have at least 4,000 full time employees. It provides for improvements to local public infrastructures, improvements of commercial or industrial sites in assisting in land acquisition. We would move for the adoption of 1345, the Supplemental Appropriation has already been passed in the Assembly. This is indeed the enabling legislation. I would be happy to answer any questions."

Speaker Keane: "Representative Klemm."

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

Speaker Keane: "He indicates he will."

Klemm: "Representative, this is what? For the Sears, Roebuck retaining... trying to retain Sears Roebuck in the State of Illinois."

Olson, M.: "This indeed is that legislation. It is designed, of course to be inclusive, but it specifically is directed to that interest at this time."

Klemm: "What would it do for other companies besides Sears? What provision in there would be included?"

Olson, M.: "The enabling legislation puts in place a nomenclature for further considerations that may come along. This is the enabling legislation. The supplemental appropriation moved in the Senate last Friday, up to and including thirty-three million, if in deed all the jobs in the merchandise group are retained in the state."

Klemm: "Alright, thank you. To the Bill, Mr. Speaker. You know we certainly want to help Sears Roebuck stay in Illinois because they've been a valuable employee...employer and contribute to the environment and the economic development of Illinois. But you know, you really think that the State of Illinois should have a program that affects a lot of other smaller businesses in Illinois besides. It seems almost something wrong when a small business who competes

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with Sears has to pay taxes to give to Sears to stay here, when we have a company that is in Real Estate and Insurance and all the other areas, profitable company that sometimes I think maybe we need to look at the other smaller companies that need help also. I have no problem with Sears Roebuck. They are a very fine Company and I'm certainly going to intend to vote for the Bill. But I think, Mr. Speaker, we're making a mistake in doing the knee jerk type of responsibilities of keeping businesses in Illinois. Maybe we should look at our unemployment, workmen's comp and all the other things to say why do companies even want to leave Illinois. Maybe we could do more for businesses, because it certainly does point home to the problem of businesses in Illinois and how much they contribute to this State. Sometimes we forget about it, we want to tax them continually, and then when a big company wants to leave because they can find a better deal someplace else, then we're ready to give all types of concessions. Maybe we're doing it wrong in the first place, and certainly I know we're not giving consideration to the small businesses in your towns and my towns, that certainly have smaller employment figures, but certainly need help too. Why does it be important that a company of 3,000 gets financial help and a company of 500, let them go under and we couldn't care less. I think we should look at another type of way of doing it and I certainly would commend the Sponsor for his efforts in...for Sears and saving Illinois a loss of a major employer, but I would certainly like to see it work with the rest of us to try to see if we can expand that to save all Illinois businesses, not just the big ones."

Speaker Keane: "Representative Olson...or Representative Daniels."

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Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. I think that we ought to all be aware that there's additional discussions that will go on in this Bill. I believe this Bill will be placed in Conference Committee for additional discussion between both sides of the aisle, and for that reason, I think at this point, we should vote to pass this Bill out so the discussions can continue. Keeping in mind of course, that the appropriation authority has already passed and this is the substantive part on it and the discussion will come up for further consideration before this House."

Speaker McPike: "Representative Olson. Representative McPike in the Chair."

Olson, M.: "If I may close, Mr. Speaker, the points made by Representative Klemm are very much needed to be made. Representative Daniels has alluded to where the situation is at. I'd just like to point out that the Department of Commerce and Community Affairs has many initiatives to enact programs of help to all size businesses and at the current time, Business Labor and Government are meeting here in Springfield to work on some of our other issues such as independent contractors, workmen's comp, unemployment benefits, and I think the mood in this State is to move forward and to encourage this very fine company to stay here and also say to the other companies, we'd like to help when the opportunity rises. I move for passage of 1345."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 102 'ayes', 9 'nos', 3 voting 'present'. Senate Bill 1345, having received the Constitutional Majority is hereby declared passed. Senate

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Bill 1374, read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1374, a Bill for an Act to amend the Metropolitan Transit Authority Act. Third Reading of the Bill."

Speaker McPike: "Representative Munizzi."

Munizzi: "Thank you, Mr. Speaker and Ladies and Gentlemen. Senate Bill 1374 amends the Metropolitan Transit Authority Act and requires public notice in bidding on contracts for services and public transportation facilities over ten thousand dollars, now required on such contracts over five thousand dollars. It was amended in Committee. It does not eliminate comparative bidding. It just makes the process a little simpler. I ask for a favorable Roll Call."

Speaker McPike: "Any discussion? Representative McCracken."

McCracken: "Thank you. I rise in opposition. I mean we all know what's happened in the recent past with the CTA and frankly I don't think we should vest them with the discretion, even though these are relatively small amounts, to do away with the competitive bidding. I acknowledge that it doesn't require that there be no competitive bidding, that they can decide whether to do so or not. But again, I just don't think this is the proper agency to which to entrust that discretion. I rise in opposition."

Speaker McPike: "Representative Munizzi to close."

Munizzi: "Thank you, Mr. Speaker. I ask for an affirmative Roll Call. You've heard the discussion. Thank you."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted? Have all voted who wish? Clerk will take the record. Representative, what is your pleasure? Do you want this on postponed consideration?"

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Munizzi: "Yes, please."

Speaker McPike: "Lady asks for postponed consideration, the Bill will be placed on the order of postponed. That Bill had 54 'ayes' and 60 'nos'. Representative Giorgi in the Chair."

Speaker Giorgi: "Senate Bill, Mr. Clerk, read Senate Bill 572."

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

Clerk Leone: "Senate Bill 572, on the Order of Second Reading, a Bill for an Act to authorize certain forms of gambling on excursion gambling boats."

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

Olson M.: "Thank you, Mr. Speaker, the Republicans would request a conference for one hour in 118."

Speaker McPike: "Representative...Olson? How much time do you need, sir? Do you really need one hour on riverboat gambling? Okay, well, it's our desire to get out of here at 7:00 o'clock tonight, and because of this caucus, there's no doubt we won't get out at 7:00 o'clock, so try to be back as soon as you can. Republicans will have a caucus immediately in Room 118 and the Democrats can do anything they wish. The House will come to order. Messages...returning of the Order of Legalized Gambling, Riverboat...Excursion Boat Gambling is Senate Bill 572. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 572, a Bill for an Act to authorize certain forms of gambling on excursion gambling boats. It's been read a second time previously. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, is being offered by

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Representative Giorgi, et al."

Speaker McPike: "Representative Giorgi."

Giorgi: "Thank you, Mr. Speaker. I apologize..."

Speaker McPike: "Just a minute. Give the Gentleman some attention please."

Giorgi: "I want to apologize..."

Speaker McPike: "I wonder if all of the Pages could, I wonder if all the Pages over here could hold down the noise. Proceed, Representative."

Giorgi: "Thank you, Mr. Speaker. Senate Bill 572, naturally you know is the Riverboat Gambling Bill. And this Amendment Bill is a product of a 20 member Task Force and the other side of aisle had a task force. We didn't get a result on their task force, I didn't get a copy of the report, but I understand that they went into great detail as we did on the riverboat gambling issue. But the heart of our Amendment is the creation of a gaming board. We're going to create a gaming board with Amendment #2 and there's going to be a 5 member gaming board appointed by the Governor and one of those members must be well learned in law enforcement so that all of the questions of crime commission will be allayed by attention of the law enforcement member. And the most important job of the Gaming Commission will be to do all of the licensing necessary to allow these riverboats to ply the Illinois Rivers. The Gaming Board will have authority to license boat owners, give the casino licenses, license employees, license suppliers. They have rule making authority. They do something about ship design. They have a lot to say about routes. Coast Guard will be licensing people that will be manding these ships. They'll assure the payment of taxes, they'll keep accurate records and they're going to be able to report to the state on admissions income. Now



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the part that the General Assembly is insisting, or by this Amendment, is that there will be \$2.00 admission taxes charged at the city or the unincorporated area of a county where your boat is docked. The tax by the state, and there's been some input from the Governor's Office on this tax rate, will be 8% of gross wagers...? Eight percent of gross wagers and that 8% which naturally creates 100% pot. Twenty-five percent will also go to the city where the boat is docked and 75% will accrue to the state. There'll be a \$5,000.00 license charge for a license for a boat owner. There will be 10 licenses allowed by the General Assembly to the gaming board to be issued on any river in Illinois except rivers in counties of over three million people and in any navigable stream which constitutes a boundary of the State of Illinois. There'll be a \$500.00 limit on chips to be bought on any cruise they'll have to be 21 years old to partake of these cruises, to do anything on a boat, and there will be no betting while boats are docked. Now this Bill is a result of a lot of discussion and talk about economic development and we...the consensus of the task force is that this will indeed spur economic development, create jobs, boost tourism, bring new life to the rivers of Illinois, cause beautification along the riverbanks. There'll be boats built in Illinois and all the other attending happenings with marinas and other facilities. All of these corporations that want to be licensed by the Gaming Board will have to be Illinois corporations and actually the spinoff in jobs and taxes will reach figures that I'm not aware of at this time. And I'd like to urge the Members of the General Assembly to support us on this Amendment #2."

Speaker McPike: "Representative Giorgi has moved for the adoption of Amendment #2, and on that, the Lady from DuPage,

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Representative Cowlshaw."

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

Speaker McPike: "Yes, he will."

Cowlshaw: "Representative Giorgi, does this Amendment then become the Bill?"

Giorgi: "Yes, ma'am."

Cowlshaw: "Alright, I just have a question about one little detail that may or may not be included in this Amendment. I have, frankly Representative Giorgi, I have not had an opportunity to read this Amendment in it's entirety. But I'm sure you would know the answer to this question. As I recall, when we authorized offtrack betting in Illinois, we required that a certain portion of the proceeds which accrue to the state, should be set aside into a special fund to rehabilitate compulsive gamblers. Is there a similar provision in this Amendment?"

Giorgi: "Yes ma'am, there is, there is in the Bill."

Cowlshaw: "Thank you, Representative Giorgi."

Giorgi: "There's also an affirmative action plank in the Bill."

Cowlshaw: "Thank you. Mr. Speaker, to the Bill. The fact that that provision is included in this legislation, just as it was in the provisions for offtrack betting, it seems to me is an acknowledgement of the fact that we realize that when we do this, we cause a very severe problem for many of our citizens and their spouses and their children and their relatives and their friends. It seems to me that this whole issue can be put forward in simply one sentence. It is not a rightful function of government to promote gambling. Thank you."

Speaker McPike: "Representative Kubik."

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

Speaker McPike: "Yes."

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Kubik: "Representative Giorgi, again, I haven't had a chance to completely evaluate your Amendment, but I guess my question is, what kind of local controls are in this Bill? As you know, in the OTB Legislation there is some local control that...over where those parlors are going to be."

Giorgi: "Did you say boat control?"

Kubik: "Local control."

Giorgi: "Local control."

Kubik: "I mean for example, if a city or a village or a town didn't want this kind of thing to be in their community, would they have a local zoning board? Would they be able to allow that too?"

Giorgi: "In the original Amendment, that I introduced, there was local option. Amendment which follows this one, Amendment #3, which is on your desk, again allows local counties and cities to control their own destiny. If they don't want to partake of this riverboat gambling action, they don't have to take it. They can opt out of it like some counties have already done."

Kubik: "Representative, I've been informed by staff that the Amendment, the next Amendment, which would be what, Amendment number...? Well whatever, the Amendment..."

Giorgi: "Amendment #3."

Kubik: "Okay. That the provision in that Amendment would be that the local zoning authority, the local official would only be able to stop it, they wouldn't have the right to say, yes we want this particular kind of activity in our community."

Giorgi: "Representative Kubik, a couple of counties in Illinois have already indicated they do not want to partake of any of the revenue from riverboat gambling, so they're not going to allow any docking on their right, on their property, so that takes care of itself."

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Kubik: "So then it would be only a negative provision rather than an affirmative provision?"

Giorgi: "The same as we did with the OTB, that every community in Illinois wants, there's goin' to be fourteen of them built and a lot of people that have opposed the OTB are spending the money already in their areas. But this has the same authority as the OTB."

Kubik: "Representative, and again I didn't catch this, would it...does this Bill include Cook County?"

Giorgi: "This Bill excludes any county of 3 million or over, and the only county in Illinois is Cook County."

Kubik: "Could I ask you why Cook County has been excluded from the legislation?"

Giorgi: "It was a consensus of the task force that the people from Cook County weren't interested in being in the Bill, so they were excluded."

Kubik: "This Bill, as I understand it would be...authority under this legislation would be a gaming board rather than the Department of Revenue?"

Giorgi: "Yes sir, it's a gaming board and that has been agreed to by the Governor's Office because he gets to appoint the five Members and the Senate gets to confirm them, and naturally we know the Governor is going to appoint outstanding citizens to this type of a gaming board."

Kubik: "Well Representative, how does this affect the horse racing board? Does it affect it at all?"

Giorgi: "This is separate and aside and parallel to the Illinois Racing Board, but a lot of our rules and regulations that we stipulated the Gaming Boards would use was plucked from the Illinois Racing Board, which has an outstanding history."

Kubik: "I thank you, for those explanations of the Bill. To the Bill, Mr. Speaker. I think that this is obviously an

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issue that has created a lot of discussion over the last few months. It's a controversial issue, I'm sure that there will be a lot of discussion on this particular matter. But I would ask that the Members take a very, very close look at this legislation, and I think we ought to tread very carefully before we decide that Illinois is going to be the Atlantic City or the Las Vegas of the midwest. This is something where we've got some very, very important issues and interest involved in here. I think that the right vote, at this particular time, would be a 'no' vote and we ought to look at this issue a little bit carefully before we move forward."

Speaker McPike: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand to support the Gentleman from Winnebago on Amendment #2. If I might go back and give you a little history about the genesis of this Bill. Two years ago, it was introduced in the Iowa Legislature and failed the first year, there was much study done on the Bill, the second year it was brought back, passed the Senate first, went to the House, was passed in the House and signed by the Governor this Spring. The Quad Cities right now sits in a position where we're going to have riverboat gambling in the Quad Cities whether we like it or not. The Iowa Legislature has indicated they approve of the riverboat gambling in the Quad Cities and hence it becomes part of Illinois Quad Cities also that we have riverboat gambling. I stand in support of the Gentleman from Winnebago. This Bill in Illinois was introduced by Senator Jacobs, my Senator, and started in the Senate and had approval in the Senate, had some changes in the task force in the House. We're at a point now where we have 10 licenses at the discretion of the board. The overall concept of riverboat

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gambling was for tourism and economic development along the Mississippi River. That and along with the Illinois River in Peoria, seems to me to be the ideal location for riverboat gambling. The mystic about riverboat gambling as portrayed in movies and in history would indicate that that gambling on riverboats should take place along large rivers and be an economic tool and a tourism tool for those large river areas. If you would take a few minutes and pencil out, yourself, how much 8% of the gross on a year of riverboat gambling, the first time I did it, I thought I made a mistake, because the numbers were so large. Now this could mean at a very minimum thirty million dollars of growth in state revenues. Thirty million at a minimum, so we're talking about major development, economic development, not only for the state, but also for the local Governments in the areas along the Mississippi River and the Illinois River. So I stand in support and ask for the support, not only of the Members on this side of the aisle, but also the Members on the other side of the aisle to support riverboat gambling. Thank you, Mr. Speaker."

Speaker McPike: "Representative Sieben."

Sieben: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Would the Sponsor yield?"

Speaker McPike: "Yes, he will."

Sieben: "Representative Giorgi, it's been referred to that this legislation has come about because of the enactment of legislation in the State of Iowa to legalize riverboat gambling. Can you give us some of the major differences between your Amendment #2 and what has been passed in the State of Iowa?"

Giorgi: "I'm not too familiar with the Iowa Bill. I feel that Illinois is a giant state among the state's encircling Illinois, and I don't feel that we ought to be copying

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other states. For example, our lottery is so attractive, one in five tickets are bought from the states circling Illinois. None of their state's lottery is as good as ours. Our per capita income is over two hundred billion dollars a year, and I feel that we're denigrating ourselves, comparing ourselves any of the surrounding states. We're such an outstanding state, I think we ought to do our own thinking and this Bill has the consensus of 20 Members of the General Assembly, and their thinking, so we didn't bother too much with Iowa's Bill."

Sieben: "So what you're saying is, that the State of Iowa who spent two to three years in developing this legislation, that you're setting that aside and putting together new legislation for Illinois, over the past 4 or 5 weeks, and in your infinite wisdom your task force has been able to craft legislation to deal with this major issue in a period of 4 or 5 weeks when it took the State of Iowa 2 to 3 years. Is that correct?"

Giorgi: "I'll try to be respectful as I can, but when I tried to pass the lottery, it took 3 years, and we ended up with our own Lottery Bill. Twenty years ago they tried to pass jai-alai in Illinois and it hasn't been passed yet. Ten years ago they tried to pass dog racing and it hasn't been passed yet. But we did pass, in our wisdom, parimutuel betting back in the twenties, then we went to intertrack betting, now we have offtrack betting, then we have bingo, we have raffles and chances. We have Las Vegas nights, the beautifulist casinos you want to see in one of your...in most of your charitable organizations. We have not-for-profit raffles and chances. We tried to legalize pools, which are still illegal. We tried to legalize poker games among neighbors which are still illegal, so we've got a lot of experience in what people will accept. They'll

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accept this Bill. In fact, the Governor's Office had a lot to do with the finish product of this Bill. I don't claim to be the author. The twenty Members of the task force worked diligently to provide the best Bill of the fifty states. Our tax take is better than Nevada's or Atlantic City. I'm proud of that. Our tax take is greater than theirs."

Sieben: "Another, continuing on these questions, the second one would deal with economic developments and the previous speaker indicated that the economic benefit to the State of Illinois at the 8% of gross figure could represent thirty million dollars in annual take for the State of Illinois. Can you tell me what the local shares? I understand it would be 25%."

Giorgi: "Correct."

Sieben: "Now translate that in, for example, in the Quad City area, if there were two licenses in the Quad City and those pools of the Mississippi River, what could the Quad Cities stand to benefit, in terms of their share, their percentage take if they had two of the ten licenses were for the Quad City area."

Giorgi: "I learned one lesson in the General Assembly in all the years I have been here: when I tried to pass the Lottery in 1971, 1972 and finally passed in 1973, I predicted we'd earn a hundred million dollars a year. This year we're going to earn five hundred and seventy million dollars, so I didn't know what I was talking about in 1971, 1972, and 1973. But I didn't know the computer would be as sophisticated as it is. And I don't know what kind of imaginative riverboat captains we're going to have, so I'm not going to dare predict how much we can make, but I'll tell you what, it'll defy your imagination and mine as to what we'll be making 10 years from now."



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Sieben: "Mr. Speaker, to the Bill then. I think there are some major questions here about the substance of this legislation as it relates to what Iowa has passed and the economic impact also in the State of Illinois. As the previous speaker has indicated, he was involved in the passage of the Lottery Bill, which initially was estimated to raise a hundred million dollars for education in the State of Illinois. And now the gross receipt, or the money that's available to education now amounts to some five hundred and seventy million dollars for education. Well during that period of time, I think what I read recently in the papers is that we've now slipped to 44th, 44th in the Nation in our percapita expenditure for education. Well, I wonder if the economic benefit from legalized riverboat casino gambling in the State of Illinois may not have the same economic impact on our state that the lottery funds have done to help improve our funding for education. So I think there are major questions dealing with this legislation. There are major issues that need additional time to be reviewed and I would suggest that we table this legislation at this time, that we create a bipartisan task force to review this legislation and take at least 4 or 5 months to look at what might be in the best interest of the people in the State of Illinois, before we make such a major sociological change in what we do here in Illinois. Thank you."

Speaker McPike: "Representative Piel."

Piel: "Thank you, Mr. Speaker, will the Gentleman yield for a question?"

Speaker McPike: "Yes, he will. Representative Jones in the Chair."

Piel: "Representative Giorgi, just a couple of questions in reference to the Bill. You mentioned that they had to be

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away from the dock, correct?"

Giorgi: "There will be no services provided by the ship when they're docked. That's to allow the local area to enjoy the benefits of people that have parked their cars, the four or five hundred people that go these riverboats to buy the wares and trades of the locality that they're in. That was the intent."

Piel: "Okay, how far away from the dock? What's the minimum this boat can be away..."

Giorgi: "No. Just a dock, you know, you don't jump over water to get on a boat."

Piel: "In other words they could pull three feet away from the dock and drop anchor?"

Giorgi: "No you have to be on a cruise before you can gamble. You can not gamble standing still...unless there's an impediment in the river."

Piel: "Okay, how far does the cruise have to go?"

Giorgi: "It's...it provides for a 4 hour cruise, maximum, maximum 4 hour cruise."

Piel: "Four hour cruise. Can they travel from county to county?"

Giorgi: "Yes they can, and all routes must be approved by the Gaming Board."

Piel: "So in other words they can go, the route can go through another county if they want to? What about stops? How many stops..."

Giorgi: "They are allowed one stop at this point, but the Gaming Board will control the routes. The Gaming Board will have the authority to control the routes and the stops."

Piel: "The largest concentration of population in the state is in Chicago and I can't figure out why you have excluded Cook County. Now you say that your task force says that Cook County wouldn't be the best spot, but they're continually talking about gambling in Navy Pier, putting a casino in

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Navy Pier, etc. etc. It's always, Chicago's always mentioned, they talk about lottery machines that got be at O'Hare Airport because they're talking about heavy traffic area. Now what, is it a situation that the County Board in Chicago, the Mayor of the City or municipal officials in the Cook County area, do not want Cook County?"

Giorgi: "With all the respect that I can muster, Representative Piel, the language in the Bill that excludes Cook County emanated from the Governor's Office."

Piel: "And you have not had any, you know, you're going along with whatever the Governor wants on this, is that what you're saying?"

Giorgi: "Would you repeat that please?"

Piel: "You're going along with what the Governor wants on this?"

Giorgi: "Yes, this a..."

Piel: "It's a red letter day, that's what it is. You know there's been many, much talk, whether it be the lottery, whether it be Las Vegas nights, bingo, horse racing, etc...they...they all say that there is only so many gambling dollars out there. Now, one question I have, now this lottery money is going to education. A lot of people say that we've come very close to peaking on our gambling dollars going out in the State of Illinois. Have you given any thought, or has there been any study in reference to the, you know you're laughing, you know, I think, you know, you sit here and you say, only so many people are going to gamble and you're saying that you set a limit of \$500.00. There's offtrack betting; there's horse racing; there's lottery; there's bingo; there's Las Vegas nights; there's jar games. And it's going, if people are not going to use it in the lottery maybe they'll go on these excursion boats. Have you given any thought to or has there been any looking into the area of what other areas are going to be

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hurt by this, namely the lottery, namely education."

Giorgi: "Representative Piel, I said earlier, I thought a hundred million dollars would be the max we would ever gain from the lottery and that's besides giving a hundred million dollars away. You're creating 570 new millionaires but, our state's income is two hundred billion dollars a year and I, and if you listen to the press, the underworld is making off with about 20 billion dollars a year. Now, with the lottery, offtrack betting, we're grossing about a billion and a half dollars in revenues. If there's twenty billion dollars being picked up by the underworld, they have to have an army and I ought to run into it once in a while, and I haven't run into it yet. So I can't tell you how much money is going to be spent. That entertainment dollar..."

