

STATE OF ILLINOIS
85th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

49th Legislative Day

May 19, 1987

Speaker Breslin: "Ladies and Gentlemen, the hour of 9:00 having arrived, this House will come to order. The Chaplain for today will be the Reverend Robert Green, Pastor of South Side Christian Church of Springfield. Reverend Green is a guest of Representative Karen Hasara."

Reverend Green: "Our Father, as we begin this new day, we pause to recognize You and to thank You for Your love and concern for each of us and for the fact that You've had your hand on this great land of ours. We pray today that You will be with the families of those boys that were lost on the Stark. Bless them, keep them, strengthen them. Be with these Legislators today, as they have a heavy workload. Give them wisdom, courage, understanding, and God, may we always look to You for divine guidance. Bless us and keep us this day, in Christ's name we pray. Amen."

Speaker Breslin: "We'll be led in the Pledge by Representative Wvvetter Younge."

Younge - 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 Breslin: "Roll Call for Attendance. Representative Matijevich, are there any excused absences on the Democratic side?"

Matijevich: "Madam Speaker, none on this side of the aisle. We in the House want to welcome back Harry Carey to the Chicago Cubs today. It's Harry Carey day. Holy cow."

Speaker Breslin: "Representative Piel, do you have any excused absences?"

Piel: "Yes, would the record show that Representative Tuerk is excused today for medical reasons?"

Speaker Breslin: "The record will so show. Representative Olson,

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for what reason do you seek recognition? Representative Olson."

Olson, M.: "Thank you. Good morning, Madam Speaker. My reason for asking for attention is, I'm looking at our Calendar today on page 3. Under Government Initiatives, we have listed an Election Bill, 1691. Under Election Law, we have an Election Bill, 2440. By agreement a week ago Friday, they were paired and were to be heard at one time. Now it would appear that your Leadership has decided to split them up, and I would seek an explanation and recourse so that those Bills will be heard together."

Speaker Breslin: "I will certainly find out what's happened, Representative. Representative Olson, we have gotten an answer to your inquiry. Supposedly, that Bill had been requested by your side of the aisle to be placed on this Special Order of Call. It had already been placed on a Special Order of Call, a different Special Order of Call, but in response to a request for this particular Bill as well as approximately 20 other Bills, it was placed on this Order of Call. If you wish to have it placed on a different Order of Call, please talk to your Leadership, and that can be done tomorrow."

Olson, M.: "Thank you. May I respond?"

Speaker Breslin: "Sure."

Olson, M.: "We're not fussy where it shows up. We're just interested and insist that this package be heard. House Bill 1691 has 36 Amendments which reflect Republican Amendments which have not been heard in the House Elections Committee for two years, and we're not fussy where it shows up, Madam Speaker. Just... we want to make sure that it's heard, and if we can have your assurance, we'll be comfortable with that."

Speaker Breslin: "I understand that. However, a special request

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had been made for a special placement in the past, but that can be arranged. Representative McCracken, for what reason do you rise?"

McCracken: "Point of information, Madam Speaker. I was just on the phone with our Chief of Staff who says that she did not request that Bill to be placed in that Special Order of Call, and that we want it returned to the Election Law where it will be called. We don't... we made an agreement to take two Bills and move them, as you recall, last week, 2440 and 1691, one a Democrat election Bill and one a Republican election Bill. You put them on the same order, which I think is good evidence that both of them would be called. Now, you've split them and you've buried 1691 in Government Initiatives, yet you leave 2440 as the only Bill under Election Law. We did not request that 1691 be moved to some other Order of Business. All we did was want an assurance that it would be called. Now, it's buried in Government Initiatives."

Speaker Breslin: "Representative McCracken. Representative McCracken, that point has already been made by Representative Myron Olson. He has already been assured that it will be put on an Order of Call where it can be called together, and that was the initial agreement, and we thought... initially going to be done as well. Have all recorded themselves on the... on the Attendance Roll Call? I note that there are still some people to be recorded. Representative Hallock, for what reason do you rise?"

Hallock: "Hell, Madam Speaker, to the same point as the previous two speakers."

Speaker Breslin: "Representative Hallock... Representative Hallock."

Hallock: "You know, from the Minority's point of view, it's very hard to have Bills called, and it's... "

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Speaker Breslin: "Representative Hallock, I understand the concern. We have already reached an agreement that... so that you can see it on the Calendar today, there will be a Special Supplemental for it today. I already told Representative Olson that that would be done, and it will be done today. I understand that... I have a feeling some of this was done by staff, so it will be arranged. Mr. Clerk, take the Attendance Roll Call. On this question, there are 116 answering the Attendance Roll Call and a quorum is present. Agreed Resolutions."

Clerk O'Brien: "House Resolution 390, offered by Representative Giglio; 391, Steczo; 392, Matijevich; 394, Terzich; 395, DeJaegher; 396, DeJaegher; 397, DeJaegher; 398, DeJaegher; 410, Speaker Madigan; 411, Hyvetter Younge; 412, Black; 413, DeJaegher; 414, Braun; 415, Panayotovich; 416, Terzich; 417, Daniels; and 419, McPike."

Speaker Breslin: "Representative Matijevich, on the Agreed Resolutions."

Matijevich: "Madam Speaker, we have examined the Resolutions. They are all of the congratulatory type, and I move the adoption of the Agreed Resolutions."

Speaker Breslin: "The Gentleman has moved the adoption of the Agreed Resolutions. All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Joint Resolution 76, offered by Representative Mautino."

Speaker Breslin: "Committee on Assignments. Death Resolutions."

Clerk O'Brien: "House Joint Resolution 77, offered by Representative Hultgren, with respect to the memory of Wilbur Danner. House Resolution 401, offered by Representative Matijevich, with respect to the memory of

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Oscar Lend. House Resolution 420, offered by Representative Morrow, with respect to the memory of Charles Robert Collins."

Speaker Breslin: "Representative Matijevich moves for the adoption of the Death Resolutions. All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Death Resolutions are adopted. Ladies and Gentlemen, the Clerk's Office advises us that all Bills on the Consent Calendar passed yesterday. I therefore announce that these Bills on the Consent Calendar read yesterday on Third Reading, having received the Constitutional Majority, are hereby declared passed. If you are interested in the Roll Calls on those individual Bills, you may obtain a copy of the individual one from the Clerk or from your individual Leadership on either side of the aisle, if you wish to check the Roll Call. They all passed, and I just declared them passed. Ladies and Gentlemen, we are going to go to the Special Order of Business, House Bills Second Reading, Government Administration on page 4 of your Calendar. The First Bill is House Bill 80, Representative Cullerton. Out of the record. House Bill 308, Representative McPike. Out of the record. House Bill 815, Representative Greiman - Currie. Out of the record. House Bill 989, Representative McPike. House Bill 1531, Representative Farley. Out of the record. House Bill 1684, Representative McPike. Out of the record. House Bill 2093, Representative Hennlund. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2093, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions or Amendments?"

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

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Representative Wennlund."

Speaker Breslin: "Representative Wennlund."

Wennlund: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I ask leave... first, I move to table Amendment #1."

Speaker Breslin: "The Gentleman moves to table Amendment #1 to House Bill 2093. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be tabled?' 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 tabled. Are there any further Amendments?"

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

Speaker Breslin: "Representative Wennlund."

Wennlund: "Withdraw Floor Amendment #2, Madam Speaker."

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

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

Speaker Breslin: "Representative Wennlund."

Wennlund: "Madam Speaker, Ladies and Gentlemen of the House, I move for the adoption of Floor Amendment #3, which was a technical change capitalizing the word 'It'."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to House Bill 2093. And on that question, there has been a question raised as to whether or not this Amendment has been printed and distributed. Has the Amendment been printed and distributed? It has not, Representative Wennlund. I would suggest that you withdraw the Amendment, move the Bill to Third, and then you can bring it back when it's time to put on your... your other Amendment."

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Wennlund: "Thank you, Madam Speaker."

Speaker Breslin: "The problem with that scenario, however, Representative, is that you would have to refile the Amendment, since it hasn't been printed and distributed anyway. It only means that you have to make 10 copies and bring it to the well. What is your pleasure?"

Wennlund: "Madam Speaker, it was filed yesterday morning at 9:00... or at 2:00 in the afternoon, I believe."

Speaker Breslin: "It has not been printed and distributed, however. Do you wish to move it to Third?"

Wennlund: "If I could take it out of the record, Madam Speaker."

Speaker Breslin: "Okay, fine. Out of the record."

Wennlund: "If we can move it to Third. It's the Department of Corrections' administration Bill."

Speaker Breslin: "Okay. The Gentleman withdraws Amendment #3. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Now, Representative Wennlund, what you'll have to do is make more copies of your Amendment, refile it, and hopefully, it will get printed quickly."

Wennlund: "Thank you, Madam Speaker."

Speaker Breslin: "House Bill 2221, Representative Harris. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2221, a Bill for an Act to amend the Illinois Grant Funds Recovery Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. House Bill 2364, Representative Doederlein. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2364, a Bill for an Act to amend an Act requiring immunization screening in post-secondary

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educational institutions. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Doederlein."

Doederlein: "Thank you, Madam Chairman, Members, Ladies and Gentlemen of the House. Amendment #1 to House Bill 2364 takes out Section 8, which is the enforcement of the law. I move that this Amendment be accepted."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #1 to House Bill 2364. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House bill 2436, Representative Johnson. Representative Johnson. Out of the record. House Bill 2458, Representative Frederick. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2458, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Representative Frederick."

Frederick: "I would like to... I move to table Amendment #1."

Speaker Breslin: "The Lady moves to table Amendment #1 to House Bill 2480... 2458. And on that question, is there any discussion? Hearing none, the question is, 'Shall

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Amendment #1 be tabled? 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 tabled. Are there any further Amendments?"

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

Speaker Breslin: "Representative Frederick."

Frederick: "Madam Speaker, Amendment #2 simply changes the language of the Bill, which changes it from suicide reduction to a curriculum for reduction of self-destructive behavior. This was more favorable to people who have been working on this Bill, and I move adoption of the Amendment."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #2 to House Bill 2458. And on that question, the Gentleman from Cook, Representative O'Connell."

O'Connell: "A question of the Sponsor. I'm sorry, Representative. Can you explain what that Amendment does and what does it do to your original Bill?"

Frederick: "Yes. Alright. Actually, the original Bill included a phrase of including in the curriculum of public school, and this is permissive, of course, a suicide reduction course, which to those of us on the Council on Children and the Select Committee on Children seem to be inappropriate language. We tried to find a phrase that described exactly what we wanted to do. We wanted to build self-esteem in students, and so this is why we've come up with self-destruction reduction curriculum."

O'Connell: "Well, the reason I asked is because I've got a Bill that provides for institute day for teachers."

Frederick: "Yes, I know that."

O'Connell: "And one of the very sensitive issues on that whole subject of teen suicide..."

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Frederick: "Right."

O'Connell: "... Is the in-classroom discussions that the students have, and there's a major concern on the part of a number of people familiar with this topic that the discussion, in and of itself, in some ways tends to enhance the incidences of teen suicide. And while that is subject to debate, I wonder if we are in a position at this stage of the evaluation of this whole question, as to whether or not we want to plow ahead and encourage this very sensitive in-classroom discussion of a very sensitive and obviously dramatic issue."

Frederick: "I agree with you. It is a very sensitive issue, and I think your Bill is fine from the standpoint of teacher institutes, but we did not want to use the word 'suicide' in our Bill when it comes to dealing with classroom instruction. The idea would be to include all kinds of self-destructive behavior - alcoholism, drug abuse, et cetera. The idea trying to improve the student's own image of him or herself, and that's why we've used the language 'self destructive reduction curriculum'. It will not, you know, exactly deal with suicides, but it will enter that whole area of very sensitive... it's a very sensitive area, I agree, and I do think we can proceed with this kind of language at this time."

O'Connell: "Well, I'm somewhat concerned about the Amendment and a euphemism of self-destruct while we're trying to get at teen suicide is still teen suicide, and it's the discussion, not the description of the discussion which, I think, raises some serious questions about the Amendment."