Piel: "All you need do is mention that you wouldn't be able to tell me, I would accept it. Underworld, you know you brought the name underworld three times in the last two sentences. What safeguards are in this Bill to prevent underworld coming into the gambling area?"

Giorgi: "Are you implying that our Illinois State Police are not capable of managing riverboat gambling?"

Piel: "I'm asking you the question."

Giorgi: "They're going to be on board ship. The Department of Revenue Inspectors are going to be on board ship."

Piel: "As you're saying, that there is no problem, no problem at all as the organized crime getting involved in this because the Illinois State Police is going to come to the rescue, right?"

Giorgi: "The Crime Commissions questions were answered. Everyone said when we introduced the lottery in Illinois, 16 years ago, that the nefarious persons in underworld were going to take it over. Well there hasn't been one hint of a scandal

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in our lottery. There hasn't been one hint of a scandal in the other gambling activities we legalized, so my point to you is, I have a lot of faith in the Governor's Office and have a lot of faith..."

Piel: "Excuse me, excuse me, Representative Giorgi, excuse me for one second. Excuse me for one second. Could I ask the Speaker's podium a minute, well it was about 30 seconds ago, I had three minutes on the clock and all of a sudden it went from three minutes down to one minute. Could I ask exactly what's going on with the clock? I mean if the questions are a little bit too tough for the Sponsor just say so, but let me know exactly what we're talking about time on the clock. Cause I'm watching the clock and all of a sudden it goes from three minutes down to one minute like that."

Giorgi: "Give him some time. Give him my three minutes."

Piel: "Okay, I'll take Zeke's three minutes, so you can just flip in on to three minutes then."

Speaker Jones, L.: "Well Representative, you had five minutes before we put the timer on."

Piel: "Right, okay, yeah. I noticed it hasn't been on for any of the other speakers, Madam Speaker, thank you very much, I appreciate it."

Speaker Jones, L.: "Would you please bring your remarks to a close."

Piel: "Set up time, Representative Giorgi. Set up time on the board. Now the thing that worries me is you're giving all this responsibility to the Department of State Police, who does not have the expertise. Let's face it. We do not have riverboat gambling in Illinois and they do not have the expertise in that area. What is exactly the time limit as far as the set up for the board and they are going to give this authority over to the State Police, correct?"

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Giorgi: "That's right. There's no time limit. The Gaming Board can take all the time it pleases to promulgate rules, set licensing standards. They're are going to have to have the Coast Guard come in and give these people certificates that are going to man these boats. There are a lot of things that...we're going to have to license the suppliers, we're going have to have Illinois corporations. We're in no hurry except..."

Piel: "What about the Department of Revenue? Don't you think they're better able, they're able to handle the other gaming licenses, aren't they better able to handle this than the Department of State Police?"

Giorgi: "Let me state here respectfully, both groups started with the Department of Revenue, then both groups ended up, the Governor's group and our group ended up with a Gaming Board."

Piel: "No further questions. Thank you, Madam Speaker."

Speaker Jones, L.: "The Gentleman from Peoria, Representative Saltsman."

Saltsman: "Thank you, Madam Chairman. As most of the people here in the General Assembly know, Peoria presently has a riverboat in operation which does not have gambling, but it's been a very successfully operation, owned by local people. But the city investment along with the local management and ownership have well invested over a million dollars already. If riverboat gambling comes to the midwest, whether it's in Illinois or not, how successful this operation can still be, no one knows. We know that we will loose customers to other parts of the midwest, whether it's in Illinois or not, if riverboat gambling is allowed elsewhere within a hundred or a hundred and fifty miles of this city, we're going to lose our tourism, we're going to lose the money from our people who are currently going to

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Iowa by bus loads every week for dog racing which we did not get two years when we wanted. There are plane loads of people leaving Peoria every day going on excursions to Las Vegas and spending Illinois dollars there. We want to keep that money in Peoria, plus we want to bring tourism. In March the 17th of this year, the Peoria Journal Star printed the article that I was to support riverboat gambling. Since March the 17th, of this year, I've had 29 responses of people not wanting riverboat gambling, 29. I've had over 16,000 people tell me they want it, as communications, that's endorsements. These are neighborhood owners, homeowners associations. Everybody I know wants it except a handful of people. If riverboat gambling comes to the midwest don't let Illinois sit back and let happen what happened to dog racing. Iowa's making a fortune off of our people already on dog racing and one of those tracks were suppose to be destined for the Peoria area. So at this time, when we look at the Illinois River, City Councils in Henry, City Councils in Lincoln, East Peoria, all up and down the river; not one city council has rejected so far, even including Beardstown, going south. They have voted to endorse it, even though they're not going to get a boat. They're not large enough municipalities. I don't know of one municipality yet that has said they don't want it and we have 7 or 8 that have already called me saying they do want it and their names that went on record in the press as wanting riverboat gambling knowing that they are not large enough to handle this size of an operation. We do have the hotel/motel space, our convention and visitors bureau have endorsed it. They want it very bad. They came out and endorsed it openly back in April when we didn't even know if we was going to have a Bill or not. This will be a fine program,

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it's going to be here to stay. It's going to be policed properly. It's going to be an economic development program for all of downstate and Central Illinois, and I hope to get your support on this legislation on a bipartisan basis because the majority of the people in the State of Illinois want this legislation passed. I appreciate your support for the passage of this Amendment."

Speaker Jones, L.: "The Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Madam Speaker, would the Sponsor please yield?"

Giorgi: "Go ahead Ropp."

Ropp: "I thought she had to say 'yes', she doesn't have to do that."

Giorgi: "Well I act as Speaker sometime too."

Ropp: "Okay. Is there an estimation as to the amount of revenue that may be generated from this project?"

Giorgi: "I really, it's a tough thing to determine because, it's just tough, it's just tough to do it and I've learned my lesson from the lottery and other things we've done, that they come back to haunt you. Your figures come back to haunt you. For example, just for a minute, the myth that was perpetrated that the lottery money was going to schools, started in a debate like this. When the Bill passed, it became law, none of those dollars were ever earmarked for education. In fact, the Bill was passed because Dan Walker at the time, wanted subsidy for the RTA. But the myth persisted for the last sixteen years that the lottery was going to solve all of education's ills and I don't want that to start again."

Ropp: "Okay, what, to correct that myth, where does this money go in this Bill now?"

Giorgi: "Twenty-five percent goes to the participating unit of government, if it's a county, an unincorporated area or a



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city and seventy percent goes to the state unearmarked."

Ropp: "In the general revenue?"

Giorgi: "That's correct, we get, we get to appropriate it."

Ropp: "'Okay, does this Bill establish a minimum size for the boats that would be used on the ships or whatever?"

Giorgi: "Because there is a \$5,000 license, per license, we feel there are some boats that would be willing to pay the \$5,000 if they only carried four per hundred passengers or three hundred passengers. We think it's going to be lucrative enough for someone that has a riverboat that only has a capacity of three hundred fifty to four hundred passengers to buy a license, and they'll earn the money to pay their license. There's a riverboat now, Representative Ropp, there's a riverboat now being built to be placed on the Rock River between Oregon and Byron in Myron Olson's District, and that boat is only built to house 150 diners. They're paying over a million dollars for the boat, and the people have already inquired about a gambling license and I think they're going to be willing to pay the full price so that their 150 or 200 diners can enjoy the accoutrements of entertainment."

Ropp: "Yeah, well isn't it true in the case you have indicated that a mere \$5,000 is probably a pittance to what they might be offering to pay, and if it's only going to be a hundred or a hundred fifty people on the craft, it doesn't seem like that would offer an awful lot of opportunity for very many people on an evening."

Giorgi: "You're asking me about a minimum size. I'm saying to you that we didn't put a minimum size in because a person with a 400 boat capacity, 500 or 600 will want to pay the \$5,000 license, he ought to be given a chance before the Gaming Board to be denied or to be granted."

Ropp: "Yeah, well I guess my point was if we are intending to at

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least generate revenue, that we ought to have some kind of a minimum of 300 or 400 capacity so that we wouldn't just allow 10 or 20 small boats of only 100 people on it, because I just don't think we're going to gen..."

Giorgi: "I would agree that 350 or 400 would be a good minimum, but..."

Ropp: "But that's not in this provision."

Giorgi: "But in this case, we already have a boat being built for the Rock River between Oregon and Byron and they are going to house 150 diners, they're already inquiring about a license so how do we treat those people, why should we exclude them if they are willing to invest the money? We are still going to get our 8% tax."

Ropp: "I guess, if I were them, I wouldn't put the cart ahead of the horse, because I think the legislation that we haven't even passed and their inquiries seems a little bit incorrect. Well let me, a couple of other quick points. I think it's interesting to note that, isn't it true that you were the Sponsor of the Lottery Bill some, a few years ago and that the feeling was that legislation and government should not be in that and that you might even be voted out of office."

Giorgi: "Ropp, I learned a good lesson from you downstate Legislators. You tell the northern gamblers you can have your parimutuel machines, but every time you lay two bucks down, we'll take forty cents for the downstate fairs. You taught me a good lesson back in 1970. You told the city slickers, go ahead and go to the tracks, we're going to take 30 to 40 cents out of every dollar, and we're going to fund our county fairs. And whenever the farm boy comes in with the best sheep and the housewife with the best pie, we're going to buy the rivers with gambling dollars. You taught me a good lesson back in 1970."

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Ropp: "Good, thank you. I guess, just in final conclusion, I have, I think have been pretty well pleased with the lottery and the effects that the State of Illinois, the people have somewhat accepted that now because of the good."

Speaker Jones, L.: "Representative, bring your remarks to a close."

Ropp: "I guess I would just hope that we would generate as much money as possible, if this becomes law and that we would not in fact have to build a brand new building for just gambling on the river."

Speaker Jones, L.: "The Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Madam Speaker, and welcome aboard."

Speaker Jones, L.: "Thank you."

Stephens: "Representative Giorgi, you showed much foresight in the early 70's with the lottery and I think that it has proved to be good to the economy of the State of Illinois and I'm sure that your intentions on this Bill are as honorable as your fine effort in 1973. However, I'm concerned with some of the reasons that this issue is before us today. Most notably I've heard time and time again, that well Iowa is doing it. Iowa has decided to beat us to the punch on this one and that somehow that glazes over that the essence of the issue of real legalized gambling. We're not talking lottery anymore, we're not talking charitable events, we're talking gambling. I sure hope that the Iowa Legislature doesn't legalize prostitution or cut down the penalty on murder or something like that, I knew that, I think that every time they try to set a precedent, we don't have to follow. If they make some foolish decision, we don't have to follow just so we can beat them at it. Although your efforts are honorable,

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that concerns me, that we're just letting them set the tenor of public policy here in Illinois because we don't want them to have something that we don't have even if it is bad. Illinois is a great state to visit already. There's no state that does a better job bringing tourists from across the country and from throughout the world to visit here. Right here in this city alone, in Springfield, the Lincoln sites are among the most popular that this country has, and for good reason. Illinois stands for something. We don't need to be, to stand for legalized gambling just so that we can get a few more dollars. We have to remember that we have some principles that our people live by and they want us to live by, and why should we abandon those principles every time in the name of raising a few more dollars or a few pennies in the name of economic development. This is a bad idea. If we're going to have legalized gambling on boats, the first thing that's going to happen after the first boat sets sail, is somebody who's a land lover is going to place a suit in court and he's going to say that that's unconstitutional to say that you can do it on boats, but we can't do it on dry land and this will set a precedent because he will win that lawsuit, he or she will, and what will happen is we'll have legalized gambling across the State of Illinois on land and on sea. It's a bad idea, it sends a bad message from Illinois to the rest of the country."

Speaker Jones, L.: "The Gentleman from Will County, Representative Van Duyne."

Van Duyne: "Thank you, Madam Speaker. Truly we're talking about the Gambling Bill and all the effect it's going to have on the State of Illinois, but no one yet has mentioned really the important thing about the whole Bill and that is tourism and the economy of the State of Illinois. I just

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jotted down just a very few things. The residual good from this is going to far, far outweigh what the state is going to take in as far as gambling as far as I'm concerned. The hotels in Joliet, we have two hotels and they're not fairing very well at all, especially in the downtown area. Our motels are not that good. Our restaurants are dying, our taverns, our parking lots, the food vendors, the real estate values. All of those things, if you just want to chronologically list them are the real reason for this Bill. Joliet is looking forward to a great influx of money, of people, of action through this very medium, but that's the important part about the whole Bill. I hope that we don't get bogged down with one side of the aisle voting this way and one side voting the other way because truly it shouldn't be a Republican or a Democrat Bill at all. We all should be looking for what's good for the State of Illinois, and I urge you all to vote 'aye'."

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

DeJaegher: "Thank you, Madam Speaker, Members of the General Assembly. Originally I was not supportive of Senate Bill 572. But since then there has been dramatic changes made in this particular Bill, and I know because that Amendment is quite lengthy, that some of you are not taking the time to review the Amendment. Let me make a few points knowledgeable to you. Number one, this is not mandatory, this is permissive. Number two, you must be 21 years of age to be involved either to gamble or to work. Number three, gambling will be only permitted when the boat is operable. Number four, a Gaming Board will be established. Number five, a maximum of 10 license will be issued. Now it goes without saying very seldom do I give a Republican Administrator credit for being involved in legislation.

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Two years ago the Governor knew that this state, in certain areas, was in dire straits, that something had to be done pertaining to the economic conditions of this state. What'd he do? He established two economic regions. One in Rock Island County, one in the East St. Louis area. Trying to mote(sic - pro mote) industrial work. This has a nucleus of creating those benefits in our particular areas. It has a decided economic factor. It goes without saying, studies have shown, that the state will benefit tremendously by it. Fifteen percent of...seventy-five percent of the total revenue that will be generated will go into the state Coffers. Twenty-five percent will be retained by state government. If you are unreceptive to it, I can accept your point of view, I have no problems with this. But try to be a little broader in scope. Try to realize the importance of this piece of legislation. It is an economic factor, it can benefit our community, it can benefit communities elsewhere, and for that, I rise in support of Senate Bill 572."

Speaker Jones, L.: "The Gentleman from Cook, Representative Balanoff."

Balanoff: "Yes, Madam Speaker, I rise to move the previous question."

Speaker Jones, L.: "It's not necessary Representative, no one else wishes to speak. Representative Giorgi, to close."

Giorgi: "Madam Speaker, I know all of the concerns expressed here today have been concerned...expressed on the General Assembly floor since the time I came here. Illinois, back in the twenties, decided it had some sort of a gambling mentality, so it legalized the tracks and got the parimutuel machines going. Since that time, Illinois Legislators like myself and everybody in this room spent about two and a half billion dollars, of gambling dollars,

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for things like I repeat, your county fairs, your future farmers of America, your 4-H Clubs, your scholarships, the scholarships to veterinary schools, there are all kinds of benevolent good out of it. Since that time we passed the lottery, and I see Members of this General Assembly climbing over themselves to spend 111tery dollars which have amounted to three and a half billion dollars. So don't come to me with clean hands. None of you have clean hands. None of you on that other side have clean hands. You love spending this money. In fact, after we passed the Off-Track Betting Bill, those that voted against it wanted to spend the money accrued from off-track betting. And I remember the day we tried to pass the lottery, we broke up a card game in the Capitol Building, and those Members came out and voted against the lottery. So, I'm very familiar with what's going through your minds and what's going through your consciences. But anyway, there are 25 rivers qualified to have a petition granted so they can have riverboat gambling in their environ. Now, I'd like to ask the Members of the General Assembly if they feel they want to legalize riverboat gambling and all its attending jobs and economic development, fine. But I ask that we have a bipartisan showing on this Amendment, or I would like to ask my side of the aisle not to grant all the votes like we had to do for the Income Tax that the Governor has been asking for for three years, and all of you were telling your people you were going to vote for and you didn't vote for. So, you know, let's put our money where our mouths are."

Speaker Jones, L.: "The question is, 'Shall Amendment #2 to Senate Bill 572, be adopted?' All those in favor vote 'aye', those opposed vote 'no'. The Gentleman from Cook, Representative Morrow, one minute to explain your vote."

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Morrow: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I had not planned to vote 'aye' on this Floor Amendment #2 to Senate Bill 572, but I've been informed by my seatmate that this would help out the crisis in the City of East St. Louis. I was concerned about the fact that bringing gambling down to East St. Louis was going to try to take control from the city, from the present management team there. She assures me that they will do all that they can to control whatever riverboat gambling that they will have in East St. Louis, and for that reason, I will vote 'aye' on Floor Amendment #2 to Senate Bill 574...572. Thank you."

Speaker Jones, L.: "The Gentleman from Will, Representative Regan."

Regan: "Thank you, Madam Speaker, Members of the House. This Bill has danger in it, it is going back as far as Walter Mitty. You can recall the problems that he got involved with when he threw the deck of cards in the ocean and said Mississippi River, swallow them up. So I have to oppose the Bill based on the negative impact that it had on him."

Speaker Jones, L.: "The Representative from Lake County, Representative Matijevich."

Matijevich: "Madam Speaker and Ladies and Gentlemen of the House, when this issue started, I was sort of ambivalent to the whole issue of riverboat gambling, and I attended a task force meeting and I said to seatmate, Representative Giorgi, that I could be talked into voting for riverboat gambling, if one, it is controlled; two, if the licenses are limited; and three if the State of Illinois produces enough revenue out of this venture. The two issues, the first two issues were taken care of by this Amendment. I would have hoped that the state would get more revenue, but the Governor, I understand, had the input on the eight



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percent as seventy-five percent of that eight percent going to the state and twentyfive percent to the local government. Now, we have, what happened now is the Republicans caucused on this issue. It is obvious that the Republican caucus and said we are going to take...against riverboat gambling. What is happening is, that the Republicans again are finding that they have no leader. The Governor has proposed, evidently, that he is for the riverboat gambling. Where is his Leadership? Now, evidently, what is happening is somebody made a decision that this is an issue that they can bargain with. Poppycock, this isn't an issue you can bargain with, because if you think that, it's going..."

Speaker Jones, L.: "Representative, bring your remarks to a close."

Matijevich: "I will when I'm finished. I think we've got a Democrat in the Chair. So, Madam Speaker, they were supposed to ask that, not you. Madam Speaker, this vote is..."

Speaker Jones, L.: "Representative, please bring your remarks to a close."

Matijevich: "Madam Speaker, this vote is an embarrassment to the Governor. He has not produced one vote, just like he did on the Income Tax, not one vote. Governor, the Governor, if you want riverboat gambling, come on the Floor of the House like you did on the Floor of the Senate. Bring some votes out here, otherwise, Governor, you failed again."

Speaker Jones, L.: "The Gentleman from Cook, Representative Laurino."

Laurino: "I'll yield my time to John. Give 'em hell John."

Speaker Jones, L.: "The Gentleman from Grundy, Representative Weller."

Weller: "Thank you, Madam Speaker. I represent about 40 miles of

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the Illinois River, and the communities along the Illinois River are supposedly going to benefit from proponents of this legislation. Well, I've polled those communities, in fact, the Grundy County Board this past week passed a Resolution saying no they don't want riverboat gambling. So I think they're taking the right position and I urge more 'no' votes."

Speaker Jones, L.: "The Representative from Bureau, Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. I'd like the opportunity to explain my vote and maybe let everyone know that Amendment #1 that was adopted to this Bill made this legislation a shell Bill, if in fact Amendment #2 doesn't go on. When and if Amendment #2 gets defeated, you will be looking at a shell Bill of which you won't have any input except to vote yes or no coming back from that Senate. I recommend most highly that you have before you something that you have that's concrete, and if this Amendment doesn't go on and it goes down, you will then be voting on a shell Bill with nothing in it. Now I find it difficult when the Governor said he supports this legislation, we worked very diligently to address his concerns and the Members concerns, and we may end up with nothing but a shell Bill that you may not like coming back. I recommend..."

Speaker Jones, L.: "Bring your remarks to a close, Representative. The Representative from DuPage, Representative Barger."

Barger: "Thank you, Madam Speaker. As the Chairman of the Republican Committee on riverboat gambling, I have reviewed most of the suggestions that have been made as to the great advantages of riverboat gambling. I was not contacted by sixteen thousand people who were in favor of it because I

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don't know that many people, but, in each and every category that I investigated, the costs outweighed the value that would be received from it. I think very strongly we should kill this whole idea and wait until such time as we have had the opportunity to hold the public hearings that should be necessary to develop a Bill that would be supported by some of the people of this State of Illinois, as opposed to one that is only supported by the Governor and a few individuals from the other side of the aisle. Thank you very much, my minute is up."

Speaker Jones, L: "The Lady from Cook, Representative Davis. For what purpose does the Gentleman rise?"

Giorgi: "Madam Speaker, I have perused the board, and there is no Republican Member voting 'aye'. If this Amendment goes down, if this Amendment goes down, the Bill becomes a shell. So I respectfully ask my Democratic Members to go present, all go present, and then the Bill becomes a shell and we'll wait for the Republicans to end their dance."

Speaker Jones, L.: "The Gentleman from DuPage, Representative Stange, one minute to explain your vote."

Stange: "Thank you, Madam Speaker. If this Bill was such a great, great Bill, why didn't Chicago want on this Bill. Chicago needs, Chicago needs money for education, schools, property relief, but Chicago's not on it. If this was such a great Bill, why isn't that happening?"

Speaker Jones, L: "The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Madam Speaker. To explain my vote. I have absolutely no question but what Jim Jumer in Peoria would run a very, very class boat. He is a very class individual and all of his operations are very, very classy indeed. But I guess the problem I have with this entire concept is the problem not necessarily with riverboat gambling but

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with the problem of where do you stop. What after all, is the difference between casino gambling on the river and casino gambling on shore? Casino gambling on a boat, casino gambling in a hotel. I think that the economic benefits of tourism and the like would occur for a few years, but be very short-lived. I think it would not be very long, perhaps within 5 years from today, that we would be voting in Illinois, up or down on full casino gambling, and because I am opposed to that measure, and I think that this would be a giant step toward full casino gambling, I would respectfully..."

Speaker Jones, L: "Represent...the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker. I would just like to comment that Zeke has requested a present vote, and I would support him in that, however, I'm going to stay green because we're going to have riverboat gambling in Quad Cities anyway, and I'm going to stay green."

Speaker Jones, L.: "The Representative from...Have all voted who wish? The Gentleman from Jefferson, Representative Hicks."

Hicks: "Thank you, Madam Speaker. With all do respect to the Sponsor, I'm for the Bill. I'm voting green."

Speaker Jones, L.: "Have all voted who wish? The Clerk will take the record. On that question there are 8 voting 'yes', 64 voting 'no', 44 voting 'present', and the Amendment fails. Further Amendments?"

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

Speaker Jones, L.: "The Gentleman withdraws Amendment #3. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 572, a Bill for an Act to authorize

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certain forms of gambling on excursion gambling boats.  
Third Reading of the Bill."

Speaker Jones, L.: "Out of the record. A Special Order of  
Banking, Third Reading, Senate Bill 100. Read the Bill,  
Mr. Clerk."