Frederick: "I understand that, Representative, but I can tell you the State Board of Education supports this, the Council on Children supports this, and it passed out of the Select Committee on Children overwhelmingly, so there are people

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who think this is the way to go... "

Speaker Breslin: "The Gentleman from DuPage... "

Frederick: "I respect your opposition, but... "

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

Hoffman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. From my own experience of dealing with this issue in the classroom, I think this Amendment is appropriate because I think if we deal with the general area of destructive behavior, we have a better chance of putting it in perspective with everything else. I think the comments made by the Sponsor in terms of how it would tie in and one of the concerns that was brought up by the Gentleman from across the aisle in reference to the discussion of the issue in itself, highlighting the issue, is an excellent point. At the school where I taught, we had a young man commit suicide three months ago, and what we went through dealing with that, I don't want to go through it again, and I think the approach being used by the Sponsor of the Amendment is appropriate."

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

Preston: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. While I agree and share some of the concerns... agree with and share some of the concerns of Representative O'Connell, I want to commend Representative Frederick for being so helpful, alert and willing to compromise on the language here. It is a very difficult issue. It's very difficult to find exactly what words to use so that you don't put an idea into the head of a child who might not have had that idea before, and yet address a problem that is a very real one, a very tragic one. It exists out there. In one school alone, there were four teen suicides.

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For us not to encourage programs to find out what the problem is, if we can find it out, and to address solving that problem if, indeed, we can solve the problem, that's what we're here for, and I think Representative Frederick is certainly trying to do that, and neither she nor I nor anyone here has all the answers. It's not because we haven't consulted experts. We have. We have, just the other day, consulted experts right here in Springfield. A woman in the Attorney General's Office who is the... was the mother of a child who did tragically commit suicide, some psychologist who is down here. We're groping for answers, we're groping for information. I think this Amendment makes the Bill a better Bill, and they both lead in the direction of trying to find solutions to a tragic and difficult problem, and I'm going to vote 'aye' on the Amendment."

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

Pullen: "Well, I agree that the Amendment makes the Bill a better Bill in that it makes it a little bit less bad, but I do think that while we are groping for answers, we shouldn't be prematurely foisting those answers on the school children of Illinois, and I agree with the Gentleman from Cook who spoke previously concerning the problems of this entering the curriculum at all, and I congratulate that Gentleman for the work that he has done in recognizing the need to pull back from an all out assault on this issue which ends up assaulting our children. I support the Amendment, but I think that we should be very leery of this Bill, when it comes to Third Reading."

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

Barnes: "Madam Speaker... Thank you, Madam Speaker, Ladies and Gentlemen of the House. I was replacing another Legislator

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on the Committee on Children the day that this Bill was heard. I think that you should know that this Bill just hasn't come out of the air. The Intergovernmental Cooperation Commission, plus the Committee on Children, which Virginia Frederick is a Member of, we've had three meetings on teen suicide. We had one at McCormick Place, and we had 700 people in attendance. These are experts from all walks of life. We had a meeting in Springfield. We had over 600 in attendance. We had the final one to discuss policy. We had over 400 attend. We are going to have a task force, hopefully, on teen suicide. We have given much thought to this particular Bill, and to this particular subject. We know that it's a serious subject that must be addressed, and we are treading very easily. This is just one Bill that will address the situation, and I would ask for an 'aye' vote."

Speaker Breslin: "The question is, 'Shall Amendment #2 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 105 voting 'aye', 2 voting 'no', and 2 voting 'present', and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. With leave of the Body, we'll go back to Representative Farley's Bill that was taken out of the record earlier, House Bill 1531. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1531, a Bill for an Act in relation to defaults from residential real estate purchase contracts. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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Speaker Breslin: "Third Reading. Ladies and Gentlemen, we are going now to page 8 on your Calendar on the Order of Second Reading. Representative McCracken, for what reason do you rise?"

McCracken: "An inquiry, Speaker. Why can't we finish this Order of Business? There are only three Bills left on it."

Speaker Breslin: "The Chair has made a determination not to do so, Representative McCracken. We're going to the Order of... "

McCracken: "Well, Madam Speaker, let me ask you, what is the basis of your determination? Why can't we finish this Order of Business? Why do we have to keep hopping around on the Calendar?"

Speaker Breslin: "Representative McCracken, we are... "

McCracken: "There is one Bill of a Member of yours. There are two Bills of our Leader, who wants his Bill read a second time today, who needs it to be read a second time today. Why are you skipping all over the Calendar? What is the point? Are you trying to avoid these Bills?"

Speaker Breslin: "Representative McCracken, there are several..."

McCracken: "I ask you to reconsider your decision, Speaker, and read these Bills and finish this Order of Business."

Speaker Breslin: "On the Order of Environment and Economic Development, House Bills Second Reading appears House Bill 1217, page 8. Representative... Representative Mallock, for what reason do you rise?"

Hallock: "Well, Madam Speaker, the point was well made by the previous speaker. I think as a courtesy to our Leader, you could at least call his Bills for a second time. You know, we can move on. That would probably take about two minutes time to go on from there, but we have a right to have these Bills called. It's very important they be called in this order. We're on that Order of Business. It makes no

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sense, logically or otherwise, to skip around further."

Speaker Breslin: "Representative Hallock, the Members in question will be contacting the Speaker, I am sure, on that matter, and I am sure that that can be worked out. In the meantime, we would like to move to Bills where agreements have not been worked out. Representative Ewing, for what reason do you rise? Representative... The Gentleman from Livingston, Representative Ewing."

Ewing: "Madam Speaker, we have had enough time right now to do it. Now, you know that we can keep you here and make this thing slow down. The... The Minority Leader has asked to have those Bills called. We have relayed that to you. You are in the Chair. There is no need for Representative Danielsto have to call Speaker Madigan to have his Bills called. He's a Member of this Body. Let's don't delay it. Let's move it along. Please reconsider that decision."

Speaker Breslin: "The Gentleman from DuPage, Representative Hoffman, for what reason do you rise?"

Hoffman: "Madam Speaker, I rise on the same point. Now normally, as we move along here, I very seldom say anything, but this is an obvious effort on somebody's part to avoid these two Bills. These are important Bills. We are prepared to call them. The Cosponsors are ready to go and to deal with these Bills, and I think it's appropriate that we move through this, get these called, get this on, get us on with the Order of the Business of the House. This delaying tactic on somebody's part on your side of the aisle is wrong, it's unfair, you're stepping on Members' rights. It isn't worth the trouble that it's going to cause you to do this. Now, I don't hold you personally responsible for this. I understand that, but in your position as the Speaker of the House at the present time, you have an obligation to treat us all fairly, and I'm sure you want to

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do that."

Speaker Breslin: "Representative Hoffman, you are quite right. We are trying to treat all Members fairly. This Bill, your Minority Leader's Bill, has been requested on the Must Call List and it will be called, and it will be called in a timely fashion. It will not be called at this very minute, and the Minority Leader appreciates that and understands that. So, you have my commitment that these Bills or this Bill, whichever one - I don't even know which one it is you're seeking - will be called, and it will be called in a timely fashion, and you will have a hearing on that. With that commitment, with that commitment, I would like now to go to the Order of Environment... Representative Hallock, for what reason do you rise?"

Hallock: "Well, Madam Speaker, that's the second time this morning that a Republican Bill has had to be called on a commitment for a later date. You know, we have our... we should be entitled, as Members of this House, to have our Bills called in a proper order. This is the second time this morning that you have said, at a later date, the Bill will be called pursuant to some agreement. I think we have a right to have our Bills called in some kind of order. You know, once a Bill is on the Calendar, all of our Members should be able to assume logically that at some point in time, that Bill will be called this Session. You know, you have shifted from Orders to Special Orders and different Special Orders. There's no logic to the system here. We should move along with this order and call these Bills now."

Speaker Breslin: "Representative Hallock, you have my commitment that the Bill will be called in a timely fashion. You will understand, of course, that while you talk about the Members' rights, you understand that the Chair also has

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rights, and the Chair has the right to move from one Order of Business to another Order of Business, and that has never been changed under our rules. We're trying to operate in an orderly and efficient manner as possible. You have my commitment that this Bill will be called and will be called in a timely fashage (sic - fashion) and able to be moved. Now, I would hope that that kind of a commitment on the Chair... by the Chair would have some respect by your Members. Representative Hallock."

Hallock: "Madam Speaker, no one questions your word, but I think we question the processes, and no Member, whether it's our Leader, whom we all respect, or any other Member on this side of the aisle should have to have that kind of a run-around. We shouldn't have to have your word at this point in time to call a Bill later on today, when you are on that Order of Business when the Bill is next in line to be called. Now, your word is your bond and we respect your word and I know you'll get back to this Bill, but the point is, we're on this order right now, we should do it now and move on and it's done."

Speaker Breslin: "Representative Hallock, the Bill is not next in line to be done. Do all of the..."

Hallock: "We have three Bills, and two of the Bills are our Bills. They're both next in line. We could do it very quickly and be done with it. As a matter of fact, if we had not had this debate here, we could have been done by now. You could have had those Bills called and been on your next Order of Business."

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

Ewing: "Madam Speaker, you and I have served in this body for a long time, and I do respect your word. You are not always in the Chair, and you say your word. Are you saying that

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what you are saying, that the Speaker's word is that these will be timely called? Speaker Madigan?"

Speaker Breslin: "The Speaker's word is that the Bill will be called and will be called in a timely fashion, yes, Sir, so whoever is in the Chair will be notified that that Bill is to be called. I hope that would satisfy your Membership. Representative McCracken, for what reason do you seek further recognition?"

McCracken: "Representative Daniels called to let us know that he did not appreciate the offer made by the Chair that these will be called at a later date. These Bills, at one time, were on Third Reading and on no Special Order, and that Must Call request apparently resulted in their being placed on this Special Order of Business. Now, why not just finish this Special Order of Business and move on from there? We're not asking for a promise from you that they be called at a later time. We're asking you to run through the Calendar without discriminating against our Members. This is just one example of it, where our Leader's Bills are involved, but it's happening to all of us. He does not want to make an agreement with you. He does not request that you make that commitment. All he wants you to do is call the Bills as they appear on the Calendar, so let's call these Bills as they appear on the Calendar. That is the way, in order to conduct an efficient and fair conduct of business, so let's call them right now."

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

Cowlshaw: "Thank you, Madam Speaker. My objection really has nothing to do with the political affiliation of any Member of this chamber, but rather with trying to do the job that is before us in a fashion that is responsible. Madam Chairman... Madam Speaker, I am a Cosponsor with

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Representative Daniels of House Bill 2346, which is not the next Bill on this Order, but the one thereafter. That Bill has to do with the aging out population, that is, the developmentally disabled who reach the age of 22 and find that suddenly, society's obligation to be of help to them disappears. We have worked long and hard on this legislation, and we believe that it will help to solve a very, very serious problem. Now, Madam Speaker, in anticipation of that Bill being called and because there is an Amendment that has been offered to that Bill, for about the last 20 minutes, I have been sitting here studying the Bill and studying the Amendment and discussing all of this with our staff person so that I would be very adequately prepared to answer any questions and to present this Bill in an intelligent fashion. After all of that preparation, which I am not alone in doing - most of my colleagues here do the same thing when they anticipate that a Bill is about to be called - and then you don't call it, and consequently, the staff person goes away, and some of the orderly thinking that you have just put into place may not be as orderly later, when you don't have any preparation and the Bill is just suddenly called out of nowhere. It is a disservice to doing the business of this House in an intelligent fashion, to jump around like that. It is a disservice to me, and I object."

Speaker Breslin: "The Gentleman from Macon, Representative Tate."

Tate: "Thank you, Madam Speaker. I think the entire chamber should be commended for the work we've accomplished in the last two weeks. However, if you will note, we have been on the subject of just calling a Bill for the last 25 minutes, because of this ruling. Now, if it takes getting the real Speaker out here, if you want us to kiss his ring, if you want us to bow down on our knees and kiss his shoes, I

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mean, just tell us. Maybe we should rename him... Speaker Madigan... do you want us to call him 'King'? Should we reword the... Now, get 'King' Madigan out here and have us... tell us when we're going to get our Bills called. We work 11 hours a day. We introduce legislation. We sponsor people. He represent people, Madam Speaker, just like you do. All we want to do is have an opportunity to have our Bills heard. We want a fair opportunity. Madam... Madam Speaker, we'll get back to this legislation in a timely fashion. Is a timely fashion two days from now, three days from now, three hours from now? Is it after we have 25 other Bills heard? What's the agenda, Madam Speaker? All we want is a fair opportunity for each and every Member in this Chamber. Each and every Member has a right to have their Bills heard. Madam Speaker, is the real issue over there that Representative Shaw has an issue dealing with HMO's? Representative Shaw wants his Bill heard just like we want our Bills heard. You're not just ripping off Republicans, you're ripping off Democrats in this process."