Clerk O'Brien: "Senate Bill 100, a Bill for an Act to amend an  
Act in relation to banks and the sales of insurance. Third  
Reading of the Bill."

Speaker Jones, L.: "The Gentleman from Cook, Representative  
Keane."

Keane: "Thank you, Madam Speaker. Senate Bill 100 is...amends  
the Illinois Banking Act and the Illinois Insurance Code to  
allow a state bank to own and operate a subsidiary, which  
may act as a registered firm for the purpose of selling  
insurance pursuant to the Illinois Insurance Code. The  
Bill provides that employees of a state bank's insurance  
subsidiary must be licensed under the Illinois Insurance  
Code and that the bank's subsidiary shall be subject to  
regulation by the Illinois Department of Insurance.  
Current law...under current law, the Illinois Insurance  
Code prohibits all state banks and national banks located  
in communities where its population exceeds 5,000, from  
selling noncredit related insurance. The Illinois  
Insurance Code contains no similar restriction directed  
against any other type of corporate entity. For example,  
an Illinois consumer may purchase insurance today from  
financial institutions such as, savings and loan  
assoc...associations, a credit union or a finance company.  
The surrounding states that allow their banks to sell  
insurance include: Indiana, Iowa, Minnesota,  
Wyom...Wisconsin, and as well as the major competitors with  
Chicago, New York and California. A recent consumer  
federation of America study concluded that banks...that by

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allowing banks to sell insurance would benefit consumers by providing consumers with additional cost-effective choices. Moreover, bank competition with the traditional providers of insurance services could lower policy costs industry wide. The Bill contains the number of consumer protections to keep the banking and the insurance functions separate, and they're very important. Employees of a bank's insurance subsidiary are prohibited from making loans on behalf of the bank and at that time soliciting, negotiating or affecting the sale of insurance. Second, employees of the bank's insurance subsidiary are prohibited from accessing any information contained in the parent bank's loan files, unless they are so directed by the consumer...or the customer. Third, a consumer who has purchased insurance from a bank...from a bank subsidiary shall be given a written notice, which states that he has an opt out time from such a purchase up to five days following the execution of the agreement. Fourth, for persons injured by a violation of these provisions, the cause of action is established in circuit courts for damages, injunctive relief or both, against the person committing the violation. And finally, violation of the provisions of this Section constitute a business offense subject to a fine of up to 500...5,000 dollars. I would be happy to answer any questions regarding the Bill and, Madam Speaker, if possible, I would ask leave to have Representative Churchill close."

Speaker Jones, L.: "The Gentleman from Cook, Representative Parke."

Parke: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Madam Chairman...Madam Speaker, I'm having trouble hearing. Do you think you could ask the chamber to quiet, please?"

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Speaker Jones, L.: "Please give the Gentleman your attention."

Parke: "Thank you. In addition, the Gentleman that presented the Bill did not have the timer on him. Madam Speaker, Madam Speaker?"

Speaker Jones, L.: "Yes."

Parke: "The Gentleman that presented the Bill, there was no timer on him and now all of a sudden I find that I only have four and a half minutes and I haven't even started."

Speaker Jones, L.: "He has ten minutes to present his Bill, Representative."

Parke: "Well, I'd like to be able to go back to five minutes, so that I can at least present what I feel is very important. I think that's only fair."

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

Parke: "We've all read in the Bible about David and Goliath, and that's what we have here today. Big banks versus the small insurance agent. Big banks with millions of dollars against small free enterprise businesses, the little guys. Bank lobbyists claim that there'll be no tie, the banks and the selling of insurance. But I ask you, if you received a loan for your home, car or business and the banker suggests you should consider buying your insurance from them, do you think most people would jeopardize that loan and say no? Would you? But if they did, they might find a much more competitive insurance policy in the open market. The consumer would have the ability to compare if they didn't have the pressure to buy from the bank. Is this pressure real or is this pressure perceived? Or does it matter? They still feel the pressure. They do not want to jeopardize the loan. The fact is, no safeguards can prevent coercion. Some banks have shown that their...shown their true colors. Let me answer the question, will banks sell insurance at a lower price? No. There is no evidence

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to show that banks will sell insurance at any cheaper price. And the few states that currently allow their banks to sell all lines of insurance, they are selling it at prices comparable to other sources. In fact, the only insurance they now are allowed to sell under federal law, credit life, has been termed a national scandal, by former Tennessee Insurance Commissioner, John 'Neff'. In comments filed before the Federal Reserve Board in 1984, he stated, "every bank I know sells credit insurance at the maximum price allowed by law and makes no attempt to sell it at a price that would produce a fair return of benefits to the consumer". Next, big banks want a level playing field. Why shouldn't banks be permitted to sell insurance like Sears is? There are exceptions to the congressional mandate of Congress that banking remaining separate, of which Sears is the primary example. Congress has agreed to address these anomalies when it enacted the competitive equity banking of 1987. Creating further anomalies at the state level could cloud the issue all the more. My mother tells me that two wrongs do not make a right. This Bill is wrong. The federal government has created the problem, let them solve the problem. Our bank lobbyists also claim that safeguards are built into this Bill. Safeguards to protect the consumer, but once the Bill passes, will they be in every board room when the marketing strategies are being planned? Will they be there when the insurance subsidiaries are not making the profits the big banks want them to have? Let me read this. I passed out a sheet it said, 'fraud...fraud...fraud sited and closing of many banks', Washington Associated Press. It was listed in the St. Louis Post Dispatch, October, 1988. Fraud and misconduct play a part in nearly one-third of all commercial bank closings and more than three quarters of



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all savings association failure, according to a congressional report made public. The study was conducted on a panel of the House Government Operations Committee. The results are being reported in the worst year for failures of both types of institutions since the depression. And the admitted congressional debate of whether taxpayers will be required to bail out the funds that insured savings and loan deposits. The federal regulators estimate that forty-five billion to fifty billion will be needed to restore the saving industry to the...Private analysis puts it as high as one hundred billion dollars. At commercial banks, ninety-eight of 354 failures in '85, '86 and the first half of 1987, were associated with fraud and insider abuse. Fraud and abuse are up greatly at savings and loans from early in the decade. And I may point out, from 1980 to 1983, misconduct contributed to half of the bank's failures at twenty-five..."

Speaker Jones, L.: "The Lady from Cook, Representative Zickus."

Zickus: "Madam Speaker, I would like to give my time to Representative Parke. Thank you."

Speaker Jones, L.: "Representative Parke."

Parke: "Thank you very much, I appreciate that. Fraud and abuse were up greatly at savings and loans from the earlier decade. And from 1980 to '83, misconduct contributed to half of the banks' failures, half of the banks' failures at twenty-five percent of the savings and loans in...study said. Remember, this Bill will hurt the small businessman and woman. Women have made great strides in the insurance business through hard work and dedication to service. How many bank presidents or vice-presidents for that matter, are women? This Bill will hurt women agents. In addition, minorities have made great strides as agents, this could

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have adverse affect on their ability to make a living. How many banks have failed in 1988 alone? Almost 200 banks failed in 1988, the most since the great depression. Now banks in Illinois want to sell insurance. Tomorrow, it will be travel business, stock brokerage, commodities and one day, maybe even real estate. What would happen to your community if a bank folded providing all of these services? What would happen to the taxpayers and voters doing business with this bank? The savings and loans of this nation have an answer. The federal government will bail them out. That means you and I and all the taxpayers of America will pay for it. But who will pay for the consumers who may lose money with the other bank services? Maybe no one. This Bill provides a potential catastrophic concentration of financial powers in one industry. But it's time to tell the bankers of this state to stick to banking and leave the sale of insurance to the professional agents, who work twenty-four hours a day, not just nine to five. Who's against this Bill? The AFL-CIO Illinois, the Alliance of American Insurers, American Insurance Association, the Illinois Association of Professional Insurance Agents, the Illinois Farm Bureau, Illinois Life Underwriters Council, Little...Under...the Independent Insurance Agents of Illinois, the National Association of Independent Insurers, the National Federation of Independent Businesses, the Teamsters Joint Council, the United Food and Commercial Workers, the Polish National Alliance; all these groups are against this legislation. Now in conclusion, let me ask you all one question, who's for this Bill? And the answer is, only the big banks are for this Bill."

Speaker Jones, L.: "The Gentleman from McDonough, Representative Edley."

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Edley: "Thank you, Madam Speaker, Ladies and Gentlemen of the General Assembly. Now this legislation has been sold to some of us as a consumer Bill. It's going to help consumers of insurance to get a better rate. Nothing in my opinion could be further from the truth. Look at one very large consumer of insurance in this state, small businesses. The NFID estimates that eighty percent of the small businesses throughout this state oppose SB 100 and they do for good reasons. Let me kind of explain to you why. It's not...it doesn't take much for small businesses to spend tens of thousands of dollars on insurance. Fifteen hundred to two thousand per employee for health insurance, a small business with fifteen, twenty employees would be paying forty thousand dollars, plus their casualty insurance, so it's well over fifty thousand dollars. Why are small businessmen concerned about this, because their main source of capital is their community bank. They don't want to go into that community bank and have to bring their insurance policies along with them. Let's keep the banks doing what a bank should be doing, financing home mortgages and financing small businesses and out of the insurance business. Thank you."

Speaker Jones, L.: "The Gentleman from Madison, Representative Stephens."

Stephens: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We've seen this issue before. Previous speakers have talked about the issue and I think we all understand it. If we could bring it to simpler terms. I think...just need to look at it very simply. This Bill will not help banks a great deal. But it will hurt independent and other insurance agents a great deal. This hurts small town Illinois. It's another small independent business that we slam the door shut on, because that's the affect, Ladies

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and Gentlemen. When the big banks get a hold of this business, they're not going to let go. And they have the ability and the capability to keep that business and run the small town independent insurer out of the market. And how does that hurt small town Illinois? It hurts because it takes another family out of the economy. And if you look at these men and women who are...represent this industry, they're the essence of small town Illinois. They're the essence of the community. They're the little league coaches. They're the Chamber of Commerce. They're the Lion's Club and others. They're the leaders. They sit on the board...they sit on various boards as elected officials. They contribute. Why take another family out of that system? Why take them away from producing for Illinois? When you're only going to help one big business a little bit, you're hurting a lot of small businesses a lot. This is a bad idea, well-intentioned, I'm sure, but yet a bad idea. I urge a 'no' vote."

Speaker Jones, L.: "Representative Keane to close. I'm sorry, I didn't see your light on. Representative from Cook, Representative Pedersen."

Pedersen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Why do we hear all these reassurances from the bankers? Why are they going out of their way so much to make...try to sell us on the notion that they're going to be no problem? All these claims they make, why they're even telling us they're proconsumer. Well, let's step back for a moment. Let's look at the forest instead of the trees. Can't you picture it, Wall Street, the princess of privilege inside their ornate buildings, just want to compete on an even playing field. But whose playing field? Why theirs, of course. Seems the savings and loans and credit unions can sell home owners and auto insurance, but

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the banks can't. Has anybody asked whether the S & L and the small independent insurance agents are on an even playing field? Ask an agent or a real estate broker out there in the field everyday about the times they've heard a prospect say, 'Well, I guess I better go along with the bank'. You see, he didn't actually have the mortgage yet and, 'Well, you know, I like your policy and your service is great, but well, you know'. Or visualize the small businessman scratching to survive, who desperately needs a loan for inventory, for say, Christmas or the busy season. The banker knows the businessman's uncertainty, in need and just casually mentions, 'Well, you know, our insurance department would like to make a quote'. But even worse if he gets the loan, he'll have to be back again for the next busy season. It's not like a mortgage would last for thirty or forty years on homeowners. That's not an even playing field. That's not fair competition, Ladies and Gentlemen of the House. It's privilege for bankers. Remember, Wall Street, princes of privilege. Remember the big depression when the New Deal passed all those laws to straighten out the banking industry, that's when small town banks and S & L's were allowed there at the time on even playing field, but the world has changed a lot in the last sixty years and they really don't need that privilege anymore. What we're talking about, Ladies and Gentlemen of the House, the forest not the trees, is banks with all their capital versus thousands of little businessmen. That's the playing field we're talking about. Small family businesses usually, men and women who put in long hours, but with unparalleled motivation to serve, excel and compete because they have to, to survive in an extremely competitive business, especially here in Illinois. Don't most states currently permit banks to sell and underwrite

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insurance? No. The majority of states do not permit banks to sell or underwrite insurance. Recognizing the necessity of maintaining a separation between banking and commerce. Eight states permits bank employees to be licensed as agents for the sale of insurance and only one state, South Dakota expressly permits its state to underwrite insurance, and I'll bet they're not writing any of the risky stuff or broadening the market. Why shouldn't banks be permitted to sell in the insurance business, when insurance companies are buying banks? Insurance companies are not buying banks, in fact, they are prohibited by the Federal Bank Holding Company Act from owning banks that take FDIC insured deposits and make commercial loans. While it's true that in the past, some insurance companies required banks that either take deposits or make commercial loans, but not both, that is nonbank banks. Congress acted in 1987 to virtually prohibit any further purchases of nonbank banks by insurance companies. Is there any evidence that tie-in sales exist? While there is some affirmative evidence of blatant tie-in, the real problem is more subtle. An individual applying for a loan is likely to purchase credit insurance from a bank to enhance his or her chances of getting the loan, because the bank keeps a commission that would otherwise go to an agent. This is...and there...and that makes them interested in selling insurance at the highest price. As a result, credit insurance is sold at the highest prices that each state will allow. We call this reverse competition. Ladies and Gentlemen of the House, what we're really talking about here is a lot of confusing comments, but what it really comes down to, the issue is an even playing field, but it should be for insurance agents too. We've always had to compete and...and survive in a fiercely competitive market.

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They don't mind fair competition, but why give the princes of privilege any more privileges. I urge a 'no' vote on this reactionary Bill and if the...if the if the...if this is a close vote, we'd like to request a verification. Also, Madam Speaker, this is a very crucial Bill and we would like...like to request that only individuals who are present vote their buttons."

Speaker Jones, L.: "The Gentleman from Cook, Representative Williams."

Williams: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand in opposition to Senate Bill 100. Our position is very simple and very basic. This is a job's Bill issue in addition to, what I would just call a general nature of trust and security when people are trying to make loans. In my area many individuals who come out of college, who can't find a job, the first thing that's available to them is to become an insurance agent. Right now, they would...after this Bill passes, they would probably end up having to work for a bank or at least competing extraneously with the banks who have the upper hand. I feel this is a job's Bill, plain and simple and for my purposes I cannot afford to allow what I would call a very viable access to the real labor market, to be closed off based upon what I would call at this point the overreaching of an industry which should concentrate on its own industry at this time. I urge a 'no' vote."

Speaker Jones, L.: "The Gentleman from DuPage, Representative Barqer."

Barqer: "Thank you, Madam...thank you, Madam Speaker. I rise to a point of personal privilege. Ladies and Gentlemen of the Assembly, over the years most of you have introduced your schools and...your young people, your high schools, your basketball teams, I'd like to take this opportunity to

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introduce to you the senior citizens of the City of Wheaton, who are down here visiting us today. They're up there in that gallery. Thank you very much. I'm coming up."

Speaker Jones, L.: "The Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Madam Speaker, I move the previous question."

Speaker Jones, L.: "Representative, it is not necessary, we only have one more speaker. The Gentleman from Peoria, Representative Leitch."

Leitch: "Thank you, Madam Speaker. I rise for two purposes. The first is to disclose for the Body that I do work at a bank, but I also intend to vote on this measure. The second person...or the second purpose is to describe to you why I believe you should vote in the affirmative on this measure. The reason is a very simple one. The banks did not start the financial revolution. If anyone's looking for a culprit, perhaps one might look to Congress in its performance over the last twenty-five years. Its failures to balance the budget. It's creation of horrendous interest rates and things which put tremendous pressure on our economy and cause people to look for other forms of investment, which in turn lead to the nonbank banks and lead to a whole litany of changes that have occurred as a result of marketplace realities bumping up against the incompetency sometimes of government to cope with artificial realities imposed on that marketplace. Without spending a whole lot of time on these facts, the fact is today, every Tuesday I pick up the Journal Star. I look at Business Tuesday, which is our business section, all the way across the bottom of this paper is a huge, huge advertisement. It's an advertisement for insurance. Auto and home, group accident, life and health, and whose ad is



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that? It is what used to be known as a subsidiary of the Caterpillar Credit Union. The Caterpillar Credit Union can sell it. The savings and loans can sell it. Others can sell it, but for some reasons, we cannot compete against our largest competitors in Peoria in this very important area. That is not fair. It doesn't make sense. It is something that is not ultimately the fault of banks. We're in the midst of a revolution. It's going to happen. It's continuing to happen and this is a very important and worthwhile piece of legislation and I would urge an 'aye' vote."

Speaker Jones, L.: "The Lady from Cook, Representative Wojcik."

Wojcik: "Thank you. Thank you, Madam Speaker and Members of the House. I have listened to the debate regarding this Bill and I think I would like to say that we are in the service business. Today we are involved with a very fast lifestyle. We have a two-family home life that are working. People don't have the time to be going here, there. I see nothing wrong with providing a service in a bank, where you're going to be handling your local banking affairs to be provided with an insurance. It's wrong to say that a businessman will be threatened, that he has to buy his insurance through the bank. It's wrong to say that the small insurance people are going to be hindered by this. We're talking about one insurance agent in a bank. Around that bank, approximately, could be maybe ten or fifteen other insurance agents outside of the bank. Nobody is compelling the people going into the bank to use that insurance agent. You have free choice, but it is a service that you're being provided. If you want to use that insurance agent, that's fine. I've also heard the rhetoric that if a businessman has his...his account with the bank, the banker will say to him, you have to buy my insurance.

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If you don't buy my insurance, you're not going to get my loan. Ladies and Gentlemen, if any banker says this to you, they're chartered, you can call in their charter. This is just idle comments and it's wrong. This is a fine idea. It's a service to the constituents and to the people in the fast pace and lifestyle that we live. I think it's a great idea and I think we should vote for it."

Speaker Jones, L.: "The Gentleman from Cook, Representative Rice."

Rice: "Madam Speaker and to the Members of this House, I've sat here and I've listened to stories about how good the insurance industry has been to an agent. The biggest bigots at the marketplace is the insurance industry. Many of the minority producers, as they call them today, the solicitors of yesteryear to the brokers down through the years, who have been Black, cannot place insurance with good companies. There's nobody in this industry that has duplicity, as Webster uses the word of capitalizing on other industries and Sears, better known as...past, as Sears and Robucks, who walks in and takes over a man's organization, including the aluminum storm windows, doors and whatnot. Automobiles that are owned by lease corporations, Sears Finances owns the company. So there's no need in playing games in talking about what the banks can't do. Sears has been doing it, other houses have been doing it. For the Black Minority, if you will, I cannot place coverage with Aetna, Allstate, State Farm or any of the rest of them, unless I go through a third, fourth or fifth party and end up with seven percent on a twenty-five percent commission. Don't bull the bull, head to the pasture, because this time I'm voting with the banks."

Speaker Jones, L.: "The Gentleman from St. Clair, Representative Flinn."

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Flinn: "Well, Madam Speaker, you denied somebody the chance to move the previous question a while ago, because there was only one speaker and three speaker...people have spoken since, and I would like to move the previous question and let everybody else explain their votes, you only get one minute. Anybody who can't tell the story in one minute, don't have much of a story to tell."

Speaker Jones, L.: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', opposed 'no'. The 'ayes' have it. And the main question shall be put. Representative Churchill to close."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. There have been several points that have been made during the debate, some of which I would like to respond to. There was an allegation that this Bill would hurt insurance agents and that it would take away jobs. And I don't think that that is the case, and I think that the CEO of Kemper Insurance, Joseph 'Lucci'...just recently came out and in an article in the Chicago Tribune and said, 'That he did not think that banks selling insurance would hurt the insurance industry'. You know one of the things, if banks are able to sell insurance they have the right to go ahead and hire agents. I think actually what this may do, is it may provide more job opportunities in the marketplace for people who are presently agents and for people who would like to become agents. And I don't think that this is something that is going to tighten the market, I think it is something that will open the market. There was a question about equity on whether or not the big banks could sell insurance and take away business from the little agents. I think that's absolutely fallacious. You know, there are big insurance companies that own banks. How fair

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is it for a bank to be restricted so that it cannot sell insurance, but an insurance company can own a bank. Just for example, Aetna Life and Casualty owns the Liberty Bank and Trust. Allstate Sears owns Greenwood Trust, the Harley State Bank, Sears Savings and Loan, E.F. Hutton Life owns E. F. Hutton Trust Company and E. F. Hutton Bank. John Hancock owns a bank. Kemper owns the Investors Fiduciary Trust. Lincoln National Corporation owns Chicago Title and Trust. Prudential Insurance owns a bank. Traveler's Insurance owns a Massachusetts Company, on and on and on, where insurance companies own banks. Furthermore, insurance companies also sell products that compete with banking services. You can get an automobile loan. You can get a mortgage. You can invest in CDs. You can invest in other financial products through your insurance company. Those are all competing with the services that are offered by banks. Ask yourself a question, if the insurance companies can sell those products, why can't banks sell insurance? If our concept in this society is to move forward, into what I call a cafeteria style of marketing where all products can be sold by a company, then banks should have no restrictions on them. They should be able to join in this cafeteria style of marketing just as insurance companies have been able to do in the past. This is a proconsumer Bill, because with competition comes lowering of prices, comes more options for the consumer, gives the consumer the ability to shop around and get the best deal. Lastly, there's been some question about the anti-coercion part of this Bill. I would begin by saying that I doubt that you can look in any other statute that regulates any of the other industries, in terms of savings and loans or consumer banks or credit unions or life insurance companies, that have purposely written into the

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statutes, for the protection of consumers, their own anti-coercion language. Nowhere else will you find this language. But the banks put this in because they want to eliminate any possibility that there could be coercion. The first and the strongest point of the anti-coercion language, is the creation of a separate subsidiary to sell the insurance. You're not talking about the bank selling the insurance, you're talking about the bank owning a separate company that can sell insurance. And there is no relationship between what the people in the bank do in terms of giving a loan and what the people in the insurance company do in terms of selling insurance. In fact, there are notice provisions, opt out provisions and penalties against any person in the insurance subsidiary that uses information that is not allowed to them by the consumer. All in all this is a Bill that is proconsumer. It's a Bill that makes the playing field fair for banks and insurance companies. It's a good Bill. It's a Bill that has written into it protections for the consumer and it's a Bill that deserves to be passed at this time and sent on to the Governor's desk. I would ask that every person that can...would rise up and help us by voting 'aye' on this Bill."

Speaker Jones, L.: "The question is, 'Shall Senate Bill 100 pass?' All though in favor...all those in favor vote 'aye', opposed 'no'. Voting is open, final passage. Have all voted who wish? The Gentleman from Cook, Representative Steczo one minute to explain your vote."