Speaker Breslin: "Ladies and Gentlemen, during this time, we believe we have reached a compromise. We're going to... where cooler heads prevail. We'll go back to this Order of Business and some Bills will remain on the Order of Second Reading pursuant to the Sponsor's request. So, going back, Mr. Clerk, to the Order of Special Order of Business, House Bills Second Reading - Government Administration there appears House Bill 2768. Representative Shaw. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2768, a Bill for an Act to amend the Health Maintenance Organization Act. Second Reading of the Bill."

Speaker Breslin: "The Gentleman wants his Bill out of the record."

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House Bill 2846, Representative Daniels. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2846, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Cowlshaw will present the Amendment. Is that right, Representative Cowlshaw?"

Cowlshaw: "Thank you, Madam Speaker."

Speaker Breslin: "Excuse me. Representative Daniels is the lone Sponsor of this Amendment. Does the Lady have leave to present the Amendment for Representative Daniels? Representative McCracken. Representative McCracken, for what reason do you rise?"

McCracken: "Representative Daniels is on his way out to present the Amendment."

Speaker Breslin: "Representative Daniels, have you been preparing for the last 20 minutes to present this Amendment, like Representative Cowlshaw?"

Daniels: "I made my call to the Speaker, and I understand. I heard all of the conversation in my office. Thank you very much, all of you strong fighters, gladiators, and thank you, Mr. Speaker, for agreeing to call my Bill. This is the fifth Bill in the area of the developmentally disabled aging out. Last week, you passed four Bills, and this is the fifth Bill. This Amendment provides that the pilot projects be administered by the Governor's Planning Council on Developmentally Disabled in coordination with the Department of Mental Health and the State Board of Education. It specifies that services recommended in it are not subject to due process and defines developmentally

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disabled and exceptional characteristics, and it makes other various technical changes. I know... I think this has been cleared by the Department, and I seek your favorable support of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 2846. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2862, Representative Daniels. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2862, a Bill for an Act to amend an Act in relation to various aspects of the welfare system in Illinois. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Amendment #3. Representative Cullerton, for what reason do you seek recognition?"

Cullerton: "Yes, an inquiry of the Chair. Has this been printed and distributed?"

Speaker Breslin: "Yes, the Amendment has been printed and distributed. Representative Cullerton?"

Cullerton: "I just wanted to ask the Clerk if we could have a copy. We haven't had a copy delivered to our desks."

Speaker Breslin: "Please deliver a copy to Representative Cullerton's desk. Representative Daniels on Amendment #3."

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Daniels: "The purpose of Amendment #3 is, it clarifies that the Department may require parents, or other caretaker relatives receiving assistance, to register for employment when their youngest child reaches the age of three. It's permissive and not mandatory."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to House Bill 2862. And on that question, is there any discussion? Hearing none, the Lady from St. Clair, Representative Younge, on the Amendment."

Younge: "Yes, will the Gentleman yield? Will the Gentleman yield?"

Speaker Breslin: "The Gentleman will yield for questions."

Younge: "Representative, what is the federal requirement at this time?"

Daniels: "I'm sorry. I didn't hear your question."

Younge: "Yes, Representative Daniels, what is the federal requirement at this time?"

Daniels: "Age six. That's the federal law. This would only be affective if the federal law were changed. That's why the words are used, 'may' and not 'shall'. It's permissive."

Younge: "Are there any Bills going through Congress that would change it?"

Daniels: "Possibly. Yes, there are... there is pending legislation that might change it."

Younge: "But at this time, the law is that the parent must be six years old before... "

Daniels: "The child must be six."

Younge: "The child must be six before the parent is required to work?"

Daniels: "Correct."

Younge: "And why do you seek to change the age to three?"

Daniels: "For several reasons. One, we are seeking the permissive authority in the event that the federal law

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changes so we will be able to move in that direction. Secondly, it is estimated the department will save approximately eight million dollars annually by expanding the mandatory project chance population due to increased job placements. We are... We want to be prepared in this state to move forward in appropriate fashion in the event that the federal law were to change."

Younge: "Madam Speaker, to the Bill. I think that we ought to leave the state law exactly what the federal law is, and that is that the parent would be with the child until the child is six years old. To change this to three years old would mean that children would not have the benefit of their parents in their home during their very formative ages, and I think that we ought to consider a change in this only when the federal law has been changed, and for that reason, I think we ought to vote 'no' on this Amendment."

Speaker Breslin: "The Gentleman from St. Clair, Representative Stephens."

Stephens: "Thank you, Madam Speaker. I rise in support of the Amendment. We can choose to live in the past. We can choose to support the welfare state, or we can deal with the problem of welfare in America today by following the leads of ideas like this from Representative Daniels. What many of us who are not on welfare and very fortunate not to be, have to do in raising our families is possibly even at the age of one or less, we have to make an economic decision as to whether or not to continue a certain lifestyle. We have to move on and make decisions about whether we want to be with our families and our children until they're six years old or not. In a utopia, certainly we would all choose to stay with our children all of our lives, and just stay at home and never work, but that's not

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the real world, and what we need to do is make the welfare state meld into the real world, and this is a step in the right direction. It's permissive, it's not mandatory and won't be taking anybody away from their children, but will be making a statement that the welfare state ought to be a part of the real world, and I rise in support and congratulate the Gentleman for the Amendment."

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

Stern: "Madam Speaker and Members of the House, I can't believe I'm hearing what I'm hearing. Do I understand that what you're saying is that the parents of a developmentally disabled child should be going to work? Wrong? Alright, would you clarify, please?"

Daniels: "If you want me to, I will."

Stern: "I do want you to."

Daniels: "What would you like to know?"

Stern: "I would like to know whose parents this is that must be at work by the time a child is three."

Daniels: "Representative Stern, the previous Bill, 2846, dealt with developmentally disabled. This Bill, 2862, deals with public aid and with the demonstration projects. The particular Amendment that you have in front of you is a recommendation from the Governor's task force on welfare reform and recommends that the state strengthen the AFDC requirement to enroll in project chance. The purpose of this Amendment is a clarification Amendment of Committee Amendments 1 and 2, and this Amendment was drawn in conjunction with the Democrat staff, which clarifies those two Amendments. Basically, the net result is what it says, is that in order to save approximately eight million dollars annually by expanding the mandatory project chance that this Amendment clarifies the department may require parents or other caretaker relatives receiving assistance -

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AFDC - to register for employment when the youngest child reaches the age of three. Current federal law says when the youngest child reaches the age of six. Now, this would not impact unless federal law were changed. This will keep us on track if federal law is changed. This has nothing to do with developmentally disabled."

Stern: "I apologize then. You are right. I had the two confused."

Daniels: "Yes, I understand."

Stern: "However, I would like to observe that no three year old that I have ever known is able to look after itself at home while the parents work."

Daniels: "I would agree with that as a concept, but I don't know any family in the United States of America that would benefit any differently or be treated any differently. A single mother in the case of divorce faces the same problem of employment. What we're trying to do, the overall purpose of welfare reform is substitute a job for a check, and that's the ultimate goal, and in this particular goal in line with the Governor's Task Force on Welfare Reform, what we are attempting to do is implement those recommendations in an effort to bring some dignity to the process along with the Project Chance applications."

Stern: "Are we bringing day care provisions along at the same rate that we are reducing the age ceiling here?"

Daniels: "You know, one thing I want to point out, too, that this Amendment, if you... if you look at it carefully starting on lines 20... line 11 also states that, provided suitable arrangements have been or can be made for such care and supervisions during the hours of the day the parents or other person are out of the home because of employment, so I think that we've tried to be very sensitive to the concerns that you have and other people have, and I think

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it's moving in the right direction, and I would expect many people in this chamber would agree with that."

Stern: "Is there some place in there that defines what is suitable day care for leaving the child?"

Daniels: "That, that is not totally defined within the Amendment itself, but I think when we talk about suitable arrangements, we're obviously talking about what's in the best interest of the child. Nobody is wanting to harm a child in its growth. What we are trying to do is introduce dignity into the system, substitute a job for a check, and to give people the opportunity to bring themselves up within the system and to work properly within."

Stern: "Alright, I thank you, Sir. I appreciate the full explanation, and I am unconvinced. I shall vote 'no' on the Amendment."

Speaker Breslin: "Representative Bowman for a point of order. Representative Bowman."

Bowman: "Yes, thank you, Madam Speaker. I question the germaneness of this Amendment. I would like to ask the Parliamentarian to rule on that. I would point out to the Chair that the Sponsor of the Amendment just admitted on the floor of the House a few moments ago that this Amendment has nothing to do with developmentally disabled children, so I think we ought to take the Gentleman at his word and rule that nongermane."

Speaker Breslin: "Representative Daniels, for what reason do you rise?"

Daniels: "Let me see if I can clarify it for a second time, Representative Bowman. This Amendment does not deal with developmentally disabled children because the Bill doesn't deal with developmentally disabled children. This is House Bill 2862. In the course of dialogue and debate that I heard over the microphone where Members are concerned about

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their own rights and their own abilities to move their legislation, your Speaker was bailing out of this process just before two Bills of mine were being called. One dealt with developmentally disabled, which was 2846. That Bill is already on Third Reading. This is the second Bill. This deals with the area of public aid and the question of the Amendment #3 deals with the clarification on registration for employment under Project Chance."

Speaker Breslin: "Representative Bowman, your point is not well taken. The Amendment is germane. On the Amendment, the Lady from Cook, Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. I think part of the confusion arises from the fact that this Bill - House Bill 2862 - was, until today, on the welfare reform agenda on our daily Calendars. Suddenly, it has popped up in a different posture, and I think that has given rise to some of the confusion over the specifics of this Amendment and the proposal of this Bill. I rise in opposition to Amendment 3 to House Bill 2862. There is nothing in present law that prevents the Department of Public Aid from encouraging opportunities for training and employment for parents of children between the ages of three and six. There is nothing in federal law that suggests that we will have the opportunity to make those programs mandatory for people who have children between the ages of three and six. I would suggest that this Amendment is premature in that federal law presently prohibits mandating these kinds of programs. I would suggest that the Amendment, as it is silent on the question... what counts as a suitable arrangement for child care while a parent is at work or in training without defining who gets to determine the suitability of the arrangement, leaves the parents of these children in rather an awkward bind.

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Finally, I would say, Madam Speaker and Members of the House, I think this Amendment violates the process that we established in the State Government Administration Committee, and since that time, in negotiations and discussions over welfare reform in the State of Illinois today. This Amendment was lately filed without notice to anyone on our side of the aisle who has been engaged in the continuing debate and discussion about the shape of welfare reform in Illinois in the coming year. I don't quite understand why there was such a rush to hear this Bill on Second Reading when the Amendment, Amendment 3 that we now consider, was filed almost moments before we could have got to that item of business on the Calendar. I consider that we're into some kind of partisan games playing, some kind of spreading the wool over the eyes of those who have been negotiating and discussing on this issue for the last month and a half. And I would urge on those grounds, if not on the substantive ground, that this Amendment is premature, is not well-defined. I would urge that we defeat Amendment 3 to House Bill 2862."

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

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

Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Daniels to close."

Daniels: "An interesting response to the previous speaker is that Representative Ford, a Congressman from Tennessee, a Democrat, actually has legislation in the House moving this down to age one, so it's not a matter of any partisan discussion. What we are trying to do overall in the area

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of welfare reform, and in this particular case, is to give people an opportunity to substitute that job for a check. Make no mistake about it, this is an Amendment that allows permissiveness in terms of 'may' cause them to register if the federal law changes. It's a part of the Project Chance which has been hailed throughout the country as a very effective part of welfare reform and its continuation of that movement. This isn't a partisan matter. This isn't a matter of Republican versus Democrat. This is a matter of human dignity and of the opportunity for people to help themselves and to register for Project Chance. I know that as we look at this Amendment, we're concerned about children, and that's why within the Amendment, we talk about suitable day care and supervision during the hours of the day the parents are required to be out of the home because of employment. I can't think of any more reasonable vote, and I can't think of any more reasonable position to support this Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #3 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Homer, one minute to explain your vote."