Steczko: "Thank you, Madam Speaker, Members of the House. In explaining my 'yes' vote, I would just like to inform the Members of the House that...that today, actually the term insurance or insurance sales, is a misnomer. Because today most insurance companies or most insurance agents are not

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insurance agents any longer, they're financial planners and they provide financial services. And so through those financial service people you could get stock, bonds, IRAs, et cetera, et cetera, et cetera, many of the same services that are provided currently by banks. In fact, when I purchased a car late last year, I called my insurance agent and I said, 'How much will this new car cost me?' He said, 'So much, and we'll finance it for you too.' So they're financing cars, they're providing the same...same services that banks are. I think this Bill assuredly and quite realistically provides for that two-way street that really should be there and does provide..."

Speaker Jones, L.: "Representative Parke, you spoke in debate, for what purpose do you rise?"

Parke: "I rise for a point of personal privilege. I happen to be a life insurance agent and I have a...I may have a potential conflict of interest, however, I'm going to vote my conscience."

Speaker Jones, L.: "The Gentleman from Cook, Representative Lang."

Lang: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We've heard a lot of talk here today about businesses, about the business of banks, about the business of insurance companies. We've heard very little talk about the people who we're here to protect, and that's the citizens of our state. This Bill will help the citizens of our state. We talk about people who are busy and they need help in doing what they do everyday. Going to a bank and finding a corner of that bank, where they can find a subsidiary where they'll be able to buy insurance, will be helpful to them. It will create new jobs because banks that now...will be selling insurance, will be bringing insurance agents on board. This is a good Bill. It's a

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proconsumer Bill. It's a procitizen Bill. We have a responsibility in the General Assembly to represent our citizens, not business, just the citizens. We're here to take care of the average everyday citizen. This Bill will do that. I urge you to vote 'green'."

Speaker Jones, L.: "The Gentleman from Madison, Representative Wolf."

Wolf: "Thank you, Madam Speaker, to explain my vote. I rise in opposition to Senate Bill 100. There's been considerable rhetoric on the floor of this House and in committee as to how much better service will be to policyholders if we pass this Bill. Nothing could be further from the truth. There's also been considerable rhetoric as to how much cheaper premiums will be to policyholders if we pass this Bill. Also nothing could be further from the truth. The insurance business in the State of Illinois is in very good hands, with the independent insurance agents and the agents of the direct writers. Banks if granted this authority, would be dealing with the same insurance companies, the same rates, the same premiums, the same claim adjusters as the present independent insurance agents are. They say if the authority is granted, there will be no pressure to face...to force rather, the policyholders to purchase insurance from the bank. Now, I don't believe that for a minute..."

Speaker Jones, L.: "Representative, bring your remarks to a close."

Wolf: "Thank you very much. I would just close by saying, if this Bill is passed it will be the biggest blow to small business that they have faced in many a year. I urge defeat of Senate Bill 100."

Speaker Jones, L.: "The Gentleman from McLean, Representative Ropp."

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Ropp: "Thank you, Madam Speaker, Members of the House. If there is any one Legislator that probably represents an area that has more major headquartered insurance companies in the state than I do, then you're...there's two of us then. There is no big human cry from the insurance industry to have their product merchandised through the banking profession. As some of the many speakers before said, this will have a sizeable impact on small business. These small business people also happen to be constituents. They're in the insurance business selling. We need to think of their rights too. We need to think of their businesses. And the insurance business in the State of Illinois has been in good hands. It still will be in good hands if this Bill does not pass."

Speaker Jones, L.: "Have all voted who wish? Mr. Clerk, take the record. The Gentleman from Cook, Representative Keane."

Keane: "Madam Speaker, please poll the Absentees."

Speaker Jones, L.: "Mr. Clerk, poll the Absentees."

Clerk O'Brien: "A Poll of those not voting. Bugielski. Curran. DeLeo. Laurino. Morrow. Munizzi. Petka. And Van Dwyne. No further."

Speaker Jones, L.: "The Gentleman from Sangamon, Representative Curran. Representative Curran votes 'no'. The Gentleman from Cook, Representative Morrow votes 'no'. Representative Bugielski votes 'aye'. The Gentleman from Will, Representative Petka votes 'no'. On this question there's 55 'ayes', 50 'nos', 7 'present' and this Bill have not received...not received a Constitutional Majority...Representative Keane. Postponed Consideration. On the Order of Banking, Second...Second Reading, Senate Bill 848. Representative Flinn. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 848, a Bill for an Act to amend the



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Environmental Protection Act. This Bill has been read a second time previously. No Committee Amendments. No Floor Amendments."

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

Clerk O'Brien: "Senate Bill 848, a Bill for an Act to amend Sections of the Environmental Protection Act. Third Reading of the Bill."

Speaker Jones, L.: "Representative Flinn."

Flinn: "Thank you, Madam Speaker. What Senate Bill 848 does is simply provide the Environmental Protection Agency liens, cannot supercede liens that are already imposed. It simply keeps the priority as they were. It doesn't...it doesn't let the Environmental Protection Agency liens against companies or preparation supercede other liens. That's all it does. I will answer any questions."

Speaker Jones, L.: "The Gentleman has moved for passage of Senate Bill 848. The question is, 'Shall Senate Bill 848 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open, final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there's a 104 'aye', 0 'no', 10 voting 'present', and this Bill having received the Constitutional Majority is declared passed. Representative Balanoff. He wants to vote 'no'. On this question there's 104 'ayes', 1 'no', 9 'present', and this Bill having received the Constitutional Majority is now passed... declared passed. The Lady from Cook, Representative Jones."

Jones, S.: "Ms. Speaker, I wanted to change my vote to 'present'. Thank you."

Speaker Jones, L.: "The transcript...the transcript will show your request. All the Bills on the Supplemental Agreed Bill...Agreed #3 Appropriations are hereby declared passed."

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At the Clerk's well, you can find out what the vote was. On Supplemental Agreed Bill List 1, all those Bills are declared passed and you can also find out what that vote is at the Clerk's well. In Special Order of Housing, Third Reading, Senate Bill 722. Out of the record. On Order of Second Reading, Housing, Senate Bill 1463, Representative Turner. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1463, a Bill for an Act to amend an Act to establish a Comprehensive Illinois Housing Policy. Second Reading of the Bill. Amendments #1 and 2 were adopted in committee."

Speaker Jones, L.: "Any Motions?"

Clerk O'Brien: "No Motions filed."

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

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

Speaker Jones, L: "Representative Turner."

Turner: "Thank you, Madam Speaker and Ladies and Gentlemen of the Assembly. Amendment #3 is a comprehensive Amendment, which pretty much rewrites...well, not rewrites the Affordable Housing Act, but it is the...agreed Amendments that have been introduced by all interested parties, including the Governor's Office, advocates from the housing agencies and others. In summation what Amendment #3 does, is it...it eliminates the requirement that appraisers obtain a brokers or salespersons license under the Real Estate Licensing Act. And it has the effect of providing for voluntary certification of appraisers. This is in regards to the real estate rewrite. In the issue of affordable housing, it makes IHDA the administrator for the affordable housing program. This was a decision reached by the Governor's Office and we are so honoring his request. It provides for notes and bonds for this program and it allows the fund to

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be used to secure such notes and bonds, and it also makes other technical improvements in this Bill. Regarding the...the Bill as it came over from the Senate, 1463, it adds and I ask the attention of the Assembly, Mr. Chairman...Mr. Speaker, could I get some quiet here? In regards..."

Speaker McPike: "Give the Gentleman your attention, please."

Turner: "Thank you, Mr. Speaker. I think that most of you will be interested in this clause. In addition to this Bill being able to address the concerns of low and very low income households in this state, we have now added a section which deals with moderate income households, so that they're eligible for certain programs under this Affordable Housing Act. It creates the Housing Development Credits Program to encourage investments in affordable housing and to reduce the cost of housing developments. It also provides for senior congregate housing, it provides for the homeless veterans' projects and it provides for a rural housing project. And it provides that the administrator...the program administrator and DCCA develop a plan to use tax increment financing from commercial and industrial developments for the affordable housing plan. And I ask for your favorable support of Amendment #3 to this Bill."

Speaker McPike: "Any discussion? Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Is the Real Estate Transfer Tax all dedicated in this Amendment? Mean, is it...is it all dedicated funds, the result of the doubling of the tax?"

Turner: "The new tax is dedicated to the Affordable Housing Fund."

McCracken: "And the prior tax..."

Turner: "The prior tax is going to the Open Lands Project here in

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the state. So it will provide some funds for both parks, conservation and wetlands throughout the state."

McCracken: "What is the estimate of income as a result of this additional tax?"

Turner: "The doubling of the real estate transfer tax, we anticipate that it will bring in thirteen million dollars to the trust funds."

McCracken: "And how is it divided between the two dedicated sources...oh no, that's just the new tax will be thirteen million?"

Turner: "That's the new tax."

McCracken: "So, the existing tax is thirteen million as well?"

Turner: "The existing tax is...right it's thirteen million at this point."

McCracken: "Alright."

Turner: "We estimate thirteen million."

McCracken: "Of...of the existing funds, or the existing funds created by the current tax, are those dedicated and if so, to what?"

Turner: "It's ded...the existing tax will be phased out over a five year plan to provide funds for the open lands throughout the state."

McCracken: "Alright. So, it will not be an immediate dedication of half of the new tax if it became law?"

Turner: "That's right."

McCracken: "Okay. What is it used for now? The current tax, is it GRF?"

Turner: "It goes into GRF right now."

McCracken: "Alright. So, we wouldn't be able to appropriate this new tax annually, it would go to a dedicated source or how does that work? Do we appropriate from the dedicated source or does it go directly for the affordable housing?"

Turner: "It's appropriated."

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McCracken: "He had some coaching."

Turner: "Well, listen, you know, we tried to make this Bill all encompassing. So you know, when you're taking in real estate, the licensing, we're talking about open land. My part of this Bill is the affordable housing and we're talking about building, you know, laying bricks and mortars here. But, yes, it will be appropriated."

McCracken: "Now, is the Real Estate Licensing Act also a part of this Amendment?"

Turner: "Yes, the Real Estate Licensing Act is a part of this Amendment. The realtors are very happy with their Act..."

McCracken: "Let me ask you this..."

Turner: "Yes, you can."

McCracken: "Why did you combine an increase in the transfer tax with the rewriting of the Real Estate Licensing Act? Is it just a coincidence that they both deal with the realtors?"

Turner: "No, they're germane, Sir. And the feeling is, is that with many of trains that leave this Assembly, I thought we all ought to be on the same train."

McCracken: "Okay. Thank you. Well, I agree that they certainly are germane and I think it's a good example of how this Body does business these days. Hold up one thing and tell them if you don't do what we want on something else, we're going to hold the prize back from you and this is a perfect example of it. I agree with the Gentleman, it is no coincidence that those two features are in a single Amendment. One was held as a carrot, the other as a stick. What innocent group of citizens could have resisted such an inducement to agree to such an awful Bill? It's a Democratic tax increase, the second one of the year by my count and I imagine before it's all over we'll see more. I stand in opposition."

Speaker McPike: "Representative Morrow."

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Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, it shocks me that when we try to help those who are unable to help themselves, that all of a sudden it becomes a bad Bill and an insult. About six weeks ago, we...we voted on a measure to create a hundred million dollars to let first time home buyers, people who are making money, people who are making good money; thirty, forty, fifty thousand dollars a year, who are unable to come up with a down payment to buy a house and the Bill flew out of here 118 to 0, 118 to 0. But yet, we cannot find thirteen million dollars to help someone who's not able to help themselves. The working poor who might be making ten thousand, fifteen thousand dollars a year, who's barely stand just one step ahead of welfare and yet we gonna sit up here and say that this is a bad Bill. I'm tired of the hypocritical attitude that some of our colleagues have here. If we can vote to help someone who can help themselves, who can help themselves buy a house, but yet we won't help someone else. I rise in support of Floor Amendment #3 to Senate Bill 1463 and let's stop being hypocritical about the housing needs of this state. Thank you."

Speaker McPike: "Mr. Weaver."

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

Speaker McPike: "Yes."

Weaver: "There you are. Representative, in dealing with the second part of the Bill, or the Amendment that deals with the brokers and the brokers' licensing procedure, I understand according to page 30 of your Amendment, that if a licensed salesperson is terminated from a job with a broker, unless that salesperson has a job...another job to go it immediately, he loses his license. Is that correct?"

Turner: "On page 30, line 15 says, that the license of any

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salesperson who associates with a broker is terminated, shall automatically become inoperative immediately upon such termination unless the licensee accepts employment or becomes associated with a new broker pursuant to subsection (c) of this Section."

Weaver: "So, if, say business is down and one of the salespeople has to be let go sim...to no fault of his own, but because business is slow, unless he's got another job to go to immediately, he loses his livelihood. Isn't that correct?"

Turner: "Representative Weaver, I should remind you that the real estate industry has...they supplied me or they agreed to this particular part of this Amendment. They have signed off on it. I've read to you what is written in this Bill, they said it was fine with them and I told them that we would accept that and that's what I present to you today."

Weaver: "Well, if I were an agency owner, I...I'd certainly want that provision in there. But, if I were a salesperson working for a brokerage firm or any brokerage firm, I would be very leery of that because if...if I didn't do exactly as my broker wanted and I didn't have another job on the line immediately, I'd have nowhere to go. I wouldn't have...I'd not only be out of work, but I'd be out of a license."

Turner: "It only becomes inoperative, it's not like he loses his license, he just has to extend that time until he's working again. Keep in mind that...what the third part of this Bill, if we're building new houses that there will be other realtors, other brokers and I assume that that salesman would still be in work. The analogy that you're presenting to me is the same analogy that the industry itself presented when they said they were against this Bill. And I told them that if we're building houses, realtors are going to sell the houses. You have to have that license to

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sell the house, so there's no way that they will lose. So that this marriage is a great marriage and I think it promotes other realtors to be able to sell houses. They will not lose, Representative Weaver."

Weaver: "Well, Mr. Speaker..."

Speaker McPike: "To the Bill."

Weaver: "To the Bill..."

Speaker McPike: "To the Bill, Mr. Weaver."

Weaver: "Yes, thank you. I think maybe the Sponsor of the Bill has a very good idea in trying to maintain jobs through providing additional houses for them to sell, but unless there's going to be some low income houses or affordable housing built everywhere in the state, those areas that are left out that are still going to be covered by this Bill may have some problem with jobs and salespeople. So I think maybe we need to take it a little bit slower and reconsider this issue. Thank you."

Speaker McPike: "Representative Harris."

Harris: "Thank you, Mr. Speaker. A question of the Sponsor?"

Speaker McPike: "Yes."

Harris: "If I can, Representative, help me out here. We passed a Bill in the House along these same lines, I don't remember the Bill number. Did we not set up an affordable housing trust fund as well as the OSLAF funding program, using the same mechanism of doubling of the real estate transfer tax?"

Turner: "That's correct, Sir. It was House Bill 788 and which, you say we passed out, it was the Democrats and Representative Hultgren that supported that Bill here in this House. But we did support the concept, if you use that terminology."

Harris: "Well, we being the collegial House of Representatives, if you want me to enumerate by all sixty or however many



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sent it out, I would do that. That Bill now is...is gone and this is the Bill we're dealing with. 788 is not coming back?"

Turner: "788 is in the Senate and it's on Third Reading at this time. And what we're doing is we've negotiated with all interested parties and we're trying to make both Bills one and the same."

Harris: "Now, does 788 contain...I notice under your Amendment...apparently there is a new fund in addition to the Affordable Housing Trust Fund and the Open Space Lands Acquisition and Development Fund, there's a new fund in this one, is there not?"

Turner: "Could you repeat that question? Mr. Speaker, I'm having a hard time hearing the Gentleman, either turn the volume up..."

Harris: "As I understand it... as I understand it, there were two funds established in 788. One was the Open Space Lands Acquisition Act, the other was the Affordable Housing Trust Fund. Is that correct?"

Turner: "There was also the Natural Acquisitions Area in that 788 also..."

Harris: "Okay, that was in 788. Okay. So that's still in 788?"

Turner: "That's still in 788."

Harris: "Alright. Is 788, have Senate Amendments been put on 788? Do you know?"

Turner: "Yes, those Amendments were adopted today. The Bill is on Third Reading over in the Senate."

Harris: "Does one of the Amendments specify where funds are to be spent from where they are raised, in proportion to where they are raised?"

Turner: "That Amendment is not...is not on the Bill, it was taken off."

Harris: "It got on and now it was taken off?"

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Turner: "It's not on the Bill now."

Harris: "It's not on the Bill. Okay, thank you. To the Bill, Mr. Speaker, and briefly, Ladies and Gentlemen of the House. 788 is indeed alive in the Senate and it looks as though...well, they are trying to work out something, an agreement perhaps. However, there was a provision that was attempted to be put on 788 which was a fair equitable provision. Namely, that when you raise the money through the doubling of the real estate transfer tax that there be some equity in where that money is spent. I come from an area where they probably have relatively high home values. If you double the real estate transfer tax you're taking a sizable tax bite out of the...out of the people that sell homes in my area. We could probably use some affordable low income housing in my area. You know, not all the homes in my area are high...are high...house selling values. But, that's not in the Bill. For all I know, all the money that comes out of my area and your area individually is going to be spent, who knows where. There's no equity in this Bill. We're doubling a tax again. We are forceably doubling a tax when indeed state revenues are at some of the highest they've ever been. We could simply do this through the appropriation process without having to double a tax, the Bill is seriously flawed and deserves a 'no' vote. Thank you."

Speaker McPike: "Representative Turner to close."

Turner: "Thank you, Mr. Speaker. Just...I will make my comments brief. The previous speaker is absolutely incorrect. We have worked on this Amendment and this Amendment now addresses the concerns of moderate income people, low income people, veterans, homeless, rural communities, senior congregate housing. All of those people are helped in this particular Bill. Yes, the tax is a statewide tax."

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There is a fifteen person commission that administers this program. The Governor picks the Chairman of that commission. They set out the plans in terms of how it's going to be administered and how those funds will be distributed. If we were to take monies in this Assembly and say, monies raised in Cook County should be spent in Cook County, there would be all hell raised in this chamber because most of the tax dollars raised in this state, or a large percentage of it, come from Cook County. The people of the State of Illinois, we service them all. All races, all colors, all creeds from Cook County to down to Carbondale. This Bill would affect them all, our intent here is to help them all. We need your help and I ask that you give me your support on this Amendment. To the Minority Spokesman who talked about me leveraging this Bill with the carrot and the stick, I should remind him that just a few minutes ago, you voted against riverboat gambling because you wanted to leverage that against a twenty million dollar program for a convention center in your district. Let's not talk about leveraging, let's talk about helping people in need of housing. This addresses all those people and I ask for your support of Amendment #3."

Speaker McPike: "The question is, 'Shall the Amendment be adopted?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Representative Ronan."

Ronan: "Thank you, Mr. Speaker. I rise in support of this fine Amendment. We need to do something at the state level about affordable housing and this is going to be the last opportunity for us to act this Session. It's a good Amendment, makes a lot of sense. I vote 'aye'."

Speaker McPike: "Have all voted who wish? Representative

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Saltsman, did you want to speak? Did you want to vote? Have all voted who wish? The Clerk will take the record. On this Amendment there are 66 'ayes', 49 'nos', 2 voting 'present' and the Amendment is adopted. Further Amendments?"

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

Speaker McPike: "Representative Cullerton."

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

Speaker McPike: "Representative McCracken. Mr. McCracken. Turn him on please, Mr. Electrician."

McCracken: "Thank you. I...make a point of order. I believe Amendment #4 is out of order because it makes reference to certain page and line numbers of House Amendment #1 which was deleted by the adoption of House Amendment #3. And I move the Chair to so rule."

Speaker McPike: "The point is well taken, the Amendment is out of order. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 1463, a Bill for an Act to amend an Act to establish a Comprehensive Illinois Housing Policy. Third Reading of the Bill."

Speaker McPike: "Representative Turner."

Turner: "Thank you, Mr. Speaker. I think we've said enough on this Bill. The conversation was said earlier on House Bill 788. We have now got a Bill which helps senior citizens, which helps veterans, which helps rural communities, which helps low and very low income households and it also helps moderate income households. It helps the real estate

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industry. There's something in this for open lands. So, if you want to vote against seniors, veterans, if you don't want to help your wetlands and your parks, you want to hurt...the realtors, then vote 'no' on this Bill. If you want to help 'em, let's vote 'yes' and I ask that we vote 'yes' on Senate Bill 1463."

Speaker McPike: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Doesn't the process by which things happen, matter sometimes? Do you think all that matters is your ends, your goals. You think your goals are so pure that it doesn't matter how you get there? You talk about leveraging various Bills for other Bills, at least we vote on them independently so they can rise or fall on their own merits. You held hostage the realtors of the State of Illinois. You wouldn't rewrite their License Act unless they gave in on this transfer tax and you call that justice. You call that fair. I tell you, you are wrong, Sir. It matters by how you do something as much as what you do and this is nothing to be proud of today. You don't help the senior citizens, you don't help poor people, what you do is tell people that they don't count unless they're a favored class in your eyes. That's what you do by this Bill today. That's what you do when you hold hostage various people's professional lives in return for raising a transfer tax. That's what you're telling them today and don't let anyone be mistaken about it."

Speaker McPike: "Representative Cullerton."

Cullerton: "Mr. Speaker. Mr. Speaker, I just want...I just want to request the Transcription Department, if we can get a copy of that last speech, we're going to play it back in about ten days. Cause it's gonna...we're going to be needing it, because I just don't think the previous speaker means everything that he said. So, I'd like to get a copy

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of the transcript and also a tape and we'll have it ready later on, about June 30th. Thank you."

Speaker McPike: "Representative McCracken."

McCracken: "I know we have to make light of things so that we don't get on each other's nerves too much. But, I think that that's not well taken. If in fact, there are deals made later in the year at least they're deals made between both sides of the aisle, all parties represented with a free choice. You told these real estate people that you would not..."

Speaker McPike: "Representative McCracken, for what... Representative McCracken..."

McCracken: "...Let them practice real estate in this state..."

Speaker McPike: "Representative Tate. Representative Turner to close."

Turner: "Thank you, Mr. Speaker. I thought we had closed and I don't know why you keep going back over there to that Gentleman when, in fact, for the last..."

Speaker McPike: "Well, Representative Turner, I apologize. It's your turn to close, go right ahead."

Turner: "Thank you, Mr. Speaker. I wish this Gentleman had been around as we were putting these Amendments together because in the back room where the deals are made sometime here in this Assembly, we're the realtors, we're the Department of Revenue, we're DCCA, we're the appraisers, we're CPA's, we're housing advocates, everybody except the people who need houses in this state. We're here to represent them. The people who agree on it said, this is the Bill, this is something that we can work with. We all want to ride this same train. If you want to get on it, you'll vote 'yes' on 1463. Thank you."

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

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voted? Have all voted who wish? The Clerk will take the record. On this Bill there 68 'ayes', 46 'nos'. Representative Tate. Representative Davis votes 'aye'. 69 'ayes'. Representative Tate. Representative Tate, now since...to make sure I don't misunderstand you, what does this mean? Want to go, okay. On this Bill there's 69 'ayes' and 46 'nos', 2 voting 'present'. Senate Bill 1463 having received the Constitutional Majority is hereby declared passed. Under the Order of Environment and Natural Resources appears Senate Bill 64, Representative Hicks. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 64, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker McPike: "Mr. Hicks."

Hicks: "Thank you, Mr. Speaker, like leave of the House to take the Bill back to Second Reading for purpose of an Amendment."

Speaker McPike: "The Gentleman ask leave to return to Second Reading for purpose of Amendments. Is there any objection? The Bill's on Second Reading. Any Amendments, Mr. Clerk?"

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

Speaker McPike: "Representative Hannig withdraws the Amendment. Further Amendments?"

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

Speaker McPike: "Representative Hicks."

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3, to Senate Bill 64, is the same as Amendment #2 on House Bill 2372 that we passed out of here on consent just two weeks ago. I want to refresh you on what Amendment #2 to House Bill 2372 did. This was a Bill, that...the tank Bill, that took care of the...the

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Environmental Protection Agency's mandate that as of October 26, 1989, we require one million dollars for the liability for all tank owners in the State of Illinois and the rest of the country."

Speaker McPike: "Does anyone stand in opposition to the Gentleman's Amendment? The question is, 'Shall this Amendment be adopted?' All in favor say 'aye', opposed 'no', the 'ayes' have it. The Amendment's adopted. Further Amendments?"

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

Speaker McPike: "Representative Sieben."

Sieben: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #4 is introduced at the request of the Illinois State Fire Marshal's Office. This Amendment would expand the definition of underground storage tanks to include, heating oil tanks and emergency power generating tanks, in excess of eleven hundred gallons. It would also say that these tanks would not need leak detection devices installed until December 22nd, of 1998, which would allow ten years before they would have to put detection devices. And it would also say that the Office of the State Fire Marshal shall have the authority to determine the criteria for classification of an underground storage tank, as being either a petroleum underground storage tank or a hazardous substance underground storage tank. And I move for its adoption."

Speaker McPike: "Representative Hicks."

Hicks: "Yes, thank you, Mr. Speaker. I stand...I would object to Amendment #4, even though the State Fire Marshal's Office wanted the Amendment. Nobody else that's been a party to the agreement, has been in favor of Amendment #4, and I would stand in opposition to Amendment #4."



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Speaker McPike: "Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker. I also stand in opposition to this Amendment. There are several groups that are opposed to it, the Retail Merchants, the IMA, and as the previous speaker mentioned, this is not an agreed Amendment. And I ask for a 'no' vote."

Speaker McPike: "Representative Sieben to close."

Sieben: "Thank you, Mr. Speaker, I think you have heard there is opposition to this Amendment. However, the State Fire Marshal does feel it is important at this time to have this language included in the Bill and I would just move for its adoption."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye', opposed 'no'. The 'nos' have it, the Amendment...Amendment is defeated. Further Amendments?"

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

Speaker McPike: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. This Bill is basically what the original Bill was about. It has to do... and is limited to just one or two areas in the State of Illinois who have problems with their water systems. And I don't know of any opposition to the Bill. We have tried to work it out with everybody..."

Speaker McPike: "Does anyone stand in opposition to this Amendment? Question is, 'Shall Amendment #5 be adopted?' All in favor say 'aye', opposed 'no', the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

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

Speaker McPike: "...Excuse me, Mr. Clerk. The

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Gentleman...Representative Hicks asks leave to hear the Bill on Third Reading at this time. Is there any opposition? Hearing none, leave is granted with the Attendance Roll Call. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 64, a Bill for an Act in relation to water supplies and the underground storage of fuel. Third Reading of the Bill."

Speaker McPike: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 64, now becomes the same as House Bill 2372 that we passed out of here, with the addition of the things that take care of the water supply in Representative Ryder's district for example, and two communities within that area of Senator Demuzio's area; that have to be taken care of and I'd be happy to try and answer any questions on the Bill."

Speaker McPike: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker, just to rise in support of this Bill with the Amendment 5 added by Representative Hannig, it is now acceptable and does solve the problem that we have in our district. And I support the Bill as amended."

Speaker McPike: "The questions is, 'Shall Senate Bill 64 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 82 'ayes', 26 'nos', 8 voting 'present'. Senate Bill 64 having received the Constitutional Majority is hereby declared passed. Under the Order of Civic Centers, State Parks appears Senate Bill 151, Representative Richmond. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 151, a Bill for an Act concerning civic centers. Second Reading of the Bill. No Committee Amendments."

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Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1...Amendment #1 lost in committee. Floor Amendment #2, offered by Representative Black."

Speaker McPike: "Representative Black."

Black: "Thank you, very much, Mr. Speaker. An inquiry of the Chair if I might."

Speaker McPike: "Yes. Proceed."

Black: "I was approached just a little bit ago by one of the members of the Democrat Staff, and I'm not sure whether this was the Bill that he wanted this Amendment withdrawn so that he could run some additional Amendments."

Speaker McPike: "Say again."

Black: "I was approached about two minutes ago by a member of the Democrat Staff..."

Speaker McPike: "Yes, you were and they aren't ready, so we'd like this Bill taken out of the record."

Black: "Thank you."

Speaker McPike: "Senate Bill 169, Representative Keane. Out of the record. I'm sorry, Senate Bill 169. Out of the record. Senate Bill 185, Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 185, a Bill for An Act to amend an Act in relation to civic center finance. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker McPike: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor...any Floor Amendments?"

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

Speaker McPike: "Representative Black. Representative Black, this is the Amendment that will be added to Senate Bill 151. Withdraw...Representative Black withdraws this

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Amendment. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative...Amendment #3, offered by Representative Cullerton."

Speaker McPike: "Representative Cullerton. Representative Cullerton, withdraws Amendment #3. Further Amendments?"

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

Speaker McPike: "Representative Wojcik withdraws Amendment #4. Further Amendments?"

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

Speaker McPike: "Representative Wojcik withdraws Amendment #5."

Clerk O'Brien: "Floor Amendment #6, offered by Representative Mays and Wojcik."

Speaker McPike: "Representative Wojcik withdraws Amendment #6."

Clerk O'Brien: "Floor Amendment #7, offered by Representative Cullerton."

Speaker McPike: "Representative Mautino, on the Amendment."

Mautino: "Thank you, very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #7 provides one word in the existing provision. It's the Illinois Department of Commerce and Community Affairs. It then makes this legislation a shell Bill for Conference Committee to provide for the programs we established under the Civic Center and the Department of Conservation Program. I move for its adoption."

Speaker McPike: "The Gentleman moves for the adoption of Amendment #7. Is there any discussion? Question is, 'Shall Amendment #7 be adopted?' All in favor say 'aye', opposed 'no'. The 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 185, a Bill for An Act in relation to civic center finances. Third Reading of the Bill."

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, it's a shell Bill on civic centers. We all need the Bill, so let's send it to the Senate for a Conference Committee."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 92 'ayes', 18 'nos', 4 voting 'present'. Senate Bill 185, having received the Constitutional Majority, is hereby declared passed. Under Government Administration, Third Reading. Continuing where we left off right before the Republican Caucus, is Senate Bill 1376, Representative Capparelli. Who has this Bill? Representative DeLeo, is this your Bill now? No, Representative Terzich, your Bill. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1376, a Bill for An Act to amend the Mobile Home Landlord and Tenant Rights Act. Third Reading of the Bill."

Speaker McPike: "Representative Terzich."

Terzich: "Yes, Mr. Speaker. The...it amends the...Mobile Home...Landlords and Tenants Act. Basically Amendment #2 is the Bill, and what it does, basically does, is when an order for possession of a mobile home site by the mobile home park owner presented by the court and the court stay has been expired, the mobile owner shall have the authority to remove the home from the mobile home site and the homeowner may place a lien against the mobile home for it and I would move for it adoption."

Speaker McPike: "Is there any discussion? Representative

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McCracken."

McCracken: "Amendment #3 is on the Bill?"

Terzich: "Amendment #2."

McCracken: "Amendment #2. So what's the effect of it now?"

Terzich: "The effect of the...of the...Bill is basically the Amendment is the Bill, that...provides that...when a court order for possession of a mobile home site by the mobile park homeowner has been entered by the court and when any stay ordered by the court has expired, the mobile home park owner shall have the authority to remove the mobile home from the mobile home site, and the mobile home park owner may place a lien against the mobile home for the cost of removing the mobile home."

McCracken: "Okay, thank you."

Speaker McPike: "Any further discussion? The question is, 'Shall Senate Bill 1376 pass?' All those in favor vote 'aye', opposed vote, 'no'. Excuse me. The Chair was in error, there are more Amendments filed. The Chair's is in...Wait a minute. Excuse...just a minute, Mr. Clerk. The Chair is not in error. Right. So the question is, 'Shall this Bill pass?' The Roll Call is still open. Have all voted? Representative Piel."

Piel: "Thank you, Mr. Speaker, I think...one of the problems I can see...with the vote right now is that maybe the Sponsor could explain that the Mobile Home Owners Associations of Illinois have a letter out opposing this. Now my question is, with the adoption of Amendments 1 and 2 are they still in opposition to this?"

Terzich: "It's my understanding that the...with the adoption of Amendment #2 which replaced Amendment #1...that this...resolved the objection of the Mobile Home Association. This was the reason why the adoption of Amendment #2."

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Piel: "If you could, during your explanation, please explain what Amendment #2 did that relieved their opposition."

Terzich: "Well, it just basically what...exactly what the Amendment #2 does. What it simply provides is that when an order of a possession of a mobile home site by a mobile park homeowner has been entered by a court and...this also has to be done with any stay order the court has expired, the mobile homeowner may...shall have the authority to remove the mobile home from the home site. I assume that basically what this does is before any removal of a mobile home site can be done, it would have to be done with...you know, by a court order before anything could be allowed."

Speaker McPike: "Representative Balanoff, to explain his vote."

Balanoff: "My understanding is that the mobile homeowners, and just for everybody's information my name is, at this point in time, has been taken off this even though it appears up there. Our...the Mobile Homeowners Association is against this Bill. I'm going to be offering an Amendment and if the Amendment that I'll be offering next does get on then the Mobile Homeowners Association will be in favor of this Bill."

Speaker McPike: "Have all voted who wish? The Clerk will take the record. On this Bill there are 29 'ayes'...On this Bill there are 29 'ayes', 81 'nos', 5 voting 'present'. Senate Bill 1376, having failed to received a Constitutional Majority, is hereby declared lost. Senate Bill 1402. Out of the record. Senate Bill 1421. Out of the record. Senate Bill 1443. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1443, a Bill for An Act to amend the Intergovernmental Cooperation Act. Third Reading of the Bill."

Speaker McPike: "Representative Giorgi."

Giorgi: "I'm waiting for an Amendment, Mr. Speaker. I'd rather

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take this Bill out of the record."

Speaker McPike: "Oh. Out of the record. Senate Bill 150. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 150, a Bill for An Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Senate Bill 150, out of the record for...momentarily. Return back to Senate Bill 1456, Representative Giorgi. Gentleman asks leave to return this to Second Reading. Is that correct? No. Senate Bill 1456. Has the Bill been read? Mr. Clerk?"

Clerk O'Brien: "The Bill has been read a third time."

Speaker McPike: "Representative Giorgi, do you wish to proceed with the Bill?"

Giorgi: "Has Amendment #1 been adopted?"

Speaker McPike: "Mr. Clerk, has Amendment #1..."

Clerk O'Brien: "Amendment #1 is on the Bill."

Speaker McPike: "Yes."

Giorgi: "Okay. This is a vehicle Bill, Mr. Speaker, and I'd like to have the House approve it and send it to the Senate so the Conference Committee Report can work on this."

Speaker McPike: "On that, Representative McCracken."

McCracken: "Thank you. What is the purpose of its use as a Conference Committee Bill?"

Giorgi: "It has to do with governmental units jointly purchasing equipment and supplies and so on."

McCracken: "I'm sorry..."

Giorgi: "It has to do with authorizing certain governmental units to purchase personal property, supplies and services jointly."

McCracken: "Well I know that, but what are you going to do with it?"

Giorgi: "I...It's McPike's Bill."



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McCracken: "Does the Speaker know what's going to happen to this Bill?"

Giorgi: "It's a secret from him and from me."

McCracken: "Alright."

Giorgi: "We're not informed, we're not enlightened."

Speaker McPike: "Question is, 'Shall Senate Bill 1456 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 63 'ayes', 50 'nos', 2 voting 'present'. Senate Bill 1456, having received the Constitutional Majority, is hereby declared passed. On the Order of Education, Senate Bill 148, Representative Giglio. Read the Bill, Mr. Clerk. Mr. Giglio here? Representative Giglio. Out of the record. Senate Bill 187, Representative Curran. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 187, a Bill for An Act to amend Sections of The School Code. Third Reading of the Bill."

Speaker McPike: "Representative Curran."

Curran: "Thank you, Mr. Speaker. Mr. Speaker, I request leave to bring this Bill back to the Order of Second Reading for Amendments from Representative Black and Representative Hoffman."

Speaker McPike: "Any objections? No objections. The Bill will return to Second Reading. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Black and Steczo."

Speaker McPike: "Representative Black."

Black: "Thank you, very much, Mr. Speaker. An inquiry of the Chair. This Bill has been amended so many times in the last two days, I just want to make sure Amendment #1 is still in order."

Speaker McPike: "Still in order?"

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Black: "Yeah."

Speaker McPike: "Amendment #1? You want to know if Amendment #1 is in order because more Amendments have been adopted?"

Black: "Alright. No. No. No. I apologize. It was my understanding that they wanted me to withdraw it and I...the signals were confused. I'll run with it. Thank you. Amendment #1, Mr. Speaker and Ladies and Gentlemen of the House, has to do with a consolidation issue in districts with a population of less than 5,000 residents is dissolved and annexed to one or more other districts. The teachers whose positions are transferred from one board to the control of a different board shall be subject to the provisions of Section 24-12 of the School Code, which designates conditions for the removal or dismissal of teachers in contractual continued service. It also removes the language in Section 7A-1, which would repeal the unit school district conversion provision of the School Code on July 1, 1989, and also part three of this Amendment deals with Section 18-8.2 of the School Code, pertaining to supplementary state aid for certain annexing school districts. It also provides that the provisions of Senate Bill 187 are retroactive and applicable to any annexation taking effect after August 1, 1987. Try to answer any questions you have on Amendment 1. Would urge your adoption."

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

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

Speaker McPike: "Yes."

Currie: "Why would you make the incentive payment retroactive? I mean if your idea is to encourage school consolidation, why would you instead of encouraging new school consolidations, change things for those who already did the consolidating?"

Black: "Yeah. Thank you, very much. Representative, this in

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effect is aimed at one school district that has already consolidated and that there was a misunderstanding between those two districts and the State Board of Education, and we're simply trying to clear up the supplemental payments to that one district."

Currie: "And what will be the cost of those supplemental payments?"

Black: "They have already paid them \$30,000. They have a \$60,000 payment yet to be made, but without the language in this Amendment, it's my understanding there would be some difficulty perhaps in making those payments that were promised."

Currie: "Even though they were not statutorily legitimate?"

Black: "I think you raise a very good point. It's my understanding that the State Board wants this done to correct a very obvious error that was made to the residents of the Hoopeston, East Lynn and Wellington School Districts, and they would like this taken care of on a district that has already consolidated."

Currie: "So the State Board does support your Bill?"

Black: "That's what I was told. The only confusion that I have with Amendment #1, is that I thought it was to be withdrawn and incorporated in Amendment #3. I trust we're doing the right thing here."

Currie: "Thank you. I hope so too."

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

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

Speaker McPike: "Representative Hoffman."

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

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House. Amendment #2 to Senate Bill 187 provides that in the county of DuPage, due to an agreement made between the county clerk and the school districts, that the filing date will be moved back to February in order that the schools will know more accurately what their assessed valuation is and will prevent the filing of what we refer to as balloon payments. Balloon payments are ones where they estimate a number and then are usually reduced on the basis of the rates. This has been worked out between the parties involved and they're all in support of it. It only effects the county of DuPage."

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

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

Speaker McPike: "Representative Curran, Amendment #3."

Curran: "Mr. Speaker, I understand there's Amendment #2 by Representative Hoffman..."

Speaker McPike: "It was adopted."

Curran: "Oh. Okay. Why would I withdraw #3, Representative Black? It is my understanding that Amendment #3 is a technical correction of Amendment #1. That is correct. And it allows the board in the event a district is divided between two..."

Speaker McPike: "This is a technical Amendment?"

Curran: "That is correct."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Gentleman asks leave to hear

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the Bill at this time. Are there any objections? None. The Attendance Roll Call is used. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 187, a Bill for An Act to amend Sections of The School Code. Third Reading of the Bill."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I don't think there's any opposition, but Amendment...but with the Amendments this Bill now adds to the incentive law, adds reorganization to those which allow conversion of a unit school district. It allows the...provides for the change in the calculation date of the deficit fund balance difference to June 30th of the year of...to the June 30th prior to the referendum and then freezes that change. It also provides for the annexation by the regional board, when the Board of Education or a majority of the registered voters in the district petition for such. This Bill got 29 votes in the Education Committee and I don't think there's any opposition and I ask for a favorable Roll Call."

Speaker McPike: "Is there any opposition to this Bill? The House would like to welcome Senator Pate Philip to the House floor. Nice to have you here, Senator. Question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Representative Giorgi."

Giorgi: "Mr. Speaker, while you're taking a Roll Call; sitting up there with Dick Mulcahey is the new Mayor of Freeport, Dick Weis. The new Mayor of Freeport, Dick Weis, sitting up by Mulcahey."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 114 'ayes', no 'nays', none voting 'present'. Senate Bill 187, having received the Constitutional Majority, is hereby declared passed. Since today is the deadline for Approp.

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Bills, it is the Chair's intention now to go to all the Appropriation Bills. While we're looking for the approp. people to get to the House floor, we'll take one more Bill on Education. It's on Education, Second Reading. Senate Bill 283. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 283, a Bill for An Act to amend Sections of The School Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Amendments filed?"

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

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #1 removes the effective date of this Bill. I discussed this Bill yesterday with Gary LaPaille and he and I agreed that the appropriate thing to do with this Bill, since we do not know at the moment exactly at what rate we should establish the authorization for the math grants; that we should remove the effective date and send it back to the Senate so it could go to a Conference Committee. I move for the adoption of Floor Amendment #1."

Speaker McPike: "Is there any opposition to this Amendment? Question is, 'Shall the Amendment pass?' All in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Has this Bill been read previously on..."

Clerk O'Brien: "Senate Bill 283, a Bill for An Act to amend The School Code. Third Reading of the Bill."

Speaker McPike: "The Bill had been read previously, Mr. Clerk?"

Clerk O'Brien: "It's been read a second time previously, yes."

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Speaker McPike: "Thank you. Representative Cowlshaw, moves for the passage of Senate Bill 283. All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 117 'ayes', no 'nays', none voting 'present'. Senate Bill 283, having received the Constitutional Majority, is hereby declared passed. Now on the rest of the Appropriation Bills, appears Senate Bill 184. Out of the record. Senate Bill 230. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 230, a Bill for An Act making appropriations to various state agencies. Third Reading of the Bill."

Speaker McPike: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is a vehicle Bill. It has been reduced to \$1.00 for purposes of being a pure vehicle. I move its passage."

Speaker McPike: "Does anyone stand in opposition to this Bill? Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This is a vehicle Bill, there's no reason to pass it. It has no purpose. It has no obvious intent. As a result, we should all vote 'no', keep the vehicles here and get on with our business."

Speaker McPike: "Question is, 'Shall Senate Bill 230 pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 70 'ayes', 40 'nos', 4 voting 'present'. Senate Bill 230, having received the Constitutional Majority, is hereby declared passed. Senate Bill 328, Representative...Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 328, a Bill for An Act making appropriations to various state agencies. Third Reading of the Bill."

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Speaker McPike: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker. Actually this is a convoy and this is the second Bill in the convoy of vehicles. This too, is a \$1.00 appropriation. I move its passage."

Speaker McPike: "Representative Ryder."

Ryder: "When Representative Cullerton gets that tape of a previous speaker's discourse, you might want to get one of these tapes. We'll be using it for this entire convoy. Every single Appropriation Bill that the Republicans have, was identified by the Democrats as potential vehicles. We view this in the same disdain and ask for 'red' votes."

Speaker McPike: "Question is, 'Shall Senate Bill 328 pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? Representative Mays, to explain his vote."

Mays: "Well, Mr. Speaker, I mean...yesterday we allowed you to have thirteen vehicle Bills that we voted with. I just don't understand why we need to do another vehicle, especially when it concerns sabbatical leaves for higher education. It would just seem to me that this is something that we could vote 'no' on and everybody could vote 'no' on. There's plenty of other vehicles out there floating around. Ryder's got some Bills he'll let you talk to him about if you want vehicles. So, I just thought a 'no' vote might be more appropriate, especially when it deals with higher ed. sabbatical leaves."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there's 66 'ayes', 51 'nos', none voting 'present'. Senate Bill 328, having received the Constitutional Majority, is hereby declared passed. Senate Bill 461, Representative Bowman."

Clerk Leone: "Senate Bill 461, a Bill for An Act making appropriations to the Comptroller. Third Reading of the



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Bill."

Speaker McPike: "Mr. Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the third of five vehicle Bills. This makes a \$1.00 appropriation. Disregard the caption on this Bill as on all the other Bills. The actual appropriation really has nothing to do with the Comptroller's Office, or at least won't have anything to do with the Comptroller's Office by the time the Bill is amended. So, I move for passage."

Speaker McPike: "Mr. Mays."

Mays: "Thank you, very much, Mr. Speaker. I think we've pretty well got a pattern going here. We'll vote 'no', you guys vote 'yes', and then we can maybe do the next two together on the next Roll Call."

Speaker McPike: "Question is, 'Shall Senate Bill 461 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 66 'ayes', 50 'nos', none voting 'present'. Senate Bill 461, having received the Constitutional Majority, is hereby declared passed. Senate Bill 462, Representative Bowman."

Clerk Leone: "Senate Bill 462, a Bill for An Act making appropriations to the Capitol Development Board. Third Reading of the Bill."

Speaker McPike: "Mr. Bowman"

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. If the Republicans will give leave, I'll gladly take 462 and 463 on one Roll Call. These are the fourth and fifth Bills in the series of appropriation vehicles. I move for passage."

Speaker McPike: "Alright. Representative Mays and Representative Ryder stand in opposition to the Bills? Then take them on

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one Roll Call. Question is, 'Shall Senate Bill 462 and 463 pass?' All those in favor vote 'aye', opposed vote 'no'.  
Mr. Bowman."

Bowman: "I think we need to read 463 a third time."

Speaker McPike: "Oh, I apologize. Mr. Clerk, read that Bill, would you."

Clerk Leone: "Senate Bill 463, a Bill for An Act making appropriations to the Department of Alcoholism and Substance Abuse. Third Reading of the Bill."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On these Bills there are 64 'ayes', 51 'nos'. Senate Bills 462 and 463, having received the Constitutional Majority, are hereby declared passed. Senate Bill 150. Mr. Clerk, read the Bill."

Clerk Leone: "On page 8 of the Calendar on the Order of Second Readings, Senate Bill 150, a Bill for An Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Has been read a second time previously. Floor Amendment #1, is being offered by Representative Daniels, Madigan and White."