Homer: "Thank you, Madam Chairman. I read and reread Amendments 2 and 3 over and over again and consulted with our legal staff, and we're of the solid opinion that #3 does nothing that is not already in #2 that was adopted in Committee, except juxtapose some words. The real question, of course, is whether Amendment #2 is something that we ought to adopt. It was put on in Committee. We'll deal with that on Third Reading or by virtue of some other Amendment. I see no purpose to be served by adopting a redundant Amendment that really does nothing, so I stand in opposition to the Gentleman's Amendment."

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Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 60 voting 'aye', 51 voting 'no', and 3 voting 'present', and the Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. Amendment 4 to House Bill 2862 would... "

Speaker Breslin: "Excuse me. Representative Daniels, for what reason do you seek recognition?"

Daniels: "I don't have, nor have I seen Amendment #4."

Speaker Breslin: "Has it been printed and distributed, Mr. Clerk?"

Daniels: "Has it been filed, I think is the first question."

Speaker Breslin: "Has it been filed? Yes, it has been filed, but it has not been printed and distributed."

Daniels: "When was it filed?"

Speaker Breslin: "It was filed shortly."

Daniels: "Five minutes ago?"

Speaker Breslin: "I don't know exactly. Longer than that."

Daniels: "I don't... you know, we have how many Bills? 782 Bills on the Calendar? I'm concerned of moving legislation and every Member having a right to support their individual legislation. I think that it's dilatory, and I think it's obviously in very poor mannerism and poor taste. How many pages is that Amendment, if I might inquire, since I haven't seen it?"

Speaker Breslin: "I don't know, Representative Daniels. I do know that a lot of work went into it."

Daniels: "Well, it's interesting to note that what all this lot of work that went into it, none of it was discussed on this

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side of the aisle or with the department. Now, I don't know... I'm reluctant to say that the Lady doesn't have an opportunity to present her views, but if I... if it's the Amendment that you're holding up, it's considerable in length. We've never seen it, we've never looked at it, and I would ask that the House table that Amendment."

Speaker Breslin: "Is that a Motion, Sir?"

Daniels: "It's a Motion because the Lady herself complained to me about filing an Amendment which was 16 sentences long, and this Amendment that's been filed is numerous in nature, and believe me, if we're trying to get to Members' Bills to have those Bills heard, I think it's very inappropriate for another Member on that side of the aisle to file an Amendment that nobody has had an opportunity to look at, discuss or even know about."

Speaker Breslin: "Representative Daniels, I was under the impression when we went to this Order of Business that you had agreed to hold this Bill on Second for these Amendments to be heard. Is that correct?"

Daniels: "Nobody told me about any other Amendments to be heard."

Speaker Breslin: "Did you agree to hold the Bill on Second?"

Daniels: "I did not say to anybody that I'll hold it on Second, but if you want to move this Bill, my Assistant Leader behind me said he'd hold it on Second."

Speaker Breslin: "Somebody said they'd hold it on Second."

Daniels: "Well, will you raise your hand?"

Speaker Breslin: "A good man. A good man."

Daniels: "Barbara Currie, did you talk to him before I had a chance to talk to him?"

Speaker Breslin: "A good woman."

Daniels: "We'll hold it on Second."

Speaker Breslin: "Thank you very much. So the Bill will be held on the Order of Second Reading. To accommodate

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Representative Johnson, I'd like to go back to this same Order of Business with House Bill 2436. House Bill 2436. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2436, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. And on that same Order of Call, Special Order of Business - Government Administration appears House Bill 80. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 80, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "Amendments #2 and #3 were withdrawn, #4 was out of order, #5 lost. Floor Amendment #6, offered by Representative McCracken."

Speaker Breslin: "Representative McCracken."

McCracken: "Please withdraw Amendment #6."

Speaker Breslin: "Withdraw #6. Are there any further Amendments?"

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

Speaker Breslin: "Representative McCracken."

McCracken: "Madam Speaker, Amendment #7 provides for an administrative hearing on the accuracy of the different parking ticket reports. This also allows for a de novo review in the circuit court for each ticket alleged to have been given to the car or person in question. The reason for this is that the Bill currently provides for various

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levels of administrative review, does not provide a right of appeal from those administrative reviews and, in fact, there is no judicial oversight which can result in a suspension of license merely because of the existence, or the alleged existence, of ten tickets, which can occur over any period of time. There is no statute of limitations placed on this. The reason we seek this de novo review is because of what is at issue. What is at issue is the person's driving privileges which, according to House Bill 80, are to be revoked by the Secretary of State upon receipt of the required certified statement from the city in question. So that's what Floor Amendment #7 would do. It would provide de novo review on the issue of whether the offense was committed by the person or car, however you wish to analyze parking ticket liability, and should be adopted because of the right that's at stake."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #7 to House Bill 80, and on that question, the Gentleman from St. Clair, Representative Stephens."

Stephens: "Thank you, Madam Speaker. This Amendment provides for administrative hearing on the accuracy of delinquent parking ticket reports. That's important to those of us downstate because every so often my district office is deluged with phone calls and visits from constituents of mine who say, 'You know, I've lived in this district for 50 years, have never been inclined to go to Chicago, never wanted to go to Chicago, and never been to Chicago. Why am I getting parking ticket notices from the City of Chicago?' And so there must be some sort of a problem. I could just imagine a scenario wherein Chicago would continue to make these mistakes, ticket someone in my district ten times, who's never visited Chicago, never seen the Cubs play, has no inclination to go see the Cubs play, and just about the

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levels of administrative review, does not provide a right of appeal from those administrative reviews and, in fact, there is no judicial oversight which can result in a suspension of license merely because of the existence, or the alleged existence, of ten tickets, which can occur over any period of time. There is no statute of limitations placed on this. The reason we seek this de novo review is because of what is at issue. What is at issue is the person's driving privileges which, according to House Bill 80, are to be revoked by the Secretary of State upon receipt of the required certified statement from the city in question. So that's what Floor Amendment #7 would do. It would provide de novo review on the issue of whether the offense was committed by the person or car, however you wish to analyze parking ticket liability, and should be adopted because of the right that's at stake."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #7 to House Bill 80, and on that question, the Gentleman from St. Clair, Representative Stephens."

Stephens: "Thank you, Madam Speaker. This Amendment provides for administrative hearing on the accuracy of delinquent parking ticket reports. That's important to those of us downstate because every so often my district office is deluged with phone calls and visits from constituents of mine who say, 'You know, I've lived in this district for 50 years, have never been inclined to go to Chicago, never wanted to go to Chicago, and never been to Chicago. Why am I getting parking ticket notices from the City of Chicago?' And so there must be some sort of a problem. I could just imagine a scenario wherein Chicago would continue to make these mistakes, ticket someone in my district ten times, who's never visited Chicago, never seen the Cubs play, has no inclination to go see the Cubs play, and just about the

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time that I convince that person that the Cubs might be worthy of going to visit, because they are in a first place tie with the Cardinals, then they get this tenth ticket and they have no administrative review. And so I rise in support of this Amendment, which will at least call for a fair hearing."

Speaker Breslin: "Representative Stephens, I understand that this is an Agreed Amendment. That's the case. The question is, 'Shall Amendment #7 be adopted?' All those in favor say 'aye'. All those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative McCracken."

McCracken: "Under the Bill, Madam Speaker, the Secretary of State is required to conduct certain activities resulting in the suspension, or culminating in the suspension of the person's driving license. That cost, or that first year cost, has been estimated to be almost \$600,000.00, and an annual cost thereafter has been estimated to be almost \$500,000.00. Amendment #8 would require reimbursement to the Secretary of State's office by the municipality of all costs associated with the implementation of this program, and I move its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #8 to House Bill 80, and on that question, is there any discussion? Hearing none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye'. All those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

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McCracken."

Speaker Breslin: "Representative McCracken."

McCracken: "Withdraw 9."

Speaker Breslin: "Withdraw Amendment #9. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #10, offered by Representative McCracken."

Speaker Breslin: "Representative McCracken."

McCracken: "This Bill, as currently drafted, allows any city in the state to draft an ordinance in compliance with its procedures for the purpose of enforcing parking ticket violations. In fact, what this Bill is, and I submit to you is necessary only for one place in the state, is for the City of Chicago. I think it's important that that fact be made clear to all of our Republican Members and all of our downstate colleagues that state money is going to be spent on behalf of the City of Chicago in order to enforce its parking code, and for that reason, I think it should be made explicitly applicable to Chicago and Amendment #10 does that, and I move its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #10 to House Bill 80, and on that question, is there any discussion? Hearing none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye'. All those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #11, offered by Representative McCracken."

Speaker Breslin: "Representative McCracken."

McCracken: "This, in effect, creates a statute of limitations, or a period of time over which the tickets can be accumulated, and thereafter, does not allow for further accumulation.

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This would apply only to those who have 50 or more alleged violations within the last five years. The Bill, as now drawn, allows this administrative procedure to get started upon the alleged accumulation of 10 or more tickets. It was noted in earlier debate that there was no statute of limitations on when those 10 may have accrued. They could have accrued over 20 years, because the Bill was silent on the issue. This would require, in effect, an average of 10 per year over 5 years, as constituting the statute of limitations."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #11 to House Bill 30, and on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #11 be adopted?' All those in favor say 'aye'. All those opposed say 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #12, offered by Representative Cullerton."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #12 is identical to Amendment #5, having the additional effect of wiping out all the Amendments that we have just adopted. Amendment #5 is technical in nature. It indicates No. 1 that municipalities that don't choose to enact this ordinance to have administrative hearings will still be able to utilize the provisions dealing with the Secretary of State's office causing drivers licenses to be suspended. It indicates that notice must be sent by first class mail. It indicates that... clarifies language relating to the traffic ticket being considered prima facie evidence. Provides that a person with a parking ticket shall be provided an

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opportunity for a hearing, rather than requiring a hearing, if none... if that person never even requested one, and it makes it clear that the rules that govern the Administrative Review Act will control the deadlines for filing for administrative review. I'd be happy to answer any questions and move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #12 to House Bill 80, and on that question, the Gentleman from DuPage, Representative McCracken."

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

Speaker Breslin: "He indicates he will."

McCracken: "Besides deleting the effect of Amendments 6 through 11 which went on without opposition, does this Bill amend in any other way the Bill as it existed up to and including Amendment 5, which failed?"

Cullerton: "It includes Amendment #1."

McCracken: "It includes 1 and 5?"

Cullerton: "Yes."

McCracken: "Okay, and that's all it includes?"

Cullerton: "Right."

McCracken: "Does it provide for any circuit court review or de novo circuit court review?"

Cullerton: "No. It doesn't provide for any circuit... for any de novo circuit court review. I remembered... I was convinced by the arguments you made on the Bill that you are carrying for the Department of Transportation with regard to the issue of de novo, that you presented in the Judiciary Committee, and as a result, decided not to... not put de novo in this particular Bill."

McCracken: "Well, in that, as you know, we were talking about something other than the suspension of a person's drivers license. Does it apply throughout the state?"

Cullerton: "Yes. We... this is very important element of the

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Bill because as you... as I indicated before, the Mayors of Wheaton, Urbana, and, I understand, Ottawa are interested in utilizing this procedure as well, I would imagine, any university town, as well as perhaps Springfield, I'm sure, would want to go to this system as soon as it's passed, so I certainly wanted to clarify the record. This does not simply apply to Chicago at all."

McCracken: "As far as this right to a hearing, it's an administrative hearing conducted pursuant to ordinances to be enacted?"

Cullerton: "Yes."

McCracken: "And those ordinances are not yet in existence, I take it?"

Cullerton: "That's correct. This is permissive legislation, that is, it authorizes the local municipality to enact ordinances that set up their procedures."

McCracken: "And it does not specify the content of those ordinances, is that right?"

Cullerton: "Well, it gives... throughout the Bill it gives a scheme that sets up the guidelines for the procedure. I... which, specifically, are you referring to? The issue of making a certified report to the Secretary of State, for example? That's an area where we say that they can set up... establish by ordinance, procedures for persons to challenge the accuracy of that certified report. That's all we say in the Bill."

McCracken: "Okay. Would a person who wanted to contest the accuracy of that certified report have to do so in Chicago if Chicago were the ticketing authority?"

Cullerton: "Wherever the 10 citations were issued, whatever municipality that would be, that would be where the... "

McCracken: "So if it were 10 tickets in Chicago, the person would have to go to Chicago?"

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Cullerton: "Right."

McCracken: "To keep in contesto."

Cullerton: "Keeping in mind, also, that the ordinance, at least the people in Chicago contemplate a procedure where you could simply call on the phone and try to explain why there's a problem with the tickets. Something which cannot be done now. So, with reference to the... Representative Stephens' comments about people getting notices they have to go to Traffic Court in Chicago, that would be obviated by the establishment of this type of an ordinance."

McCracken: "So do you expect this administrative hearing will be conducted over the telephone in the case of Chicago?"

Cullerton: "It could be. In each... in the case of just one ticket, or in the case of the point where the certified report is about to go to the Secretary of State, one could call and... "

McCracken: "And have his hearing over the phone?"

Cullerton: "Well, no, it would be a very in... that would be a case where you'd say, 'Wait a minute. I've never been in Chicago. I live in Representative Stephens' district, and there's some mistake here. You must have... I own a truck that has the same license plate number as a car. The car is the one that should get the ticket.' That is the type of thing that you could work out on the phone. Now if someone says, 'Well, my daughter uses our car and we live in Westmont, and she never goes down to Rush Street, but the 5... the 10 tickets all are on Rush Street on a Friday night, that's something where you might want to have that person come in and have a hearing. Or they might want to just pay the tickets."

McCracken: "The fact of the matter is, since there is no ordinance implementing this, you don't really know exactly what is going to be done relative to the administrative

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Cullerton: "Well, with regard to the issue of the certified report going to the Secretary of State, we say the ordinance shall state the grounds for such a challenge, which may be limited to a person not having been the owner of the car, or that they did not receive 10 or more violations, or that they have already paid the fine or penalties. We make it pretty specific as to what that ordinance shall say with regards to the ability to challenge the accuracy of the certified report. Apparently that's the part that you find the most troublesome. The issue of the Secretary of State's ability to suspend licenses. And I understand that, and I appreciate that concern. When we go through this Bill on Third Reading, I will walk you through all of the due process protections I feel that are included in the Bill."

McCracken: "Then there's no statute of limitations or no time period over which these 10 tickets can... will be considered?"

Cullerton: "I don't think there should be. When the Bill is prospective, doesn't apply to any past parking violations, it doesn't go into effect until January 1 of next year, it goes forward. If someone gets 10 tickets in the next, any period of time, all they have to do to avoid having their license be suspended, is pay the last one. And once that's the case, they wouldn't have the suspension. So it's not like we're going to be going back, you know, 10 or 20 years to prosecute somebody for a parking violation. That's the point of this. It takes it out of the quasi criminal mode that it's in right now, in the case of Chicago, in the case of downstate, it takes it out of having to file a lawsuit on behalf of the municipality."

McCracken: "Okay. Thank you. To the Bill. All of the

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protections that were found in the Amendments which were adopted without opposition are deleted by this Amendment, and it returns the Bill to its original form, including Amendment #5, which was defeated last Friday. The fact of the matter is that the Bill creates, or purports to create, an administrative means for the enforcement of parking tickets. Don't kid yourselves. This is for Chicago. It's a big issue up there and it's a big money issue up there. Chicago is asking us to spend \$1,000,000.00, or strike that, \$500,000.00 a year, through the Secretary of State's office, to help it enforce its local parking violations. They did not oppose the Amendment which would have required reimbursement, rather, they put on a final Amendment which deleted the reimbursement requirement, which deleted the statute of limitations requirement, which deleted the reference to Chicago, hoping that this would gather some statewide support, when, in fact, its use is designed specifically for Chicago, and I stand in opposition to the Amendment."

Speaker Breslin: "The Gentleman from McDonough, Representative Slater."

Slater: "Thank you, Madam Speaker. Would the Sponsor of the Amendment yield?"

Speaker Breslin: "He indicates he will."

Slater: "... for questions. Representative Cullerton, I note that you've eliminated everything that was just put on. Every Amendment has been gutted and we're back right now to what was Amendment #5, which was defeated on this floor by a vote of 47 to 49 on Friday afternoon. The big thing that I think we need to be concerned about is how much cost we're dumping from the municipality onto the state. Do you have those figures?"

Cullerton: "Yes. The fiscal note has been filed. Representative

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McCracken was accurate in representing what that amount was. It is approximately \$500,000.00 to \$600,000.00 annually. That cost, of course, is based on it being applied statewide, and that's how much it costs."

Slater: "I'm sorry. I had a difficult time. The amounts, Sir?"

Cullerton: "The..."

Slater: "\$500,000.00?"

Cullerton: "... fiscal note's been filed. Approximately \$500,000.00 to \$600,000.00."

Slater: "How much income is this going to result in for the City of Chicago?"

Cullerton: "If the City of Chicago, of course, is planning on utilizing this, as well as the Cities of Ottawa, Wheaton, Urbana. So... "

Slater: "But my question is, just how much is it going to turn for Chicago?"

Cullerton: "Well, it's hard to say because, you see, we have a problem now where only about, you know, 20% of the people are paying their parking tickets in Chicago, so, presumably, when this is passed, you'll get a much higher compliance rate, so, I mean, it's in the millions of dollars that would be potentially recouped in that it's a more efficient system of collecting parking fines."

Slater: "In the tens of millions or the hundreds of millions?"

Cullerton: "If you go back... this Bill doesn't go back to past fines, but there are, I think, 50 or 60 million dollars in past parking tickets that have not been paid, so, over the past, say, 10 years."

Slater: "Let's take that situation that you talked about, where the daughter may have been down on Rush Street. But we're not going to revoke the daughter's driving license under this law, are we?"

Cullerton: "The owner of the car. Registered owner of the car."

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Slater: "In fact, if the parents own the car, or one of the parents own the car, we're gonna..."

Cullerton: "Who would you rather have... whose license would you suggest we suspend?"

Slater: "Well, but... but... that..."

Cullerton: "The car is owned by the owner of the car. The car is the thing that's getting the ticket, not the owner, not the daughter. The car is the thing that is taking up the space, that's blocking a fire hydrant, so that the fire trucks can't get in to save people who are dying in a burning building, for example."

Slater: "Well, if that's the case..."

Cullerton: "The car is the thing that is vio... making the potential safety hazard."

Slater: "If that's the case, why don't we create in rem jurisdiction and we could just confiscate that car right on the spot."

Cullerton: "That's a Towing Bill which we have coming up later on in the next few days."

Slater: "We're going to do that also, then."

Cullerton: "That's right. And you're going to vote for it, too, I understand."

Slater: "But it's the ownership of the vehicle that creates the liability under..."

Cullerton: "Of course."

Slater: "... your process."

Cullerton: "Of course. That's what a parking ticket is, Representative."

Slater: "It doesn't make any difference who drove the car into that spot?"

Cullerton: "No."

Slater: "Makes no difference."

Cullerton: "No."

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Slater: "Why not?"

Cullerton: "Because the vehicle, as you say, the vehicle is what is causing the violation, and so the owner of the vehicle, who is responsible for it, is the one that will get the ticket. If you don't have license plates on your car, and somebody else, your daughter or somebody is driving it, it's the law right now that we don't give the ticket to the daughter, we give the ticket to the person who is responsible for getting the license plates."

Slater: "Oh, no. I think we give the ticket to the daughter."

Cullerton: "Well... "

Slater: "None the less, in another area, you talked about notices being sent by first class mail, and I presume this is on the revocation procedure, is that correct? Before we revoke your drivers license, we're going to send notice to you that this event is going to take place. And we're going to do that by first class mail, correct?"

Cullerton: "All of the numerous notices that are provided for in the Bill are with first class mail."

Slater: "No return receipt?"

Cullerton: "No."

Slater: "No certified mail? No registered mail?"

Cullerton: "No."

Slater: "It's just last known mailing address... "

Cullerton: "No. No."

Slater: "... as would occur on the office of the Secretary of State's records? Is that what we use?"

Cullerton: "The law, as you know, requires you, if you change your address, to notify the Secretary of State of any change, so it's where you told the Secretary of State where you live."

Slater: "Now what happens if I have moved and I failed to notify the Secretary of State... "

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Cullerton: "I think it's against the law."

Slater: "... and the post office, and the post office now returns that letter to Jim Edgar, Secretary of State, saying 'addressee no longer at that address'. Do you have effective notice at that point or not?"

Cullerton: "I believe you do."

Slater: "So it's simply the act of mailing."

Cullerton: "Since the law requires... The law puts... the current law puts the onus on the owner of the vehicle to notify the Secretary of State of any changes. That's the provision that we would use."

Slater: "Now, Representative Cullerton, you answered a question I asked of you last Friday when you had Amendment #5 up. You answered it, but I didn't understand the answer. By the time you go through the entire process and you get down to this administrative hearing, I'm a downstater, and for whatever reason, it's now proposed that my drivers license will be revoked because there have been 10 tickets issued in the City of Chicago to a license number, which happens to be my license number. I'm in downstate, and I'm actually five hours away by vehicle from the City of Chicago and I think that what you're doing through Amendment #12 and what you're trying to do through Amendment #5 was create the right for an administrative hearing for me. Where is that hearing going to be conducted?"

Cullerton: "In the municipality in which the 10 violations would have been obtained."

Slater: "So I've got to go to Chicago."

Cullerton: "That would be an eleventh trip to Chicago. The first ten were when you went and parked your car illegally and then didn't pay the parking ticket."

Slater: "Alright. But there is also some procedure you talked

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about on the telephone transmission that could take place.
What's that?"

Cullerton: "Yes. And that's a tremendous improvement over the current law, as you know. If you go to Chicago now, you get a ticket, you can potentially have warrants issued, and if there's ten warrants, you can have your drivers license privileges suspended. Right now that's the current law. We're saying this should go over to an administrative hearing on a statewide basis, to have an administrative hearing. Now, if you want to call up, it's contemplated that, for example, in the City of Chicago, in order to avoid the problems that you indicated, you call up and say, 'Look, I have a truck that has a license plate number 343, and apparently there's a person who I don't... I've never been to Chicago, apparently it's a car that has license plate number 343 that's been getting all these tickets.' You call up and you explain that over the phone. Then they can double check that. The City of Chicago will double check that to see whether or not that was the proper vehicle to get the citation. So that situation could be worked out over the phone."

Speaker Breslin: "Representative Slater. Excuse me. Representative Slater, your five minutes have already elapsed. Bring your remarks to a close, please."

Slater: "Thank you very much, Madam Speaker. I would simply request a Roll Call vote."

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

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Before you cast a 'yes' vote on this Amendment, I think you ought to, you know, put a very, very scrutinizing eye on the Amendment as it is. I'd like to give you a couple of examples. Madam Speaker, could we have some attention, please? Thank you. I'd like to give you a

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couple of examples. I read in a newspaper about six months ago about a fellow who, he wanted a vanity plate, and so he just put down, let's just say the plate was 'BOB 1', and then when they asked him for a second choice, he just put 'no plate'. He didn't have any request at all. So what did he get. He got the license plate that said 'no plate'. Within six months he received notification of over thousands of tickets where policemen went out, they went to give a car a ticket and there was no plate on the car so they put 'no plate'. So he ended up receiving thousands of these. The man would not be driving today under this Bill. The second thing, I'll give you something a little more personal. I received something in the mail this past week. I thought it was a, you know, my tax bill on my condominium. It was from the treasurer here in the City of Springfield. I opened it up and here was a bill for \$144.00 in parking violations. Well, I happened to look... I happened to look at the thing, and knowing I didn't have any parking violations, I realized they were all from '85 and '86. Well, somehow, they got my plate number from starting January of '87, so the tickets that were accumulated in '85 and '86 under this Amendment, I would be responsible for. I could have had my license plate taken away. Unfortunately, they are going to have trouble collecting the \$144.00 from Representative Bullock... ex-Representative Bullock, but that is the situation. That is the situation. For those of you that do not live in the City of Chicago, be very careful before you vote for this Amendment, because I don't know about your districts, but I have had many people from my district that haven't been in the City of Chicago the previous six months and they're getting violation notices from the City of Chicago. I think it's a very, very bad concept embodied in Amendment

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§12 and I would ask for a 'no' vote on the Amendment."

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

The Gentleman from Bureau, Representative Mautino."

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

Speaker Breslin: "He indicates he will."

Mautino: "Representative Cullerton, this Amendment takes away those proposed safeguards that were adopted before. Is that correct?"

Cullerton: "Yes, although I wouldn't characterize them as safeguards."

Mautino: "You mentioned four cities, I believe. You said Chicago, Ottawa, Springfield and Champaign..."