Speaker McPike: "Are there any Amendments?"

Clerk Leone: "Floor Amendment #1, is being offered by Representatives Daniels, Madigan and White."

Speaker McPike: "Alright, who would like to handle that? Mr. White. Representative White, on the Amendment."

White: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment 1 to Senate Bill 150 would require the Illinois Public Aid Department to make adjustments and payments to hospitals serving a disproportionate share of low income patients, and it also specifies a payment formula. I move for its adoption."

Speaker McPike: "Is there any discussion? Question is, 'Shall Amendment #1 be adopted?' All in favor say 'aye', opposed

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'no'. The 'ayes' have it. The Amendment's adopted.  
Further Amendments?"

Clerk Leone: "No further Amendments."

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

Clerk Leone: "Senate Bill 150, a Bill for An Act to amend the  
Illinois Public Aid Code. Third Reading of the Bill."

Speaker McPike: "Read the Bill...Mr. Clerk, read the Bill? Mr.  
White."

White: "Mr. Speaker and Ladies and Gentlemen of the House,  
Amendment 1 to Senate Bill 150 is the Bill. Across the  
State of Illinois we've lost about thirteen hospitals who  
have a commitment to serve the indigent, and as it has  
turned out with this Bill, we seek to provide some  
additional support for those hospitals because they provide  
services to those who cannot care for themselves. So, I  
move for its adoption."

Speaker McPike: "Representative Black."

Black: "Thank you, very much, Mr. Speaker. Will the...will  
Representative White yield for a quick question?"

White: "Yes."

Black: "Thank you. Representative, I just want both sides of the  
aisle to understand something here. Now, you're joined in  
this fine Amendment by Representative Madigan and  
Representative Daniels. Is that correct?"

White: "Yes. It's called a bipartisan support...a bipartisan  
approach to good government."

Black: "I would say that with Representative Madigan and  
Representative Daniels, we have a bipartisan Amendment here  
that becomes the Bill, and I just want to make sure that  
message gets out in this confusion. Thank you."

Speaker McPike: "Question is, 'Shall Senate Bill 150 pass?' All  
those in favor vote 'aye', opposed vote 'no'. Have all  
voted? Representative Lang."

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Lang: "Mr. Speaker, just for the record, I have a conflict in this matter, so I'm voting 'present'."

Speaker McPike: "Have all voted who wish? The Clerk will take the record. On this Bill there are 107 'ayes', 8 'nos', 2 voting 'present'. Senate Bill 150, having received the Constitutional Majority, is hereby declared passed. We're going to turn...return now to the Order on Education. And Representative Giglio has returned, so Senate Bill 148. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 148, a Bill for An Act to amend certain Acts in relationship to licensing of certain minors as drivers. Third Reading of the Bill."

Speaker McPike: "Representative Giglio."

Giglio: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill...pardon me, House (sic - Senate ) Bill 148 is another Bill that says that a person under the age of 18 shall not be eligible for a driver's license or instruction permit unless he has obtained a high school diploma or equivalent. We put on the...Senate Amen...Amendment #1, which was similar to House Bill 462 which says, that before you start to take a driver's license training course you had to at least complete two semesters of schooling. I think we've talked about this...these Bills a number of times and with this new provision, I would ask for your favorable support."

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

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

Giglio: "Yes."

Wojcik: "Representative, is this considered a mandate? Are we setting a preference or a mandate to the local school boards?"

Giglio: "Well, I would assume that if it passes and signed, yes,

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I'm not an attorney...I really don't know, Kay."

Wojcik: "I didn't understand you, could you..."

Giglio: "Well, I've just been informed it doesn't...it's not mandated. One of my attorneys..."

Wojcik: "This is a permissive Bill?"

Giglio: "It's just a driver's license, it's not...it's not mandated. There's no mandate provision on it."

Wojcik: "But it provides that, if the child...let me see, provides that a person under age 18 shall not be eligible for a driver's license or instruction permit unless he has obtained a high school diploma or the equivalent. Mr. Speaker, to the Bill. I think that though the Sponsor is well intended, we are beginning to set another precedent of where we are more or less mandating to the local school boards. I think our local school boards should make the major decision, if they want to have their children not get driver's ed or what have you. We're not even covering the cost now of driver's ed, let alone tell them that they are going to have to change their whole program. I think it's a very bad Bill."

Speaker McPike: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like to just make two remarks about this Bill. First is that, if any student is remaining in school only because that student wants to acquire and then be privileged to keep a driver's license, that is hardly the motivation that we need for students to do well and to not be discipline problems. For many years there have been Gallop Polls taken nationwide to determine what the American people believed to be the biggest problem in the public schools of this nation, and invariably the number one complaint of the people of this nation is discipline, or perhaps the lack thereof would be a better way to

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express it. If we keep young people in school simply on the basis that they want to acquire and maintain a driver's license, we are simply creating discipline problems which in fact do nothing to improve the educational setting for the children who are there because they really want to learn. The second thing is, that in the light of a recent Supreme Court decision this Bill may well be considered unconstitutional. A state law requiring revocation of a sex offender's driver's license was struck down by the court. The court stated that the penalty of license revocation for that type of offense bears no relationship to the public interest of safe and legal operation and ownership of motor vehicles. And I would submit that there is no relationship between getting good grades in high school and being able to safely and legally operate a motor vehicle. For all of those reasons, I believe that this Bill should be opposed."

Speaker McPike: "Representative Dunn, John Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I too, rise in opposition to this legislation. This legislation may be well meaning in its intent, but its ramifications, especially for those of us who live downstate, are quite serious. It's unfortunate that anyone drops out of high school prior to completion of the educational requirements of a four year high school education. The fact remains, however, that that does happen. And when it happens in the downstate area, what we do hope is that those who drop out seek employment, probably minimum wage jobs, get employment...don't have idle time and quickly realize that they've made a mistake and get into a adult GED programs or adult education programs. The thing we don't want is for them to sit around with nothing to do, with idle time on their hands

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and that is exactly what will happen if we don't let them drive. There are practically no teenagers in downstate Illinois who can have any kind of a job unless they have a car to get back and forth to work. If we pass this legislation, those who drop out of school are going to be forced to sit home on their haunches, with nothing to do, no hope of a job, no prospects and if you ever put someone in a proper atmosphere to turn to crime, that is exactly what will happen. I wondered about this and I checked with the probation people back in my hometown area who deal with youngsters this age and they unanimously agreed that this is not wise legislation, that we should not take away the driver's license of these young people. We should try to keep them in school but we should use other means. This is a bad Bill and I hope you will defeat it."

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

Giglio: "Thank you, Mr. Speaker. Well, in answer to some of the critics who are against the Bill, I think this is a good Bill, a good incentive to keep the kids in school. I think they should stay in school and I think those that don't go and have the driver's license are the ones who are...crime that was mentioned. If you look and see, most of crimes are committed with people who have the cars. Perhaps if they stayed home may be they would go back to school and think about the privilege they have of driving. I would ask for your favorable support."

Speaker Young: "Representative Young, in the Chair. The Gentlemen has moved for the adoption of Senate Bill 148. On that question, the Gentleman from Madison,

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Representative Stephens. Alright, excuse me. I guess the question is, 'Shall Senate Bill 148 pass?' All those in favor vote 'aye', those opposed vote 'no'. Now, the Gentleman from Madison can explain his vote. Representative Stephens."

Stephens: "Well, thank you, Mr. Speaker, and I understand why you recognized me, it's part of the new coalition between the Black Caucus and the Republican Party that's going to drive this state in the right direction. And I think we need to recognize that and I know that's why you wanted to recognize me earlier. However, I think this is a good idea and I have to respond to the remarks that I heard earlier about...well these dropouts, they won't be able to get jobs if they don't have cars. Ladies and Gentlemen of the House, the issue is they're not going to get jobs at all if they don't get an education. And that's what this is all about and that's what we're trying to do is keep them in school because we are not going to hire them if they don't have a high school diploma. We just won't hire them. We need to tell the kids of Illinois that. We don't want you if your not educated."

Speaker Young: "The Lady from Cook, Representative Davis to explain her vote."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this legislation because I think we must recognize that driving is more than a privilege; once one begins to drive, it's a responsibility. Driver's Education and receiving a driver's license should be a part of ones education and not viewed as a frill. Someone mentioned the criminals who use automobiles and that if they didn't have a driver's license they wouldn't be able to commit those crimes. I'd like to say to that person, the crimes they are going to commit is much greater



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than driving without a driver's license. I think we would serve to create a new pool of criminals. We do need to stop the dropout rate. That is granted, a problem, but this certainly is not the solution to that problem. And I do believe that the educators in the State of Illinois must soon address that problem, otherwise, the people in our Body here may come up with some more silly Bills. Vote 'no'."

Speaker Young: "The Gentleman from McLean, Representative Ropp. One minute to explain his vote."

Ropp: "Thank you, Mr. Speaker, Members of the House. This is probably the most important issue that we'll discuss in this General Assembly; the attempt to keep young people in school. It's been said that we want to teach discipline. Ladies and Gentlemen, if this is not discipline I don't know what is. No business person wants to hire a student that doesn't at least have a high school education. This Body should once and for all place the importance, priority one shall I say, priority one, to get a high school education. We need to establish the concern that all of people in Illinois want young people to graduate from high school. No one can get a good job if you don't have a high school degree. It's important that this Bill pass so that we send that message to young people, that education is our number one priority and we mean it."

Speaker Young: "The Lady from Champaign, Representative Satterthwaite, one minute to explain her vote."

Satterthwaite: "Mr. Speaker and Members of the House, I believe that people are ignoring the fact that this Bill has been amended on the House floor, that it no longer does what it did originally when it came from the Senate. As it came from the Senate it was a Bill that denied a license unless you had graduated from high school or unless you were 18

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years of age. As I understand, the Amendment that was adopted on the House floor, it now says that you cannot apply to get your driver's license unless you have successfully completed two semesters of high school. We're not saying that we're taking away the driver's license, we are saying that we are expecting that students will have completed at least two semesters successfully before they can apply for their training to get a driver's license."

Speaker Young: "The Lady from Sangamon, Representative Hasara to explain her vote."

Hasara: "Thank you, Mr...Thank you, Mr. Speaker. Whenever I want to know how people feel about an issue, I go to the source, and I would like you all to know there are two students sitting right over here that think this Bill is an excellent idea and that it would definitely keep kids in school. So, we are here this year to do something about the dropout rate and I intend to vote 'yes' and I hope a few more will. Thank you."

Speaker Young: "The Gentleman from DuPage, Representative Hoffman to explain his vote."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The connection between getting a driver's license and having a high school diploma is...is...limited if at all. Representative Dunn, made an excellent point. I think the major point we're overlooking is the logistics of keeping track of the...of the paper work that you're going to have to have to do this. If you take a look at what they've had to face in West Virginia when they've done this, it's incredible. And I would suggest to you that it doesn't make any sense to tie the schools up with this kind of mandate on top of all the other ones that we have. You're not going to solve all the social ills with mandatory legislation like this, and I stand in

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opposition."

Speaker Young: "Representative McNamara, to explain his vote."

McNamara: "Thank you, Mr. Speaker. Our main problem at schools today is that kids are dropping out and that we have become a permissive society. If we don't take this common sense approach and say to our kids that for every good thing that you do there may be a reward. A license is simply a permissive way of allowing somebody in order to drive a car. But there's a responsibility with that. What is wrong with asking a 16 year old to have some responsibility and that responsibility is that they complete at least two semesters of high school. I think it's a common sense thing. Why do we have to say to somebody, 'Well, if you're going to drop out of school we'll let you have a license anyway.' Let's go ahead and do the right thing and vote 'yes' on this and pass it."

Speaker Young: "Representative Hallock, to explain his vote."

Hallock: "Thank you, Mr. Speaker, Members of the House. As we all know, students stay in school for various reasons. You know, we have some students who just because of the intrinsic value of education want to stay in school and learn; others of course, know that it's a good way to get a good education, to get a good job and so they stay in school for that purpose. Some may stay in school only because they want to play sports and stay in school as long as they can to do that. And I would maintain that many others may stay in school because they need to drive and want to have a driver's license. The facts show that West Virginia, after they passed this Bill, the following year seventeen hundred students went back to school. That's seventeen hundred out of an enrollment totally of twenty three thousand. So, if you want to have some numbers that show the facts, that shows in West Virginia. It shows it

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can work, it should work, it's a good ideal. I urge you to vote 'yes'."

Speaker Young: "Representative Wennlund, to explain his vote."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. With respect to the State of West Virginia who adopted this ill-conceived idea, the courts are now having to go around the law to give young teenagers who drop out in the ninth grade who are fathers to be and mothers to be, exemptions from the provision of that law because they have to go into the work force and raise children. It's an ill-conceived idea and the State of West Virginia is realizing it now that the court system there which was the first state to adopt it, is going around it. I urge your 'no' vote."

Speaker Young: "Representative Weller, to explain his vote."

Weller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I urge more 'aye' votes for this legislation. This is an important step forward. There's no more important signal we can send to the young people of the State of Illinois and that is, that we want them to stay in school. If you talk to any teenager, you talk to anyone that's 8 or 9 year old, the most important thing that they look forward to getting is their driver's license. So they value it very very much, and by putting that driver's license at stake, we're saying we want you to stay in school. If they want to get a good job they've got to have a driver's license some say. Well let's face it, if they want to have a good job and raise a family and have a quality life they need to have a high school diploma. Let's keep those kids in school. One other point I want to make is, when you talk to school administrators and you ask them what happens to those kids when they drop out of school, not that many of them only about half of them go out and get a job. The

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other half just go off and bum around and then they come back and hang around the school and try and lure other students off to go bum around too. Let's send that signal to those young people. We want them to stay in school. We need more 'aye' votes."

Speaker Young: "Representative Barger, to explain his vote."

Barger: "Thank you, Mr. Speaker. There's an old saying that you can lead a horse to water but you can't make him drink. The same thing applies to high school students. If they want to stay in school, if school is interesting they will stay there. If school is not interesting there's no way you can keep them in. This is a good idea...this is a bad idea...thank you, because it's trying to force people to go against their own nature. I would suggest very strongly that we kill this silly Bill."

Speaker Young: "Representative Leitch, to explain his vote."

Leitch: "Thank you, Mr. Speaker. What is it about kids 16 to 18 that we come up with these kind of pieces of proposed legislation. There's no other part of society or age group in society where we even think about doing this or singling out people. All this would serve to do as a practical matter is to make criminals out of young people who already have enough trouble, because if we think that dropouts won't continue to drive anyway, I think we're very, very sadly mistaken. Dropouts typically have enough trouble or they would still be in school. We have to again look creatively for ways to keep them in school and not come up with arbitrary and ridiculous ideas like this to try and pressure them into it."

Speaker Young: "Have all voted who wish? Mr. Clerk take the record. On this question there are 53 voting 'yes', 58 voting 'no', 5 voting 'present', and the Bill is declared lost. Senate Bill 187, Representative Curran. Okay."

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Senate Bill 254, Representative Steczko. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 254, a Bill for An Act in relationship to certification of teachers. Third Reading of the Bill."

Speaker Young: "Representative Steczko."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill...I'm sorry, Senate Bill 254 contains a number of initiatives that have been put forth by the State Board of Education. The provisions that amend the School Code and contained in Senate Bill 254, provide that a teacher certificate may be voluntarily surrendered by the holder and then be treated as a revoked certificate. It provides for the suspension of the certificate for up to five years by the State Superintendent of Education for cause. Provides for procedures for attendance of witnesses at hearings and also provides that after July 1st, 1988, any teacher in preschool programs shall hold an early childhood teacher's certificate. I believe, Mr. Speaker, there's no opposition to this Bill. As I said, it does contain these initiatives that were put forth by the State Board of Education and the State Teacher's Certification Board, and would appreciate an 'aye' vote."

Speaker Young: "The Gentleman has moved for passage of Senate Bill 254. On that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 254 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 117 voting 'yes', none voting 'no' and none voting 'present'. This Bill having received the required Constitutional Majority, is hereby declared passed. Senate Bill 335, Representative Williams. Read the Bill, Mr. Clerk."

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Clerk Leone: "Senate Bill 335, a Bill for An Act to amend The School Code. Third Reading of the Bill."

Speaker Young: "Representative Williams."

Williams: "Yes. I'd like to take this Bill back to the Order of Second Reading for the purpose of an Amendment."

Speaker Young: "The Gentleman asks leave to return Senate Bill 335 to Second Reading for the purposes of an Amendment. Does he have leave? Leave is granted. Second Reading."

Clerk Leone: "Floor Amendment #4, is being offered by Representative Williams."

Williams: "Like to withdraw Amendment #4. Withdraw Amendment #4."

Speaker Young: "Withdraw Amendment #4. Any further Amendments?"

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

Williams: "Yes."

Speaker Young: "Representative Williams."

Williams: "Amendment #5 corrects the deficiency that was found in this Bill the last time as far as the certification of whether or not a school has the necessary requirements to meet the I.B.H.E. standards for entrance into college. That...at that time it...originally it was...the way it was written, it sounded as if in fact the schools did not have it, they could not implement the standards. But this says that they can implement the standards, but it would report whether or not those schools have those standards in the area of their deficiency. And I would urge for the adoption of Amendment #5 to Senate Bill 335."

Speaker Young: "The Gentleman has moved for adoption of Amendment #5 to Senate Bill 335. On that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #5 be adopted?' All those in favor say 'aye', those opposed say 'no'. The opinion of the Chair, the

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

Clerk Leone: "There are no further Amendments."

Speaker Young: "Third Reading. The Gentleman now asks leave of the Body for immediate hearing on Third Reading. Representative McCracken."

McCracken: "I object, Mr. Speaker, and I ask my colleagues to join me in objecting to hearing this on Third Reading today."

Speaker Young: "Representative Williams."

Williams: "I would hope that we...I move that we do go ahead, and I think that I object to his Motion."

Speaker Young: "The Gentleman asks leave to suspend the appropriate rule for immediate hearing. All those in...On that Motion, is there any discussion? Representative McCracken."

McCracken: "It takes 71 votes. We can stop it. Let's vote 'no' and hold this another day, so we can give it all the deliberation it deserves."

Speaker Young: "Further discussion? Hearing none, all those in favor of the Motion for immediate consideration vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Williams."

Williams: "To explain my vote. The reason why this Bill and its underlying consideration can be...can be explained here today, and I would hope that you would at least give me an opportunity to have my Bill heard today so we can move on. There's nothing wrong...He says he wants to discuss it. Discuss it today. I would ask the people on both sides to please support my Motion."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. On this Motion there are 66 voting 'yes', 48



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voting 'no', and the Motion fails and the Bill will remain on Third Reading. Senate Bill 449, Representative Curran. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill...on page 12 of the Calendar, Senate Bill 449, a Bill for An Act to amend The School Code. Third Reading of the Bill."

Speaker Young: "Representative Curran."

Curran: "Thank you, Mr. Speaker. Mr. Speaker, Representative Didrickson would like to open and I would like to close on this Bill."

Speaker Young: "Representative Curran."

Curran: "Representative Didrickson would like to open and I would like to close."

Speaker Young: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the Assembly.

Senate Bill 449 was thoroughly debated a couple days ago. Just for a refresher, it amends the School Code and raises the compulsory school attendance age from 16 to 18 years of age. Much of the dialogue centered the other day around the fact that at the age of 16 we always don't make the kind of decisions that we would make at the age of 18. Therefore, we would like to see this measure pass. Added to that, I think the fact that this is a standard that was put into effect in 1907. Albeit for child labor laws, it was indeed a standard for not only compulsory school age, but also for the world of work that was appropriate back in 1907. It certainly is not an appropriate standard in 1989, nor does it bring our young people into the world of work in the 1990's, nor into the 21st century. We constantly hear from employers that what they want is a highly or more skilled, more...better educated work force out there. I think the fact that the age of 16 for compulsory age of school attendance is no longer relevant. It ought to be

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18, not only because it's very difficult at the age of 16 if you're a dropout to get work, but because the kind of skilled work force that we're going to need in the 21st century and on into the 1990's is exactly what this measure is addressing. I think it's a nebulous age when you say that a 16 year old who doesn't want to be in school, shouldn't be there, because I can tell you that there are 12 year olds and 14 year olds in junior high who certainly don't want to sit in school also. This is a good measure and I would ask for your 'aye' votes."

Speaker Young: "The Lady has moved for passage of Senate Bill 449, and on that question the Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We heard this Bill previously and so we're now taking a second run at it. I think all the things that were said last time are still applicable. The idea of increasing the compulsory attendance age of particularly in those areas where there are not adequate alternative programs, is counterproductive. Since we had the last vote on this Bill, the Decatur Herald ran an editorial in favor of the defeat of the legislation and the wisdom that this House showed at that time. I also have run this by a number of people who are currently teaching in high school. In fact, a number of them yesterday I talked with them about it and they agreed that this made no sense. It was counterproductive, because those students who wanted to be there and wanted to learn, were going to be...or are negatively affected by people, young people, who are there under...under duress. This is particularly true when you get into a large classroom situation. The fact of the matter is, that we do none of the children in a high school setting any good, whether they are there or they have

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dropped out. We have to provide the kind of environment that is conducive to learning. These are options that people take for a whole lot of reasons and it would be an injustice for us to increase the mandatory attendance age."

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

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, the object of education is to prepare our young to educate themselves for life. I believe that there is some merit in the proposition that the state reconsider its policy that students can opt out in receiving a public education when they attain the age of 18. The policy has promoted early dropouts. It has an adverse affect even on the education of our youth before the age of...16, because it is an age where the kids have as a goal to look forward to, so that a student can drag his feet in his studies until he reaches the age of 18. Our state public policy must promote education. We must fund alternatives for these types of young students. We must not provide for students and their parents or their guardians a cop-out, an easy out to avoid public education. As I said when this Bill was last debated, by voting for Senate Bill 449 we are saying to our youth, 'Without a high school education, you are nothing. You reduce your chances of making it in life.' I would plead with this Assembly that you vote for Senate Bill 449, so that young students can stay in school, so that they can reach their potential in life. You help them by voting for this Bill."

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

Kirkland: "Thank you, Mr. Speaker. I rise in opposition to the Bill. There's only so much money that we give to education and if money were no object, maybe this would be a good

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idea, but when you have a limited amount of money and it's already not enough, I think you should direct that money to the...toward the grades to motivate the kids to stay in school. Now with this Bill you're going to expand the truancy population and there's already a terrible truancy problem. Some people talk about a drop-off at age 16 and that kids drop out, but it can't be that much of a drop-off, because certainly we all acknowledge there is an awful truancy problem and now this will be...basically create adult truants. And we argue all the time down here on how we should treat our truants; should they be in the court, should they be treated outside the court system? I don't think we should add to that burden. Not only that, our high schools at this time are having a very difficult time doing the job. You can talk to most business people who have a basic literacy skills examination for high school graduates that come to them to do the work, and ask them how well high school graduates now do on that test on the average. They do pretty awful sometimes and this is just going to make the situation worse. One last thing, and I made this point before; we have a teacher shortage and you might ask yourself why. There's a number of factors; some say they're not paid enough, but students who are thinking about going into teaching know that they want to teach a subject and yet they know more and more that they get in...that when they get into the classroom, they're going to be more involved with disciplining, more and more involved with disciplining than having the ability or the opportunity to teach their subject. I only...I think this would also worsen the teacher shortage and is another reason to vote against the Bill. So, I think this is a cop-out to pass this Bill, because there's many other things we need to do to make education better in this state

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rather than just require by law that kids be in the schools. I urge opposition."