Cullerton: "And Wheaton."

Mautino: "... and Wheaton. Do those cities have a vehicle sticker for the vehicles in those cities?"

Cullerton: "Springfield does not. I don't know about the other cities."

Mautino: "Well, let me make a suggestion on how to correct your problem in Chicago, since I think that's where this legislation is going. We have an affinity here in the General Assembly to use the drivers license as a weapon against everyone, no matter what their walk of life. If, in fact, you can't collect your parking tickets in Chicago, I recommend to you we amend House Bill 80 that instead of using the drivers license as the weapon, we use those tapes that show who's got the tickets and not issue them a vehicle sticker in the City and you can solve that problem without even going to the State of Illinois. I suggest that's a much easier avenue to get to what you want to get to because, in the City of Chicago, as I understand it, you must have a vehicle sticker, or there's an additional violation. Is that not correct?"

Cullerton: "Yes. It's a separate offense for not having a

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vehicle sticker."

Mautino: "Well, I think that might be one way to solve your problem, rather than to take away someone's drivers license."

Cullerton: "Yes. That's... that's... as I understand that's already in place in Chicago. They're not issuing vehicle stickers to people who have parking tickets."

Mautino: "Then why do we need this?"

Cullerton: "This Bill goes much, much further and much beyond that concept. The Bill has been supported by the Municipal League, the Northwest Municipal Conference, the Illinois Association of Chiefs of Police, Cook County State's Attorneys Office, and it's a statewide issue. And perhaps when I close on the Amendment I can explain in further detail. Maybe when we get to Third Reading I can explain in further detail what the Bill does."

Mautino: "Well, I guess I... to the Amendment, then. I beg to differ with you as it pertains to a statewide issue. All of us here represent about a hundred thousand people, and probably 20 to 25 cities and villages, at a minimum, in our district. I've yet to have one mayor, one city clerk, or one city manager tell me that this is a problem in my legislative district. I don't... "

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

Kulas: "I move the previous question."

Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' Representative McCracken? You object? You want a Roll Call on the Motion. That has been made clear. Representative Slater asked for that. The question... The question is, 'Shall the main question be put?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. On this... Mr. Clerk, take the record. On this

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question there are 63 voting 'aye', 50 voting 'no', and none voting 'present' and the Motion fails. The Gentleman from DuPage, Representative Barger."

Barger: "Thank you, Madam Speaker. I've been listening quite attentively to this because the Gentleman who has presented this Amendment has mentioned the name of the City of Wheaton. For 12 years I spoke for the City of Wheaton and we never had a problem that could be solved by this type of legislation. And because he had mentioned it, and because I hadn't heard of it, I called the City Clerk of the City of Wheaton just now and she also records all the City Council meetings. There has been no public discussion in Wheaton on it. There have been no City Council meeting discussions on it. There is no official City of Wheaton position on it. Any position that Mr. Cullerton might have received was a personal position of whoever he talked to, because this is not the desire of the city. Their parking ticket collection system is working extremely well and I think that this particular Amendment is totally unnecessary. Thank you."

Speaker Breslin: "The Gentleman from St. Clair, Representative Stephens."

Stephens: "Thank you, Madam Speaker. First of all, I think this is bad public relations for the City of Chicago. As a key area of tourism for the State of Illinois, the City of Chicago attracts business from all over the midwest and they should be rightfully proud of that attraction, but this sends a bad message to those people who frequently visit the City of Chicago because they are aware of the inadvertent tickets that the city police officers often issue to various vehicles in the city. The other point is that those people who work in the city, the commuters from the collar counties and the outer portions of Cook County,

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who come into the City, are going to be held at a disadvantage because of the inadvertent tickets that are issued and the fact that, after they have received 10 tickets, say some of them inadvertent, some of them well deserved, at no point in the process after they have received that tenth ticket, can they challenge any one individual ticket, which may, indeed, have been issued inadvertently. And, finally, as a downstate Representative, on either side of the aisle, I think we should consider the tremendous cost. You know, it's only a half a million dollars, but \$500,000.00 to downstate schools would mean a lot in any legislative district. That money could be well used for mental health facilities, public education and so on. That's... and the other point of the point is, is the money that will be taken out of the pockets of... of downstaters. It's \$500,000.00 of state funds to do the processing of the... in the Secretary of State's office, but then the downstaters, like we said earlier, like a person from my district who receives inadvertent tickets, is going to have to wind up paying several hundred dollars, possibly, in fines. That money will not be spent in the economy. It will be spent in the... put into the coffers of the City of Chicago, and so what we have here for downstate Representatives on either side of the aisle is the fact that we're going to be voting here on whether or not you want to send tax dollars from your district to the City of Chicago to subsidize the City. It's as simple as that. That's the bottom line, and so I urge fellow downstaters on either side of the aisle, to take a very close look at this vote, to watch your switch closely, make sure that you vote for the people of your district and downstate Illinois, and not to subsidize the City of Chicago."

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Speaker Breslin: "The Gentleman from Franklin, Representative Rea."

Rea: "Thank you, Madam Speaker. If it wasn't against the rules of the House, I would certainly like to introduce a Ewing Northern School from my district, which is up in the Speakers Gallery, but since it is, I do just want to welcome them to Springfield."

Speaker Breslin: "It is against the rules, Sir. The Gentleman from Lake, Representative Peterson."

Peterson: "Thank you, Madam Speaker. I think Representative Mautino was right on target when he said the City of Chicago currently has all the authority to collect those bills. Because their bureaucracy is incompetent, they can't do the job, they want the state to bail them out once again. Another bail out for Chicago. They've got the authority by using the sticker, the vehicle sticker, to control the people who do not pay the tickets. Chicago has proven over and over again they've sent out notices to people throughout the state for parking violations where the people were never in the City. I think this is an overall bad piece of legislation and I urge you to defeat."

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

Klemm: "Thank you, Madam Speaker. I guess I'll just relate some of the inquiries that I received in my office in Crystal Lake, which is, of course, as you know, a suburb of Chicago. The number of people that contacted my office because they were receiving parking ticket violations on days they were never even in Chicago, let alone even near Chicago, was really astounding. When we started to do some investigation in finding out if these people were completely away from the area where they were receiving parking violation tickets for whatever reason, that really,

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we should probably have an investigation of what's going on in the city because of that. Because we found out that, I don't know if the police department are just putting down license plate numbers for those that aren't even in the area, and yet they were getting cited. So some of the constituents were saying that, you know, we'd have to go to court, we'd have to go to Chicago to try to defend ourselves from a violation that we weren't even in the city for. And now, what we're doing is... is saying alright, if we continually put your license plate number down for at least 10 times, we'll take your drivers license away. Many of them, I said, you should be fighting it. But they said, I've got a business, I've got a job, my boss won't let me get off to go downtown in Chicago to fight a parking ticket when I'm not there, so I just pay it. I send the money in. Well, it certainly sounds like a pretty good revenue making process, and maybe that's been successful, but now we're going a step further. Now we're going to say that we'll continue doing that, perhaps, but we're going to now take your drivers license away without even a due process. It would seem to me that even the Sponsor of the Bill, who continually fights for due process for many of us, constituents, about its day in court, certainly is now almost on the opposite side by saying let's not even give them that fair chance. So for us who live out of Chicago, who certainly have always supported Chicago in its efforts to certainly generate dollars for them to do a job for their citizens, but now to put it on our shoulders of our constituents unfairly and then lose their driving privileges would certainly be unfair for us, and therefore, I stand in opposition to this Bill."

Speaker Breslin: "Representative Cullerton to close."

Cullerton: "Yes. Thank you, Madam Speaker and Ladies and

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Gentlemen of the House. I forgot to mention at the outset that, in discussions with the Minority Party with regard to this Bill, the counsel for Minority Leader Daniels indicated that the analyst, the Republican analyst for the Bill, didn't understand the Bill, and that your analysis of the Bill is totally in error, so perhaps that causes some of the confusion with regard to the... to what the Bill does. Let me see if I can explain a little bit about what this does, even though we're only talking about a technical Amendment. Right now, throughout the entire state, the way parking tickets are collected outside of Chicago is that you get a ticket, and then if you don't pay it in a few days or a few weeks, the ticket would multiply. The penalty would go up. The fine would go up. And as a result, you have to pay the penalty. When someone accumulates enough tickets that they... it's a serious amount of tickets, then that municipality has to file a lawsuit in circuit court. Now with regard to the comments made by the Gentleman from Wheaton, I spoke with the Mayor of Wheaton. The current Mayor of Wheaton, and I indicated what this Bill was about. He related to me a story about the problems that they had in Wheaton with one particular person who had accumulated a number of parking tickets. They filed a lawsuit and his complaint was that the judges, when they see a lawsuit dealing with parking tickets, are... want to dismiss the case or settle it for a small amount of money. Thus, the city loses an enormous amount of money, and so the Mayor didn't say that they passed a Resolution urging me to pass House Bill 80, but he just basically said that he thought that it sounded like something that they would be very interested in implementing. The same thing is true with these other cities that I mentioned. This is not something that only

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applies to Chicago. Now, I... I really sort of empathize for those of you who are the so called 'targets' of the General Assembly, whether you be on the Democratic side or the Republican side, because you have a real dilemma with this Bill. I know that, for those people who support it, if they are a target, they are going to get some mailings saying you voted to send money from... state money to Chicago. But for those of you who just choose to vote against this Bill and this Amendment, you're going to get a mailing in your district, too. This Bill has been suggested by the Cummerford, Harry Cummerford, Chief Judge of the Circuit Court of Chicago, set up a Greylord Reform Commission, the Solovey Commission, and the Solovey Commission recommended that this Bill be passed because it takes all of the parking ticket issues out of traffic court and puts it over in administrative hearing. So this is one of those Greylord Reform measures that, if you're going to vote against. And then there's going to be a mailing. You know there's going to be a mailing. In fact, if a Democrat on this side who is a target, decides to vote 'no', your side, the handlers of your campaigns are going to do the same mailing to the Democrats. It's going to say, you voted against the Greylord Reform measure to clean up the corruption in Chicago's Traffic Court. So you really have a dilemma. Now let me get back to what the Bill does. In Chicago we have this system in Traffic Court where you go and you get a citation that if you don't go to court, there's a warrant that's issued. If there's 10 warrants issued, licenses can be suspended. Right now, under current law. What this Bill is saying is that we take that out of Traffic Court, we put it over in administrative hearings where we have hearing officers. We do this for workers comp. We do it for tax appeals, and when you're

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through having your hearing on your parking ticket, if there was a mistake, as I indicated before, something that could even be handled over the phone, which is not being handled over the phone now, because it's in court. You can't call a judge up and say, hey, I got a problem. But you can call a hearing officer up. That's why it's an important Bill. It's an important measure to more effectively control the collection of parking tickets. I know that there are many Republicans who would like to vote for this Bill because they told me so. Republicans who supported the Bill in Committee, who gave very good speeches concerning the importance of this Bill, who were then told afterwards, oh, I'm sorry I voted for that. I was told I was supposed to vote 'no'. Ladies and Gentlemen, I would appreciate your support for this Amendment and maybe we can have this fine debate again on Third Reading."

Speaker Breslin: "The question is, 'Shall Amendment #12 be adopted?' All those in favor vote 'aye'. All those opposed vote 'no'. Voting is open. The Gentleman from Kane, Representative Kirkland, one minute to explain your vote."

Kirkland: "Thank you, Madam Speaker. Just a clarification. I believe Representative Cullerton said that our analyst... or that he was told that our analyst had trouble analyzing the Bill. Had trouble analyzing the Bill. Didn't have trouble analyzing the Bill, but the analysis had to reflect the vagaries in the Bill, and that's the only thing that the counsel told him."

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

McNamara: "Yes, Madam Speaker. There is a problem with my switch. The minute you opened the switches, it

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automatically went to 'present'. There is something wrong. I cannot press the 'yes' vote. I want to be recorded as voting 'yes'."

Speaker Breslin: "Mr. Clerk, record Representative McNamara as voting 'aye'. The Gentleman from Champaign, Representative Johnson, one minute to explain your vote. Representative Johnson."

Johnson: "Lot of... lot of good debate. Lot of good explanation. Lot of consideration of due process and so forth. But for those who look to various issues, at least, partially in political terms, this is really a political issue. And it particularly is for downstate legislators. By politics, I guess I mean in the generic sense. This is an absolute downstate/Chicago issue, as much as you could ever frame one, and if you represent a downstate district, and you have constituents call you next year who aren't going to be able to drive anymore because a computer screwed up when they weren't even near Chicago and you say, well, I voted for it because I thought it was good government, you're going to have the same explanation process that I have. I don't think it's good government. I think it's well intended, but that it does not work well. It doesn't conform with due process, and it's not a good vote for any downstate legislator."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 50 voting 'aye', 66 voting 'no', and none voting 'present' and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #13, offered by Representative McCracken."

Speaker Breslin: "Repre... Representative Cullerton, for what reason do you rise?"

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Cullerton: "Take it out of the record, please."

Speaker Breslin: "Out of the record. Ladies and Gentlemen, we're going to a Special Order of Farm Assistance and Development, House Bills Second Reading, page 7 on your Calendar, at the request of Representative Johnson, House Bill 746. Clerk, read the Bill."

Clerk O'Brien: "House Bill 746, a Bill for an Act to amend the Illinois Highway Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed or Amendments."

Speaker Breslin: "Third Reading. Going now to page 8 on your Calendar, Environment and Economic Development, House Bills Second Reading, House Bill 1217, Representative Phelps. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1217, a Bill for an Act in relation to Southern Illinois University. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third... well, there's a fiscal note requested, Mr. Clerk, has that been satisfied?"

Clerk O'Brien: "Fiscal note has not been filed."

Speaker Breslin: "Representative Phelps?"

Phelps: "Madam Chairman, Speaker, last Friday this was brought to my attention, when I inquired, and I think the fiscal note said it was filed as amended, and since it was not amended, I was told that it would probably be out of order."

Speaker Breslin: "Mr. Clerk, does the fiscal note indicate that it is filed on a Bill as amended? Representative McCracken, for what reason do you rise?"

McCracken: "I think it would be out of order only if it didn't say 'as amended' and there were an Amendment. What is..."

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what could possibly be wrong or misleading about asking for a fiscal note, whether it says 'as amended' or not?"

Speaker Breslin: "The Gentleman has pointed out that the Bill has not been amended and since Amendments did not go on, he assumes that there is no need for a fiscal note. So... "

McCracken: "That's an unwarranted assumption."

Speaker Breslin: "Representative Hallock, for what reason do you rise?"

Hallock: "Well just to say that, clearly on this Bill, with some fiscal impact, there has to be a fiscal note applicable, and I would think that you would proceed and suggest that that has to be done."

Speaker Breslin: "Representative McCracken."

McCracken: "I have a copy of what I believe the fiscal note was. It's got my signature and it's dated May 6, and it doesn't say 'as amended'."

Speaker Breslin: "Representative Phelps, the Clerk's office indicates that their records coincide with Representative McCracken's records that a straight fiscal note was requested. It did not say fiscal note 'as amended', therefore, you must either move that the Fiscal Note Act not apply or supply a fiscal note. What is your pleasure, Sir?"

Phelps: "Thank you, Madam Speaker. I will move that the Amendment is not applicable, although I did inquire at the Chair of both Mr. O'Brien and Leone, and they told me and showed me that it was 'as amended', as of Friday, but that's fine, I'll move that it's inapplicable. This Bill does not call for any appropriation at all."

Speaker Breslin: "The Gentleman notes that the... that a... moves that the Fiscal Note Act not apply, and on that question, the Gentleman from Winnebago, Representative Hallock."

Hallock: "Well, to the Motion then, Madam Speaker. Clearly,

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since this is not a budget Bill, there is no money attached herein and thereto, but also for the same reasoning, this Bill is very obviously in that it suggests a brand new program. This Bill has suggested that we establish an International Commerce and Development Center at SIU in Carbondale. That will cost some money. We all know that. It will probably cost in excess of millions of dollars, and although that money is not attached to this Bill, clearly there will be a fiscal impact. Nothing could be more clear, I think, and I would ask that you defeat this Motion."

Speaker Breslin: "The Gentleman from DuPage, Representative McCracken, on the Motion."

McCracken: "Madam Chairman, I understand the rules apparently allow for the suspension of this rule, however, I'm looking at Chapter 63 of the Revised Statutes, Section 42.31 which states in mandatory terms that when requested the Bill has to be filed... or the fiscal note has to be filed, so to the extent the rules can allow for a Motion of this type or, in the alternative, a Motion to suspend the rules, I think they conflict with the statute, and I'd like a Parliamentary ruling on that. My point of order is that the rules cannot be suspended because it's in violation of the Statute."

Speaker Breslin: "Please give me the Statutory cite, please."

McCracken: "Chapter 63, Section 42.31."

Speaker Breslin: "Is there any further discussion? Representative Hallock, for what reason do you seek recognition?"

Hallock: "Well, I'd just suggest that he have SIU prepare a fiscal note and file it and we'd be done."

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

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McCracken: "I will... I will address the merits, if that's the Chair's desire."

Speaker Breslin: "Proceed. That's fine."

McCracken: "Assuming that the Motion is proper, which I don't concede, the fact of the matter is that this creates a new program at the Southern Illinois University campus, directs the Board of Trustees of SIU to establish an International Commerce and Development Center. The Center shall utilize the talents of the alumni and work cooperatively with the University of Illinois and OCCA and the Department of ENR. The fact of the matter... the fact of the matter is that there is a cost here. We are talking about a State University which, whose funds must be appropriated by the General Assembly, we're talking about extra activities directed, mandated by this Bill, we're talking about what has to be an increased cost, which must be appropriated by the General Assembly. You know, this feeling that we can avoid the dictates of the Statute by making... a Motion where a 60 votes can nullify our rules and the Statute, is... it's silly. I mean, why don't we... why don't we just follow the rules and the law."

Speaker Breslin: "Representative McCracken, with regard to your previous parliamentary inquiry, please note that while Chapter 63, Section 42.31 does say that a fiscal note shall be supplied, a later Section, Section 42.33, indicates that a vote of the House shall control whether or not the Fiscal Note Act is applicable. Therefore, your point is not well taken. Representative Phelps to close on his Motion that the Fiscal Note Act is inapplicable."

Phelps: "Thank you, Madam Speaker, I do apologize for the confusion. I might try to set some of you straight. It was not my intent at this stage of this legislation to even put anything in the budget for the creation of this

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particular center. I believe, with statutory language, the substantive language that we hope to create here, that down the road that that may be a possibility, and the fiscal note could be in the millions of dollars, but at this particular time we're talking about creating a setting at the campus of SIU, available buildings that are there, for the purpose of gathering foreign students, contacts. We have... SIU is the 13th leading university that attracts foreign students in the world, and we have a lot of resources, valuable input from some of those families that are internationally... have international input. We want to bring together the U of I setting, SIU, just as a place to exchange ideas and marketing of products. I think there is a need. If this merits a building program or a new project to a greater extent in the future, I may play a part in that and may not, but it is not my intent to appropriate money. I appreciate your support."

Speaker Breslin: "The question is, 'Is the Fiscal Note Act inapplicable?' All those in favor say 'aye', all those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 67 voting 'aye', 49 voting 'no' and 1 voting 'present' and the House determines that a Fiscal Note Act is not applicable. Therefore, this Bill moves to the Order of Third Reading. House Bill 1263, Representative Hicks. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1263, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 1971, Representative

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Younge. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1971, a Bill for an Act to assist economic and energy development in certain areas of the state. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 2091, Representative Wvetter Younge. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2091, a Bill for an Act to add to the Civil Administrative Code of Illinois. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Younge."

Younge: "This is merely a technical Amendment that clarifies the Bill."

Speaker Breslin: "The Lady moves to adopt Amendment #1 to House Bill 2091, and on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2095, Representative Wvetter Younge. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2095, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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Speaker Breslin: "Representative Younge, I note that there is a fiscal note requested on this Bill. Has it been supplied, Mr. Clerk?"

Clerk O'Brien: "The fiscal note has not been filed."

Speaker Breslin: "The Bill thus... must thus remain on the Order of Second Reading. Representative McCracken? Okay. This Bill will remain on the Order of Second Reading, Representative Younge. House Bill 2656, Representative Parke. Representative Parke. Out of the record. House Bill 2732, Representative Currie. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2732, a Bill for an Act to amend the Cook County Forest Preserve District Act. Second Reading of the Bill. Amendment 01 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

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

Speaker Breslin: "Representative McCracken."

McCracken: "Thank you, Madam Speaker."

Speaker Breslin: "Representative McCracken?"

McCracken: "I believe the Sponsor requests the Bill to be read a Second Time and held on Second Reading."

Speaker Breslin: "Mr. Clerk, the Bill has been read a Second Time, hasn't it?"

Clerk O'Brien: "The Bill has been read a Second Time."

Speaker Breslin: "Fine. Would you like to take this Bill out of the record, Representative Currie? Very good. Out of the record."

McCracken: "And then..."

Speaker Breslin: "Ladies and Gentlemen, we're going to the Order of State and Local Government on page 10 on your Calendar, House Bills Second Reading, House Bill 838, Representative Levin. Representative Levin? Out of the record. House Bill 1264, Representative Flinn. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 1264, a Bill for an Act to amend the Veterinary Medicine and Surgery Practice Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 1607, Representative Doederlein. Out of the record. House Bill 1877, Representative Wyvetter Younge. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1877, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Younge."

Younge: "Thank you, Madam Speaker. Floor Amendment #1 is a clarifying technical Amendment."

Speaker Breslin: "The Lady moves for the adoption of Amendment #1 to House Bill 1877, and on that question the Gentleman from DuPage, Representative McCracken."

McCracken: "18... Your Floor Amendment #1 is a technical Amendment? How many pages is it?"

Speaker Breslin: "Representative Younge, in response to Representative McCracken."

Younge: "Yes, it's a four page rewording of the intent of the original Bill."

McCracken: "It's a four page technical Amendment?"

Younge: "That's correct."

McCracken: "Okay."

Younge: "To clarify the fact that the intent is for the Human Rights Department to assign the Equal Opportunity Officers."

McCracken: "For the record or point of order. I believe the

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Amendment is out of order. It purports to amend House Bill 575 on page 1, line 5 and so forth. And for that reason, since it purports to amend a Bill different than what the Lady seeks to amend it to, I believe it's out of order."

Speaker Breslin: "Representative Younge, the Chair determines that this Amendment is out of order."

Younge: "Madam Speaker. I ask leave to substitute or to amend it on its face."

Speaker Breslin: "The Lady asks leave to amend the Bill on its face... "

Younge: "... to take out 575... "

Speaker Breslin: "... to refer on page 2 to change the number from 575 to 1877. Are there any objections? Representative McCracken objects. Representative Wvvetter Younge, I would suggest that you leave the Bill on the Order of Second Reading, have the Amendment redrafted and we'll get back to it as quickly as we can."

Younge: "Alright, thank you, Madam Speaker."

Speaker Breslin: "House Bill 2083, Representative Younge. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2083, a bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 2224, Representative Hallock. Out of the record. Ladies and Gentlemen, we're going to the Order of Revenue on page 12 on your Calendar. House Bills Second Reading. House Bill 144, Representative Davis. Representative Davis? Clerk, read the Bill."

Clerk O'Brien: "House Bill 144, a Bill for an Act to amend the Illinois Lottery Law. Second Reading of the Bill. Amendments #1, 2, 3 and 4 were adopted in Committee."

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Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Floor Amendment #5.. "

Speaker Breslin: "Excuse me, Representative Churchill. The Sponsor has taken this Bill out of the record. House Bill 859, Representative Ronan. Representative Ronan? Clerk, read the Bill."

Clerk O'Brien: "House Bill 859, a Bill for an Act to amend an Act in relation to the founding and operation of the University of Illinois Hospital. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Motions or Amendments?"

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

Speaker Breslin: "Third Reading. On page 13 on your Calendar appears State Regulation, House Bills Second Reading, House Bill 1045, Representative DeLeo. Representative DeLeo? Out of record. Representative DeLeo is here. House Bill 1045. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1045, a Bill for an Act in relation to pharmacies. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed. Floor Amendment #3, offered by Representative DeLeo."

Speaker Breslin: "Representative DeLeo."

DeLeo: "Thank you, Madam Speaker, Members of the House. Amendment #3 is a technical Amendment. It just clears up a technical error that was... caused a Constitutional defect

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in the Bill. This Amendment is to correct that error and should put... would make a substan... no substantive change to Amendment #2. I ask for its adoption."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #3 to House Bill 1045, and on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No Further Amendments."