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

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

Speaker Young: "The Gentleman has moved the previous question, and the question is, 'Shall the main 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 main question is put. Representative Curran, to close."

Curran: "Thank you, Mr. Speaker. I think Representative Matijevich said it best; 'Without a high school education in this state and in this nation, you are nothing.' And what we have in Illinois is, we have a law which; says...which devalues a high school education by allowing students to drop out at age 16 before they have a chance to complete their high school education. So the law devalues what we know these children must have. It sets the wrong example. We can change that today by setting the right example, by changing the law. And what is the result when kids drop out? When those kids drop out they often end up in prisons; they certainly end up unemployed and they certainly end up on welfare. We save a few bucks by letting them drop out and then we pay tons of money after that in terms of welfare, in terms of unemployment and in terms of prison costs. Now some of the people talked about the students who are in the program, the students who had to be kept in high school not being satisfied being there and being disruptive. We have provided for that with an Amendment in the House Committee which said that students can take advantage of alternative education programs, such as cooperative education, where they work part-time and go to school part-time. So I think that this program, this Bill, is an excellent Bill for this time. It gives us what

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we need, and that's an example for the students of this state to stay in high school, to stay out of prison, to stay off unemployment and to stay off welfare. Let's put our money where our mouth is. Let's tell kids in this state that a high school education is important. I ask for your 'aye' vote."

Speaker Young: "The Gentleman has moved for passage of Senate Bill 449. All those in favor vote 'aye', those opposed vote 'no'. Voting is open and this is final passage. Representative Ropp, one minute to explain his vote."

Ropp: "Thank you, Mr. Speaker and Members of the House. The employers throughout this state are demanding a better product from our educational system. We're spending something like four billion dollars a year and we're getting seventy percent of a quality program. That's unacceptable. For those who are going to vote 'red' on this issue, you are in fact saying 'I support the expansion of our public aid program, support the expansion of our food stamp program and you continue to expand the prison population in this country...in the state.' We need, as this Bill clearly indicates, alternative programs for those young people that do not want to stay in school as status quo. Continuing to just fund education with more money, doing the same thing, will not solve this problem. This is a positive step forward to attempting to deal with these kids that need help, rather than to just turn them out and say..."

Speaker Young: "Bring your remarks to a close. The Lady from DuPage, Representative Cowlshaw, one minute to explain your vote."

Cowlshaw: "Thank you, Mr. Speaker. This concept is faulty, because it treats the symptoms rather than the causes. If we want to treat the causes, we need to promote early

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childhood education. Second, with the large number of teachers who visited us here yesterday, with many of whom I had the opportunity to speak, I could not find a single secondary school teacher who favors this concept. They are the professionals and they know. Finally, this Bill is unfair to students who want to learn. Many of these students will choose to stay in a traditional high school setting, and in a traditional high school setting when you have even one student in a classroom who does not want to be there and is disruptive, that cost is paid by the other students in that classroom who want to learn. I do not think we ought to be that unfair to the children who want to achieve. Therefore, I think this Bill should be defeated."

Speaker Young: "Representative McCracken."

McCracken: "...for a verification, Mr. Speaker."

Speaker Young: "Representative Parke, to explain his vote."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I regretfully must rise against this Bill. Primarily, I have children in the public school system and as they mature and go through, I hope that they have a desire to have a quality education. But as they get older, into the high school levels, I do not want them to be interrupted continually, day after day, causing teachers to have a difficulty to teach those who do not want to be taught, let alone including them on...beyond the age of 16 for those people who do not want to be there. I think the people that want to be there should be; have the right to get a quality education, and if they wish to continue they can go on to the community colleges in their area and go on for a G.E.D., or to take college...or high school equivalent courses until they get their degree. To think that this is the end of the line is ridiculous. If they

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really want, let them have the opportunity to go on if they want, but not to force them to stay in school if they don't want to."

Speaker Young: "Representative Hasara, to explain her vote."

Hasara: "Thank you, Mr. Speaker. I feel by voting 'yes' on this issue we are doing young people a big favor. If you've worked with young people, you realize that most of them at age 17 1/2 or 18 are totally different than they were at 15 1/2, when they're thinking about dropping out of school. So often by the time a student becomes 18, he or she totally regrets having dropped out of school. So, they are different by the time they graduate. Most of them have matured greatly. They're not ready to make this decision at 15 1/2 or 16. Let's do them a favor and help them out during that difficult period."

Speaker Young: "Representative Mulcahey, to explain his vote."

Mulcahey: "Mr. Speaker and Members of the House, we're not doing anybody a favor by passing this particular piece of legislation. What we're going to do in this particular case now, is we're going to give those kids a license to hang around the property for two more years, raising hell, selling their drugs, interrupting the programs and do nothing to try to prevent it, K through 5. We all know that waiting at the earlier grades is probably the basic answer to resolve this problem, but to extend the age from 16 to 18 is doing nothing more than giving the kids two more years they have to stick around and say; 'Hey man, this is great. They can't even kick us off the property, we have to stay here for two more years.' And finally at the end of that year they're gone. Not only that, when they do drop out of school at an early age, there's a learning process involved and oftentimes they return. We're going to delay that learning process for two years.



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'No' vote..."

Speaker Young: "Bring your... Representative Weller, one minute to explain his vote."

Weller: "Thank you, Mr. Chairman (sic - Speaker), Ladies and Gentlemen of the House. I rise in support of this legislation. As you cast your votes think about what type of signal you're sending to the young people. We all, remember back when we were in junior high school, we already knew that we could drop out of school when we were age 16. Many students made their decision at that age and then chose to coast for the next three or four years. We let them know if we send that signal to the young people, that we want them to stay in school until they're 18 or they get their diploma, they're not going to coast and they're actually going to take advantage of that education, because we know if they want to get a job, if they want to raise a family, if they want to have a quality life and own a home, they're going to have to have a high school diploma. I urge an 'aye' vote."

Speaker Young: "Representative Bugielski, one minute to explain his vote."

Bugielski: "Thank you, Mr. Speaker and Members of the House. We look at other countries and we...we look at all these other reports and we say that the education of our students in America is low compared to standards of other countries. All the other countries in the free world, their standards are much higher, they're educated much better, because why, because they are more stricter with their rules. We are too permissive with our rules. We let our students dictate to us and we should be more strict with them. Let them stay in school, force them to be in school, because what's going to happen with these dropouts, all that does is add to the crime and gangs. Most of our dropouts are in gangs

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and they're into crime because they do not have a job, they cannot get a job, and their only way of making some money then is through the crime that is happening during the day. I urge my colleagues to get more 'green' votes up there. I feel this is a very important legislation and within a few more years you'll see the kids will fall into line and they will accept it."

Speaker Young: "Representative Regan, one minute to explain his vote."

Regan: "Thank you, Mr. Speaker and Members of the House. I agree entirely with the Chairman of the Education Committee, Representative Mulcahey. We've been trying to pass law after law to separate the drug sellers from the kids. This definitely will keep the drug sellers right there on the school property. Second thing is, that there's no question in my mind that the Bill would have not even got out of committee, in fact it was killed in committee, except for a very nice fellow that decided that he would like to give a break to the Sponsor and let it get out of committee so it'd be heard on the floor. This is a terrible Bill and I would hope you would change your votes."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 68 voting 'yes', 48 voting 'no'. Representative McCracken. 68 voting 'yes', 48 voting 'no' and none voting 'present'. This Bill having received the required Constitutional Majority, is hereby declared passed. We will now go to the Order of Insurance. The first Bill on that order is Senate Bill 1004, Representative Peterson. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1004 on page 11 of the Calendar, a Bill for An Act to amend the Illinois Insurance Code, has been read a second time previously. Amendment #1 was adopted in committee."

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Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Young: "Any Floor Amendments?"

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

Speaker Young: "Representative Peterson."

Peterson, W.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. First of all, Mr. Speaker, I would move to table Amendment 1."

Speaker Young: "The Gentleman moves to table Amendment 1. On that Motion, is there any discussion? Hearing none, all in favor say 'aye', all opposed say 'nay'. In the opinion of the Chair the 'ayes' have it and Amendment #1 is tabled."

Peterson, W.: "Floor Amendment #2 eliminates the cross-reference which would require that discretionary group health insurance policies meet minimum standards for medicare supplement policies. The elimination of this cross-reference was inadvertently not included in the Amendment 1, and this has been agreed to between the insurance industry and the Department of Insurance. I ask for your support of this Amendment."

Speaker Young: "The Gentleman moves for adoption of Floor Amendment #2 to Senate Bill 1004. On that question, is there any discussion? Hearing none, all those in favor of the Motion say 'aye', those opposed say 'nay'. In the opinion of the Chair the 'ayes' have it and Floor Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young: "Third Reading. Representative Peterson now asks leave of the Body for immediate consideration of Senate Bill 1004 on Third Reading. Does he have leave? Leave is granted by use of the Attendance Roll Call. Representative Peter...No. Read the Bill a third time, Mr. Clerk."

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Clerk O'Brien: "Senate Bill 1004, a Bill for An Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Peterson, W.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 104 (sic - 1004) as amended, deals with the Illinois Life and Health Insurance Guarantee Association Law to strengthen regulation and provide greater safeguards for policyholders. It's a department Bill and I will answer any questions you may have. I know of no opposition."

Speaker Young: "The Gentleman has moved for passage of Senate Bill 1004. On that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1004 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', none voting 'no' and none voting 'present'. This Bill having received the required Constitutional Majority, is hereby declared passed. The next Bill on this order is Senate Bill 97, Representative Lang. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 97, a Bill for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Young: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would ask leave of the body to move this back to Second Reading for an Amendment or two."

Speaker Young: "The Gentleman asks leave to return Senate Bill 9...97 to Second Reading for purposes of an Amendment. Does he have leave? Leave is granted. Second Reading. Read the Bill, Mr. Clerk."

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

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

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 is an Agreed Amendment between the Insurance Department, the insurance industry and the agents and it sets the umbrella provisions and the commercial excess and umbrella liability coverage provisions. What we've done in this is to establish and add to the existing code that any policy written over one or more underlying policies that in the aggregate provide primary or intermediate coverage of at least 5 million dollars. Nothing in this Amendment applies to commercial excess and umbrella liability policies was the provision under the exemption areas and what this Amendment did was basically supposed to be on 1288. The Bill went out of here before that Agreed Amendment got on and we move for its adoption."

Speaker Young: "The Gentleman has moved for the adoption of Floor Amendment #2 to Senate Bill 97 and on that question, the Gentleman from Cook, Representative Pedersen."

Pedersen: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. We have no real objection to this Amendment. The reason the cancellation notice is not that important is because it applies to policies that start where the underlying policies leave off. It's the underlying policies that need the notification because that...that's...those are the ones that start at the first dollar level. So, we have no objection to this and we would encourage a 'yes' vote."

Speaker Young: "Further discussion? The Gentleman has moved for the adoption of Floor Amendment #2 to Senate Bill 97. All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Further Amendments?"

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

Speaker Young: "Representative Bowman."

Bowman: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Several years ago I sponsored something called the Spousal Health Insurance Rights Act, which is now law and has been working for a couple of years pretty successfully. However, recently a problem was brought to my attention in which this Amendment intends to correct. Seems that a particular couple became separated and the...but not divorced and divorce proceedings had not been initiated...but because of the separation and the problems in their marriage, the employed spouse, the man in this case...cancelled his wife's dependent status on their group insurance plan so she was without insurance coverage. Now, she didn't know that she didn't have insurance coverage and when the divorce proceeding went ahead, she discovered that she was unable to get access to the group insurance through the Spousal Health Insurance Rights Act because she had been discontinued or terminated prior to the divorce proceeding being initiated. What this Amendment intends to do is to correct the situation where one spouse, out of spite or disregard for the other, takes that...the dependent spouse off of the group plan without that person knowing it. So the essence of this Amendment is that written notice is required to the spouse being terminated. I move adoption of the Amendment."

Speaker Young: "The Gentleman has moved for the adoption of Floor Amendment #3 to Senate Bill 97. On that Motion, the Gentleman from Cook, Representative Pedersen."

Pedersen: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I oppose this Amendment. For one thing, it's...it causes serious complications that have not been discussed

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by the parties involved. These are the reasons why this is a bad Amendment. It would require the insurance company to attempt and find the spouses of people insured under a group health insurance plan and then to tell them that their spouse no longer wants them to have insurance. The problem is that these group insurance plans are sold to and in many cases administered by employers and labor unions, not insurance companies. The insured doesn't know the names of these people until a claim is filed and only the group policy holder, meaning the employer or the union, really knows who these people are. This notification requirement would be impossible to comply with. More importantly, it should not be the responsibility of the policy holder, again the employer or the union, to provide this notice. But it could and should be the duty of the individual insured person to notify their spouse and group insurance plan that they wish to terminate the spouse's coverage. In other words, in the situation that the Representative talked about, make it his responsibility by law, if that's what you need. Second reason...This Amendment even goes further than just requiring a notification provision. It also says these spouses are guaranteed an extension of their coverage, even though they are no longer a member of the group. Illinois law already does this but in an organized and orderly fashion as set forth in Spousal...Spousal Health Insurance Rights Act, which we enacted several years ago. This Bill will result in a very confusing administrative problem for the policy holders...that's the employer or the union...because unlike a divorce or death, there is no clear cut legal event to signify the change. Under this Bill, people will be jumping in and out of different health insurance plans at will. Third reason... This is not some technical clean up

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Amendment. There are major substantive changes that could cause real chaos. As a matter of record, this issue was never discussed or presented as an Amendment on a Bill in the Insurance Committee and it obviously requires a sustained and serious dialogue on the issue by interested parties which we can't do at this late date in the Session, so I urge a 'no' vote."

Speaker Young: "Further discussion? The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I understand full well where the Sponsor of the Amendment is coming from. But I do have to stand in opposition to the Amendment because, first of all, it's very difficult to mandate legislation because one spouse doesn't have the guts enough to tell the former spouse ... or the estranged spouse...because of whatever differences that they have that they're taking them off a coverage...an insurance coverage program. What that individual should do if...if...the whole process should work correctly is the employer or the employee themselves notifies that spouse and if they're not talking to each other, maybe the employer could submit notification. But to have the insurance company do it, who may not even be aware of where that former spouse or estranged spouse would be residing, I think is asking a little much. My personal preference should be that we don't have anything to do with this at the state level. The husband or wife, whatever the case may be, should be man or woman enough to explain to them that since they're having their problem, they're having them removed from the insurance coverage and not put it on the State of Illinois. I'm in opposition."

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



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Bowman: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Well, this is a...really a matter of simple fairness. We certainly don't want to have a situation where one spouse, just out of spite or disregard for another, calls up the personnel department and says take my spouse off of our group health plan and have that order executed without notice to the spouse who is being affected by this. And this is a very important consideration because in many cases the affected spouse is a full-time homemaker, has no other insurance coverage, and really relies on her husband and his employer to maintain the coverage. So we want to be fair to all parties and in all situations and this is a situation that has occurred and it caused some grief and we do not want that to happen again, so that is why I'm pursuing this Amendment at this time. I urge its adoption."

Speaker Young: "The Gentleman has moved for the adoption of Floor Amendment #3 to Senate Bill 97. All those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? Mr. Clerk, take the record. On this question there are 40 voting 'yes', 67 voting 'no', 4 voting 'present' and the Amendment fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #4 offered by Representative Giorgi, et al."

Speaker Young: "Representative Giorgi. Representative Giorgi on Floor Amendment #4."

Giorgi: "I'd like to withdraw Amendment #4."

Speaker Young: "Withdraw Amendment #4."

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

Giorgi: "Withdraw Amendment #5."

Speaker Young: "Withdraw Amendment #5."

Clerk O'Brien: "Floor Amendment #6 offered by Representative

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Giorgi."

Giorgi: "Amendment #6, what it does is, in an estimate from an insurance company, in failing to identify clearly in a written estimate non-original equipment crash parts when specified in the use of such crash parts in the repair of an insured motor vehicle and specify in the use of a non-original equipment crash part that does not have affixed or inscribed on it the logo or the name of the manufacturer. I urge the adoption of the Amendment."

Speaker Young: "The Gentleman has moved the adoption of Floor Amendment #6 to Senate Bill 97. On that question, the Gentleman from Cook, Representative Pedersen."

Pedersen: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. This is the wholesale parts Amendment which is identical to the Amendment on House Bill 2140 which was defeated in this House by 10 to 90. In other words, 90 to 10 defeat. This is the one where the...the big car manufacturers really want to carve out a little territory for themselves at the expense of those who are not a part of that company. There are all kinds of auto parts companies around that provide absolutely top parts to be used in claims. And I think it's very important that we have a maximum amount of competition. I mean...the big...the big auto manufacturers need some good competition and this certainly provides it. Plus there are an awful lot of little businessmen in your communities, little shops that provide parts that this would be very detrimental to them. We're for the little guy. Let's defeat this Amendment."

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

Hartke: "Thank you very much, Mr. Speaker. I too, stand in opposition. You know, the Automotive Wholesalers of

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Illinois, which keep the country running with the repair parts and so forth, are also opposed to this Bill."

Speaker Young: "The Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Mr. Speaker. Would the Gentleman yield for a question?"

Speaker Young: "He indicates he will yield."

Mays: "Representative Giorgi, I've previously opposed this concept, but this is kind of different, isn't it? Isn't this just disclosure?"

Giorgi: "Yes. This is all it is is crash parts disclosure, is what I should've said it was."

Mays: "This doesn't have anything to do with mandating..."

Giorgi: "No. no."

Mays: "...specific replacement parts. It doesn't have anything to do mandating anything other than just sheet metal, isn't that right?"

Giorgi: "That's right. It has to indicate that."

Mays: "Well, I don't know. I previously opposed this type of Amendment in the past, but this is a pretty narrow definition this time and...applications. I think this is different than what we've had before us in the past and I rise in support of the Amendment."

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

Lang: "Thank You, Mr. Speaker. Ladies and Gentlemen of the House, it would be nice if we didn't vote on this Amendment as a knee jerk response to something we voted on last year. This is not the same Bill, this is not the same Amendment. That Amendment required that original manufacturers parts be used. This Amendment doesn't require that. This Amendment simply says, if you don't use them, tell the consumer, that's all it says. And if you don't think consumers are entitled to know what parts are being put in their automobiles, then I have a serious problem with your

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thought processes. Please vote 'aye' on this Amendment."

Speaker Young: "The Gentleman from McDonough, Representative Edley. Representative Edley."

Edley: "Thank you Mr. Speaker, Ladies and Gentlemen of the General Assembly. I must tell you that I have a conflict of interest on this legislation. I think it's very similar to the House Bill that we defeated a couple of weeks ago. I think it got 15 votes. The problem is that the major manufacturers, as you know, make a very good profit margin on replacement parts. A number of years ago when a Chevrolet was selling for \$7,000, they figured in the...a newspaper article that the replacement parts would've cost around \$25,000. Now Chevrolets are selling for 25,000, and I suppose the math is probably similar. You can figure it out. I'm going to use one example and it has to do with Chevrolet pickup trucks. From 1973 to 1980, they all used the same front fender, and here about six years ago, General Motors was getting over \$300 for that fender. We started buying some from a firm in Michigan. I paid \$135 for them and we sold them for \$175, and in two years time, competition drove the price down on that product to where General Motors price on their fender was a little over \$100. It's legislation that will cost...end up costing the consumer and making millions of dollars for the big car companies."

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

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

Speaker Young: "He will."

Sutker: "Representative Giorgi, are there any standards set forth in the provisions which you've just expressed as to quality, as to durability, as to efficiency or effectiveness of the parts?"

Giorgi: "All this does is says when you're given your estimate,

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the estimate must say if they aren't using original parts..."

Sutker: "Speak slowly, Representative."

Giorgi: "Okay. This estimate has been prepared, based on the use of one or more crash parts supplied by a source other than the manufacturer of your vehicle."

Sutker: "The implication being that, therefor, it is not as good as..."

Giorgi: "...as the original manufactured part."

Sutker: "What...by what judgment did you come to that conclusion? On what basis did you come to that conclusion?"

Giorgi: "By the blue ribbon group that supports this Amendment, I'll name them for you."

Sutker: "No, no. I want to know what you think is the basis for that conclusion. The implication being that other parts are not as good, is that correct?"

Giorgi: "No. The implication is that if you have a Buick or a Chevrolet or a Chrysler and you go to a Buick, Chevrolet or Chrysler store, you expect them to use Buick, Chrysler or Chevrolet parts and they don't, this tells you that they're not using them. This mandates that they tell you that they're not using the genuine Buick parts or the Chrysler parts..."

Sutker: "Well, we know that these major companies buy from other sources. Those sources are not necessarily..."

Giorgi: "Yes, but the consumer doesn't know that. The consumer walks in off the street..."

Sutker: "I understand that you know it. Why are you giving the impression that there's less quality in purchasing from another source other than the manufacturer?"

Giorgi: "Because of the people that requested this Amendment. Now let me read to you who requested this Amendment. The Automotive Source of Service Association, Motor Vehicle

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Manufacturers Association of the United States, General Motors Corporation, Ford Motor Corporation, Chrysler Corporation, State Farm Insurance Companies, New Car and Truck Dealers of Illinois, Allstate Insurance, Illinois Insurance, Alliance of American Insurers, United Auto Workers, Steel Workers, AFSCME and the AFL-CIO. For me, that's gospel."

Sutker: "Alright, let's get back to the standards. Where has there been a determination by any governmental agency that products other than those which you've alluded to are less worthy of being a part of an automobile? As a replacement part?"

Giorgi: "No one's saying they are less quality, it's just..."

Sutker: "Does the Insurance Department of the State of Illinois maintain a process for determining standards for replacement parts?"

Giorgi: "I don't think they've reached that state of mentality yet."

Sutker: "Well, I think they have. I think they do have standards."

Giorgi: "Prove it to me. Prove it to me from...give me an example."

Sutker: "I'm suggesting to you that the Department of Insurance of the State of Illinois has agreed that there is nothing sacrosanct about a part that General Motors purchased from some other dealership or from other manufacturers apart from itself. It has subcontracted all over the country. All over the world."

Giorgi: "Last week I went to a conference down here in Springfield put on by the Senior Institutions of Technological Centers. And they proved to me soybean parts are better than metal parts. I don't know any better. I don't know any better. I'm a consumer."

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Sutker: "Well don't you think that there might be some efficacy in what you're doing if you relate it to standards?"

Giorgi: "I respect the people..."

Sutker: "Not to give the impression that if it...if it's not a part purchased through one of the majors, it's therefore less worthy of being part of a replacement. I don't understand that. I think the standard should be quality. Not source."

Giorgi: "Tell me which one of these blue ribbon committees you disagree with."

Sutker: "I am not disagreeing with any of them, I'm disagreeing with you."

Giorgi: "I worked in the machine..."

Speaker Young: "Bring your remarks to a close."

Sutker: "Well, I'm suggesting...let me suggest...as my good friend, the Dean of the House, let me just suggest that there's something kind of onerous about a legend on a contract..."

Giorgi: "Oh, oh, oh...out of order."

Sutker: "Oh, I withdraw the term 'onerous'...which places a legend on the contract that gives the impression that there's more quality if the source is General Motors or a General Motors source, when you and I know that that is not the case. That the Department of...that the Department of Insurance of the State of Illinois has already indicated that these other providers have a quality standard that's as high or even higher. To give the impression that it has to go back to the original manufacturer for approval seems to me to be misleading the public and I would suggest that if we want to be fair about something like this, we set a standard. We make a determination, fairly and equitably, that these replacement parts may come from other sources because we know that the majors come...provide parts that

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come from other sources. This, it seems to me, a handout to the biggest companies...the giants of this world, and I don't think you have to give a handout to the giants of the automobile industry. I would suggest you take this back to the drawing board and come up with Amendments that are fair to the industry, are fair to the replacement part dealerships and are fair to the consumers."

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

Kubik: "Thank you, Mr. Speaker. The hour of 7 o'clock having arrived, I move the previous question."

Speaker Young: "The Gentleman has moved the previous question. The question is, 'Shall the main 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 main question is put. Representative Giorgi to close."

Giorgi: "Mr. Speaker, in closing, I want to repeat...I think the last speaker was surreptitiously trying to stultify me, but in this case, the endorsement of this Amendment...to me it's the best endorsement of any Amendment I've ever put on this floor of this House. General Motors is for it, Chrysler, State Farm, Allstate, Illinois Insurance, Alliance of American Insurers, AFL-CIO, UAW, Steelworkers and AFSCME. I rest my case."

Speaker Young: "The Gentleman's moved for the adoption of Floor Amendment #6 to Senate Bill 97. All those in favor vote 'aye', those opposed vote 'no'. Voting is open. Representative Hallock to explain his vote."

Hallock: "Well, Mr. Speaker, to explain my vote...you know, we've had a lot of Bills in this Chamber that deal with parts and replacement parts and which parts can be used and where they have to come from. But this Bill, in fact, deals only with disclosure. It says that the consumer has the right to know where that part is coming from. Not so much what



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kind of part it has to be, but who in fact made that part. It doesn't imply that the part's inferior. It doesn't imply that it's superior. It just says that the consumer has the right to know where the part's coming from. That's just basically good common sense. I urge that this Amendment be adopted."

Speaker Young: "Representative Morrow to explain his vote."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also agree that we need the Floor Amendment #6 to Senate Bill 97. This is a basic right to know. If you were going into Walgreen's to buy some medicine, they let you know that you have the choice between a name brand drug or a generic drug. All we're asking is that when you go in to get your car repaired that you have the right to know and that you have the option to choose whether or not you want a part that was made for the car by the same car company or can you buy a part that is not less in quality, but it may be generic. It may be cheaper, it may cost more. It's just a matter of right to know. I urge more green votes on this. Thank you."

Speaker Young: "Representative Van Duyne to explain his vote."

Van Duyne: "Thank you, Mr. Speaker. The last time I had an original replacement part for my '77 Lincoln for the front wheel that was torn off in an accident, it came from a junkyard. And that was paid for by the insurance company and I didn't have any choice in the matter. I would rather have my own choice to go to some other replacement part and I'm voting 'no'."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 54 voting 'yes', 60 voting 'no', 2 voting 'present' and the Amendment fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #7 offered by Representative

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Giorgi."

Speaker Young: "Representative Giorgi."

Giorgi: "Withdraw."

Speaker Young: "Withdraw Amendment #7."

Clerk O'Brien: "Floor Amendment #8 offered by Representative Mautino and Lou Jones."

Speaker Young: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. When I originally filed Amendment #8 I was under the impression that it did something else. Many of the Members have come to me and asked that I not move forward with this Amendment, which addresses in a minor way some rate regulation as it pertains to the insurance industry. Because of what I've seen on this last controversial Amendment #6, I will certainly abide by their wishes and I'd like to withdraw Amendment #8."

Speaker Young: "The Gentleman has moved for the adoption of Floor Amendment #8 to Senate Bill 97. On that question is there any discussion? Hearing none the...Oh, you're withdrawing? Withdraw Amendment #8. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Young: "Third Reading. Representative Lang now moves for immediate consideration of Senate Bill 97. Does he have leave? By use of the Attendance Roll Call, leave is granted. Third Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 97, a Bill for an Act to amend Sections of the Illinois Insurance Code. Third Reading of the Bill."

Speaker Young: "Representative Lang."

Lang: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the only substantive changes in this Bill are Amendments by Representative Mautino. With leave of the Body, I'll defer to him."

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Speaker Young: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. The Amendments we adopted which was the Agreed Amendment on the cancellation provisions and a small technical Amendment is on the Bill and we do move for its passage at this time. It is now an Agreed Bill."

Speaker Young: "Representative McCracken."

McCracken: "We have no objection to the Bill in its current form. I have a question. Does the Senate intend to concur, to your knowledge?"

Mautino: "In my discussions with Senator Berman, I believe so, yes."

McCracken: "Well?"

Mautino: "Yes. I will do all in my power to make sure they do."

McCracken: "Okay. Okay. Thank you."

Speaker Young: "The Gentleman has moved for the passage of Senate Bill 97. All those in favor vote 'aye', 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 117 voting 'yes', none voting 'no' and none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 577, Representative Shaw."

Clerk O'Brien: "Senate Bill 577..."

Speaker Young: "Out of the record. Senate Bill 1301, Representative Phelps. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1301, a Bill for an Act to amend an Act in relation to health care. Third Reading of the Bill."

Speaker Young: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 1301 again addresses the attempt to try to establish division of primary health care. Most of you

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know what we're trying to do with this Bill. There are several...I think there are 60 community health centers sites throughout Illinois providing 1,000,000 patients visits per year. 60 percent of those patients have incomes under the federal level, one third are children, one half are completely uninsured and one fourth are pregnant women. I think that the priorities that we've tried to outline for the lack of health services in medically underserved areas of this state, not only rural, but throughout the state necessitate that we do pass and fund and establish a primary health care system within the Department of Public Health. I appreciate your favorable vote."

Speaker Young: "The Gentleman has moved for passage of Senate Bill 1301. On that question the Gentleman from DuPage, Representative McCracken."

McCracken: "We didn't make a stink this time about calling it again because we put the Sponsor through so much the last time, so I'm happy to consider it on the merits. But I would ask people to remember how this happened the last time. It got 47 'yes' votes and failed. It was put on Postponed Consideration. The Bill could cost up to 69 million dollars from General Revenue funds by creating a new dedicated fund. 69 million dollars. We beat this once, let's beat it now and put it to rest forever."

Speaker Young: "Further discussion? The Gentleman from Saline, Representative Phelps to close."

Phelps: "Thank you, Mr. Speaker. I do not want to labor it any farther. I appreciate the courtesy to vote again on this. I think there were several people missing the morning that it was called. The understanding...if we're serious about trying to help hospitals that are closed or struggling with the disparity and the medicare reimbursement and medicaid reimbursement in the state. If you want the nursing pilot

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program, encourage doctors that are lacking in medically underserved areas, if you want to help ambulance programs...all the basic health care systems that are not intact and accessible to places in this state, then I ask your favorable vote."

Speaker Young: "The Gentleman's moved for passage of Senate Bill 1301. All those in favor vote 'aye', those opposed vote 'no'. Voting is open, this is final passage. Representative Hultgren, one minute to explain his vote."

Hultgren: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Because of a potential conflict on this legislation, I'll be voting 'present'."

Speaker Young: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McCracken...requests a verification. Representative Phelps requests a poll of the absentees. Have all voted who wish? Mr. Clerk, take the record. Poll of the absentees."

Clerk O'Brien: "Poll of those not voting. Currie and Krska. No further."

Speaker Young: "Poll of the affirmative vote."

Clerk O'Brien: "Balanoff, Bowman, Breslin, Brunsvold, Bugielski, Cullerton, Curran, Davis, DeJaegher, DeLeo, Dunn, Edley, Farley, Flinn, Flowers, Giglio, Giorgi,..."

Speaker McPike: "Excuse me. Can Representative Bugielski have leave for verification, Tom? Thanks. The Gentleman in the middle aisle here, Representative Williams? Yes. Proceed, Mr. Clerk."

Clerk O'Brien: "Granberg, Hannig, Hartke, Hasara, Hicks, Homer, Lou Jones, Shirley Jones, Keane, Kulas, Lang, Laurino, LeFlore, Leverenz, Levin, Martinez, Matijevich, Mautino, McGann, McNamara, McPike, Morrow, Mulcahey, Munizzi, Novak, Phelps, Preston, Rice, Richmond, Ronan, Saltsman, Satterthwaite, Shaw, Steczo, Stern, Sutker, Terzich,

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Trotter, Turner, Van Duyne, White, Williams, Wolf, Woolard,  
Anthony Young, Wyvetter Younge and Mr. Speaker."

Speaker McPike: "Representative McCracken, questions of the  
affirmative."

McCracken: "Representative Leverenz."

Speaker McPike: "Mr. Leverenz here? Is he here? No. Remove him  
from the Roll Call."

McCracken: "Representative Mulcahey."

Speaker McPike: "Dick Mulcahey here? Did he leave? Remove him  
from the Roll Call."

McCracken: "Representative Ronan."

Speaker McPike: "Representative Ronan. Representative Ronan  
here? Remove him from the Roll Call."

McCracken: "Representative Farley."

Speaker McPike: "Farley's here. Mr. Farley's here."

McCracken: "Okay. Representative Flinn."

Speaker McPike: "Representative Flinn here? Monroe Flinn? Have  
leave for Larry Hicks...?"

McCracken: "Yes."

Speaker McPike: "Monroe Flinn. Remove him from the Roll Call."

McCracken: "Representative Van Duyne."

Speaker McPike: "Mr. Van Duyne. Leroy Van Duyne? He's not here.  
Remove him from the Roll Call."

McCracken: "Representative Shaw."

Speaker McPike: "Representative Shaw. Representative Shaw?  
Mulcahey...Mr. Mulcahey has returned. Mr. Clerk, add  
Representative Mulcahey back as an affirmative vote."

McCracken: "Representative Shaw, you didn't call him."

McPike: "Representative Shaw. Mr. Shaw? Not here. Remove him  
from the Roll."

McCracken: "Representative Laurino."

McPike: "He was here this morning."

McCracken: "Fair enough."

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Speaker McPike: "Representative Laurino? The Gentleman's not here. Remove him from the Roll."

McCracken: "Representative Trotter."

Speaker McPike: "Representative Trotter. Mr. Trotter here? Remove him from the Roll."

McCracken: "Representative DeLeo."

Speaker McPike: "Mr. DeLeo here? No, he's not here. Remove him from the Roll."

McCracken: "Representative Krska."

Speaker McPike: "Who?"

McCracken: "Krska. Oh, alright. Representative Preston."

Speaker McPike: "Representative Preston. Mr. Preston here? Remove him from the Roll."

McCracken: "Representative Granberg."

Speaker McPike: "Representative Granberg. He's here."

McCracken: "Representative Hasara."

Speaker McPike: "Representative Hasara voted 'aye', and I think I saw her go up the center aisle."

McCracken: "I'm sorry, but she's not here now."

Speaker McPike: "Representative Hasara here? Representative Hasara can be removed from the Roll. Representative Preston has returned. Return him to the Roll, Mr. Clerk."

McCracken: "Representative Giglio."

Speaker McPike: "Representative Giglio. The Gentleman's not here. Remove him from the Roll."

McCracken: "Nothing further."

Speaker McPike: "On this Bill there are 54 'ayes', 48 'nos', 3 voting 'present'. Senate Bill 1301 having failed to receive a Constitutional Majority is hereby declared lost. Under State and Local Government appears Senate Bill 243, Representative Terzich. The Bill's on Third Reading. The Gentleman asks leave to return it to Second for an Amendment. Leave is granted. Mr. Clerk, are there any

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Amendments?"

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

Speaker McPike: "Mr. Kirkland. Is the Gentleman here? Yes. On the Amendment."

Kirkland: "Thank you. This Amendment allows some property to be annexed to the Metropolitan Sanitary District. One is a 26 acre parcel, one's a 46 acre parcel. The local folks are all...you know...approve of it and I appreciate passage of the Amendment."

Speaker McPike: "Is there any opposition to the Gentleman's Amendment? The question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no', the 'ayes' have it and the Amendment's adopted. Further Amendments?"

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

Speaker McPike: "Representative Kirkland. Amendment #3."

Kirkland: "I'm sorry. I blew that one."

Speaker McPike: "Pardon me?"

Kirkland: "Can I table Amendment #2, please?"

Speaker McPike: "The Gentleman moves to table the Amendment that was just adopted. All those in favor say 'aye', opposed 'no'. The 'ayes' have it and Amendment #2 is tabled. Amendment #3."

Kirkland: "Same explanation. I ask for passage of the Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Do you wish to call the Bill? Senate Bill 247. The Lady asks leave to return the Bill to



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Second Reading for purposes of Amendment. Any objection?

Hearing none, leave is granted. Read the Amendment, Mr. Clerk."

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

Speaker McPike: "Representative Richmond."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 to Senate Bill 247 deals with a mistake that was made in the Bill that we had here a few days ago on Consent Calendar dealing with some changes to the Kaskaskia School District consolidation and this Amendment makes the correction as to how to distribute the funds that would be generated as a result of this change and I ask for your approval."

Speaker McPike: "Is there any opposition to this? The question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', opposed 'no', the 'ayes' have it and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Novak here? There he is. On the Order of Transport...Representative Parke, for what reason do your rise?"

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I inadvertently voted 'yes' on Senate...excuse me, voted 'no' on Senate Bill 64. I would like the record to reflect that I would like to vote 'yes' on Senate Bill 64."

Speaker McPike: "Very well. Representative Levin."

Levin: "Yes, Mr. Speaker. I inadvertently was recorded as voting 'yes' on Amendment 6 to Senate Bill 97. I should've been recorded as voting 'no'."

Speaker McPike: "Very well. And on the Order of Transportation on Second Reading is 1174. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1174, a Bill for an Act in relation to trauma centers. Second Reading of the Bill. No

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Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Novak."

Novak: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I move to table Floor Amendment #1."

Speaker McPike: "The Gentleman withdraws Amendment #1. Further Amendments?"

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

Speaker McPike: "Mr. Novak."

Novak: "Thank you Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 to Senate Bill 1174 is...was part of my original Bill in House Bill 2653. What it specifies is that the money that is derived from the surcharge on specified traffic infractions and DUI's and reckless driving charges and convictions goes into the Emergency Medical Services Training and Trauma Center Assistance Fund, a special fund in the State treasury which is hereby created to reimburse trauma centers for unreimbursed trauma care and for the purpose of providing the local fire protection districts training, education and equipment for emergency medical service to compensate...and also to compensate the Department of Public Health for costs associated with the implementation of the grant program established by this paragraph. I ask for its adoption."

Speaker McPike: "And on the Amendment, Representative Countryman."

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

Speaker McPike: "Yes."

Countryman: "Representative, is this the same...this Amendment similar to a Bill you presented earlier in the year?"

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Novak: "Well, it...this paragraph is, Representative, yes. Just this paragraph."

Countryman: "Does it involve a surcharge on traffic offenses?"

Novak: "Yes, it does."

Countryman: "And there were substantial opposition to that, wasn't there, by the Bar Associations and the Circuit Courts and the Supreme Courts and what have you?"

Novak: "Well, the Bar Association was there that testified against the Bill. The Bill failed by one vote. There were a few Members that weren't...weren't attending the Committee meeting that morning."

Countryman: "Well, how much is this surcharge you're adding on?"

Novak: "Well, this...this is a...this surcharge is \$100 surcharge on specified infractions. Such as DUI's, reckless homicides, drag racing, speeding in excess of 80 miles an hour. It's designed to generate about \$18,000,000 dollars of revenue for the State Department of Public Health to grant to trauma centers."

Countryman: "So it really isn't a surcharge, is it? What it is is a fine."

Novak: "Right. I'm sorry, yes."

Countryman: "Alright. So you're adding on a fine that doesn't go to the county, but it goes to Emergency Services, is that right?"

Novak: "It goes to the Department of Public Health to...and they've indicated their support in this Bill."

Countryman: "Is there any other spot where we take a fine imposed locally and send it to a specific agency like this that's been upheld?"

Novak: "Come again? I can't understand your question."

Countryman: "Well, you know we had some marriage fees that went into the Domestic Violence Fund and the courts declared all that unconstitutional and void and...I'm asking you now, do

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you know of any other fine that goes into an agency fund?  
Similar to this?"

Novak: "Right now we...right now there is a \$4 surcharge on every  
\$40 of traffic violations and offenses. That money goes  
into a special fund that's already been created in the  
treasury and that's for drug and drunk driving education  
and substance abuse."

Countryman: "But doesn't that go back on the county level?"

Novak: "No, it does not. That \$4..."

Countryman: "Comes to the state?"

Novak: "...is state. Yes."

Countryman: "Well, Mr. Speaker, to the Amendment. I rise in  
opposition to it. We heard this matter in Committee, we  
voted on it, the Bar Association's against it. I think  
this is a back door way of trying to put it on at a late  
hour of the day and I'd urge a 'no' vote and request a Roll  
Call."

Speaker McPike: "Representative McNamara."

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

Novak: "Yes."

McNamara: "Representative Novak, is this the measure where the  
\$100 goes to support the trauma centers because so many  
trauma centers right now are closing because they don't  
have sufficient funding?"

Novak: "Well, it can be...I suppose...implicitly, I would have to  
agree with you on that. Right. The emphasis on this  
legislation is not only to help hospitals pay for  
unreimbursed trauma care, but it's also the rural downstate  
local fire protection districts that are really suffering  
because they have no money to train their personnel as  
EMT's, EMTI's, paramedics and other medical personnel.  
First responders that have to respond to situations."

McNamara: "Is it also that this just goes on to DUI type cases

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after the offense has been adjudicated in court?"

Novak: "Yes."

McNamara: "Okay. Now, with that in mind, is it true that 55 percent or greater of the trauma cases are from DUI's?"

Novak: "DUI's, reckless homicide, drag racing, all these."

McNamara: "And hospitals have reported that 85 percent of those cases that are held in to trauma centers that are unpaid are because of that DUI offense, is that correct?"

Novak: "Yes, that's correct."

McNamara: "And it only applies once a person is convicted?"

Novak: "That's correct."

McNamara: "Mr. Speaker, to the Amendment. I think this makes a tremendous amount of sense. Where we are asking the people who are causing the burden on our society, the burden on our hospitals and causing many of our trauma centers to close because of the unpaid liabilities caused by them, that they are the ones, after the conviction, that they will be able to pay for some of the cost of the trauma center. I think it makes a tremendous amount of sense because it puts the burden of payment on the people that are the largest causes of the trauma centers. I urge support for this fine Amendment."

Speaker McPike: "Representative Black, do you stand in opposition to this?"

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

Speaker McPike: "Okay, proceed."

Black: "Thank you very much. Representative, a while ago you said the traffic fines surcharge money reverts to the state. I want to make sure that we don't have a misunderstanding here. Does not, in fact, some of that...if not all of the traffic surcharge money stays with the county?"

Novak: "Well, the fine...they get part of the fine, yes."

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Black: "No, I think we get part of the surcharge money, too, because there's a fund that's created. That's how the county of...one of the counties I represent pays court bailiffs is out of that surcharge fund, I believe. Or a court offense fund, or something of that nature, I don't know what it is."

Novak: "Okay. Representative, you're referring to the existing surcharge that's on traffic violations right now. Right?"

Black: "Alright. So that's not altered by your Amendment?"

Novak: "No. No, it's not."

Black: "Alright. Thank you."

Speaker McPike: "This is the last Bill. So with leave of those people that have their lights on, I'm going to have Mr. Novak close."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think this is an important step forward towards addressing serious problems in the state. We've all been reading about hospitals in the City of Chicago, downstate. We've all had legislative concerns dealing with rural health care and one of our major aspects about helping hospitals is that trauma centers that are so important, those first responders, those individuals, firemen...especially firemen in rural downstate fire protection districts that lack so much funds, their tax levies are so low...this is designed to put the onus, to put the burden on those individuals that are the major perpetrators and causes of why trauma centers have to be in existence. Serious traffic accidents, DUI's, reckless homicides, drag racing, speeding in excess of 80 miles an hour...there's a direct causal relationship between those infractions and trauma center care that is being treated by hospitals. So I ask you for your support on this Amendment."

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Speaker McPike: "The question is, 'Shall Amendment #2 be adopted?'. All in favor vote 'aye', opposed vote 'no'. Representative Terzich to explain his vote."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. It's my understanding that this, of course, particular surcharge that the Supreme Court has made statements that ...are no longer to be able to be putting on surcharges on these type of offenses. At the same time, I believe that it would take money away from the Law Enforcement Training Board and...Novak deserves a 'no' vote on this Amendment."

Speaker McPike: "Alright. Have all voted? Have all voted who wish? The Clerk will take the record. On this Amendment there are 20...On this Amendment there are 24 'ayes' and 82 'nos' and the Amendment fails. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Agreed Resolutions."

Clerk O'Brien: "House Resolution 701 by Representative Davis. 734, Phelps. 735, Petka. 738, Curran. and 739, Tate."

Speaker McPike: "Representative Matijevich."

Matijevich: "Speaker, I happily move the adoption of the Agreed Resolutions."

Speaker McPike: "The question is, 'Shall the Resolutions be adopted?'. All in favor say 'aye', opposed 'no'. The 'ayes' have it, Agreed Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 736 offered by Representative Regan with respect to the memory of Josephine Panici. House Resolution 737 offered by Representative Morrow and Anthony Young with respect to the memory of Marc Stanley Welborn."

Speaker McPike: "Representative Matijevich moves the adoption of the Death Resolutions. All in favor say 'aye', opposed 'no'. The 'ayes' have it, the Resolution's adopted."

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Allowing the clunk...the Clerk perfunctory time...for Committee reports and messages from the Senate, Representative Giorgi moves that the House stands adjourned until tomorrow morning at the hour of 9:30 a.m. All in favor say 'aye', opposed 'no'. The 'ayes' have it and the House stands adjourned."

Clerk O'Brien: "Representative Terzich, Chairman of the Committee on Executive to which the following Resolution was referred, action taken June 22, 1989, reported the same back with the following recommendation: Be adopted, House Resolution 542. A message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House of Representatives in the passage of the following Bills together with Amendments, to wit: House Bills #2191, 2194, 2195, 2217, 2266, 2274, 2304, 2351, 2363, 2365, 2369, 2373, 2379, 2405, 2409, 2428, 2447, 2448, 2449, 2450, 2589, 2590, 2594, 2615, 2613, 2634, 2657, 2664, 2678, 2680, 2687, 2693, 2702, 2705, 2712, 2713, 2718 and 2729. Passed the Senate as amended June 22, 1989. Linda Hawker, Secretary.' There being no further business, the House now stands adjourned."



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