Speaker Breslin: "Third Reading. On page 14 on your Calendar, Senior Citizens and the Disabled, House Bills Second Reading, appears House Bill 664, Representative Turner. Clerk, read the Bill."

Clerk O'Brien: "House Bill 664, a Bill for an Act to amend the Illinois Act on the Aging. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Turner."

Turner: "Thank you, Madam Speaker. I'm going to withdraw Amendment #1. I'd like to know if Amendment #2 has been on file?"

Speaker Breslin: "Withdraw #2 (sic - #1). Are there any further Amendments?"

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

Speaker Breslin: "Representative Turner."

Turner: "Thank you, Madam Chairman. Amendment #2, the intent of this legislation... "

Speaker Breslin: "Excuse me. Representative McCracken, for what

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reason do you rise?"

McCracken: "An inquiry of the Chair. Has the Amendment been printed and distributed?"

Speaker Breslin: "Mr. Clerk? Has it been printed and distributed? Representative Turner, it has not been printed and distributed. What is your pleasure?"

Turner: "I'm willing to wait until it's distributed. I think it's an Amendment that would be agreeable by all."

Speaker Breslin: "Do you want to hold the Bill on Second or to move it to Third."

Turner: "Yes. We'll hold it on Second."

Speaker Breslin: "Hold the Bill on Second Reading, Mr. Clerk. House Bill 1014, Representative Bowman. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1014, a Bill for an Act to amend an Act in relation to rehabilitation of disabled persons. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments? Excuse me. House Bill 1014 is on the Order of Third Reading. I misread the Calendar. Let's take that Bill out of the record. Representative Bowman, is that okay? I'm sorry. House... we're on page 15 now. House Bills, Special Order of Business, Second Reading, Consumer Protection. House Bill 2, Representative Cullerton. Representative Cullerton? Out of the record. House Bill 1414, Representative John Dunn. Out of the record. Going to Adminis... on page 16, for Administration of Justice, House Bills Second Reading, appears House Bill 270, Representative Levin. Clerk, read the Bill."

Clerk O'Brien: "House Bill 270, a Bill for an Act to amend the General Not For Profit Corporation Act. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

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Clerk O'Brien: "No Motions filed. Floor Amendment #3, offered by Representative Parke and McCracken."

Speaker Breslin: "Take the Bill out of the record. House Bill 440, Representative Dunn. Clerk, read the Bill."

Clerk O'Brien: "House Bill 440... "

Speaker Breslin: "Excuse me, the Gentleman is not in the chamber. Out of the record. House Bill 1343, Representative Dunn. Out of the record. House Bill 1853, Representative McCracken. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1853, a bill for an Act to... in relation to the protection of trade secrets and remedies for the misappropriation. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Representative McCracken? Representative McCracken?"

McCracken: "This Bill has a life of its own. Please take it out of the record."

Speaker Breslin: "Out of the record. House Bill 2350, Representative Currie. Out of the record. Representative Currie, for what reason do you rise? Mr. Clerk, read House Bill 2350."

Clerk O'Brien: "House Bill 2350, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Amendments?"

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

Speaker Breslin: "Is there an Amendment filed, Mr. Clerk?"

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

Speaker Breslin: "Representative Tate."

Tate: "Move to table."

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

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

Speaker Breslin: "Representative Wojcik. Representative Wojcik. The Lady is not in the chamber. Representative Currie, what is your pleasure?"

Currie: "Thank you, Madam Speaker, Members of the House. It is my understanding, I've not talked with Representative Wojcik in the last couple of days, but my understanding was that she had agreed to another person to withdraw the Amendment, but I have not spoken to her recently, so I would..."

Speaker Breslin: "Representative Wojcik, did you agree to withdraw this Amendment?"

Wojcik: "Representative, would you repeat that? I just came into the House."

Speaker Breslin: "Representative Currie is under the impression that you would like to withdraw this... "

Currie: "Amendment 3."

Speaker Breslin: "...Amendment. Is that correct?"

Wojcik: "May I say this, Representative. You said that the people that were sponsoring your Bill were going to come and see me to talk to me. They have not."

Currie: "My understanding was that they had."

Wojcik: "Right. They have not."

Speaker Breslin: "Do you want to take the Bill out of the record?"

Wojcik: "Do you want to take it out of the record and... "

Currie: "Can we come back to it?"

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Speaker Breslin: "We'll get back to it. Surely. Out of the record. Ladies and Gentlemen, on page 7 on your Calendar appears Farm Assistance and Development, House Bills Third Reading. On the Special Order of Call, Farm Assistance and Development, House Bills Third Reading, first Bill appears House Bill 500, Representative Ropp. Out of the record. House Bill 691, Representative Ropp and Olson. Representative Ropp. Read the Bill, Mr. Clerk, on Third."

Clerk O'Brien: "House Bill 691, a Bill for an Act creating the Illinois Summer School for Agriculture. Third Reading of the Bill."

Speaker Breslin: "Representative Ropp."

Ropp: "Thank you, Madam Speaker, Members of the House. More than a year ago there was a special study dealing with the Ag Academy in Illinois. After a long series of discussions and hearings it was determined that there was a need in the State of Illinois. However, for full, year long studies, it was determined that, for one reason or another, finances being one, that that would not be acceptable at that particular time. It is, in my judgment, that as a result of those hearings and that study and that report, that that should be renewed, at least, to have a summer school for those exceptional ag students that want to learn above and beyond what they are currently learning in their high school curriculum, as well as to allow some of those students who currently do not have availability to ag programs, to be included in this summer program. I have taken out the provision that stated exactly where this should be, allowing the 13 to 17 member board, which would be appointed by the Governor, to make that designation, and I welcome your support, or answer any questions that you may have."

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

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House Bill 691, and on that question, is there any discussion? Hearing none, the question is, 'Shall the Bill pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', 1 voting 'no' and 2 voting 'present', and the House passes House Bill 691. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 700, Representative Richmond. Clerk, read the Bill."

Clerk O'Brien: "House Bill 700, a Bill for an Act to amend the Illinois Farm Development Act. Third Reading of the Bill."

Speaker Breslin: "Representative Richmond."

Richmond: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 700 amends the Illinois Farm Development Act. It creates a center for post harvest technology in Peoria to promote the use of agriculture products for foods, fuel, pharmaceuticals, chemicals, materials and other value added products to promote bio-technology and genetic engineering, to promote the cooperative research into post-harvest technology and to encourage the location of post harvest industries in Illinois. This is part of the 'Harvest of the Heartland' package. I think most of you are familiar with it. The thrust of it, of course, is to do just as I've described, to provide a center for further research into the technology of post... value added products that we can assist in upgrading the farm... the ag community. I would ask your support for House Bill 700."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 700, and on that question the Gentleman from McLean, Representative Ropp."

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

Speaker Breslin: "He indicates he will."

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Ropp: "Representative Richmond, I think this is a commendable idea. My question is, would this in fact be in the facility known as the Northern Research Lab, directed by USDA, or would this require a new facility, a new laboratory, a new research approach, or... and if so, is there any money involved with it?"

Richmond: "This... the thrust of this, or the intent, is not to develop a new center in a building of its own. It would be working in conjunction with the two organizations you mentioned, and the Agriculture Research and Development Consortium and the... and the Peoria Economic Development Council, and the... it's hoped that this can be phased into some of the space they have available."

Ropp: "The space already at the Northern Research Lab?"

Richmond: "Yes."

Ropp: "Alright. Thank you very much."

Speaker Greiman: "Further discussion? Representative Greiman in the Chair. There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. The voting is open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 116 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order of Business appears House Bill 703. Mr. Clerk, call the Bill."

Clerk Leone: "House Bill 703, a Bill for an Act relating to seed capital investments for agribusiness. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Sangamon, Mr. Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 703 establishes Illinois Seed Capital

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Fund through the Illinois Farm Development Authority. The Seed Capital Fund will work with... in conjunction with private industry to provide start up funds for farmers in farm related businesses that will help farms diversify farm products, and I ask for a favorable roll call. Be glad to answer any questions."

Speaker Greiman: "The Gentleman from Sangamon, Mr. Curran, has moved for the passage of House Bill 703, and on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 116 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order of Business appears House Bill 705. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 705, a Bill for an Act in relationship to farm debt medication (sic - mediation). Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Rock Island, Mr. Brunsvold, on House Bill 705."

Brunsvold: "Thank you, Mr. Speaker. I'd like leave of the House to return House Bill 705 back to Second for a... an Amendment."

Speaker Greiman: "The Gentleman asks leave of the House to return this Bill to the Order of Second Reading for the purpose of an Amendment. The Gentleman has leave. Mr. Clerk, are there Amendments?"

Clerk Leone: "Amendment #5 is being offered by Representative Brunsvold."

Speaker Greiman: "The Gentleman from Rock Island, Mr. Brunsvold,

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on Amendment #5

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #5 was partly requested by the bankers. It makes some changes that were omitted in Amendment #4. A \$20,000.00 to a \$40,000.00 increase should have also been included as the indebtedness, and not just the definition of a farmer, so we corrected that situation. We have indicated that the Director of the Department of Agriculture shall be the Chairman of the Board, which was requested by the bankers. We've got some technical language in there about financial statements as requested by the bankers, with increase from 180 to one year, the period before another waiver has to be obtained at request of the bankers and that, with that, Mr. Speaker, I'd move for the adoption of Amendment #5."

Speaker Greiman: "The Gentleman from Rock Island, Mr. Brunsvold, moves for the adoption of Amendment #5 to House Bill 705, and on that, the Gentleman from McLean, Mr. Ropp."

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

Speaker Greiman: "He indicates he will yield for questions."

Ropp: "Is the Director of Agriculture now in support of this legislation and with him serving as Chairman of the Board?"

Brunsvold: "Representative Ropp, I've had discussions here on the floor last week with Director Herries, and he indicates, and I have a letter from him here indicating his support, he has found... done some investigations on the Bill and he is in support of the mediation act and he has given me his commitment that he will work hard to make sure this thing is a success."

Ropp: "Okay then, in the Amendment what was the purpose for changing the 180 days up to a full year now?"

Brunsvold: "Well, the bankers felt that 180 days after a waiver was given was not a long a period enough to get problems

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ironed out, that a year would give them more time to... to settle some problems they might have, and it was their request. I see... I see no objection to that, so I went along with their position."

Ropp: "Does this assume then that they are going to help finance that farmer for... during that year period that they may need assistance?"

Brunsvold: "No, that doesn't mean that at all. It simply gives them the option, instead of after 180 days, the provisions of the Mediation Act come back into effect after waiver has been granted. This simply extends that to one year. So if a banker decided he wasn't going to foreclose, he would have a year to make that decision instead of 180 days."

Ropp: "Thank you."

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

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Rock Island, Mr. Brunsvold, moves that the House waive the provisions of Rule 37(b) so that this matter may be heard in standard. Mr. McCracken, is there any objection?"

McCracken: "Yes, I object to leave."

Speaker Greiman: "The Gentleman has objected to having this Bill heard at this time. The Gentleman from Rock Island moves that Rule 37(b) be suspended at this time with respect to House Bill 705. And on that, is there discussion? Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. Mr. Speaker, the Order of Business we were on prior to coming to Third Reading, 'Harvest the Heartland' Order of Business, was Second Readings. Second Readings were then waived in favor of

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Third Readings on this issue. There were a couple of Republican Bills in there, but mostly Democratic Bills and, in fact, this is the Harvest the Heartland Democratic Initiative. You know, I think the Chair abuses its power when it moves from Order to Order and insists that the Democratic Agenda be considered out of order. We were doing Second Readings. We were told we were going to be doing Second Readings today, told we were going to concentrate on that Order of Business. All of a sudden we move to a Democratic initiative Order of Business on Third Reading. I object to having it heard at this time and ask for a Roll Call."

Speaker Greiman: "All those in favor of waiving Rule 37(b) signify by voting 'aye'. Those opposed vote 'no'. Voting is open. That's... Mr. Brunsvold, for what purpose do you seek recognition?"

Brunsvold: "Thank you, Mr. Speaker. I appreciate Representative McCracken's position in the posturing of that side of the aisle. I tried to move this back to accommodate some requests of the bankers, not that I accommodate all of them, but to try to do that to help their situation a little bit, make the Bill a little bit better for them, and I would ask the House to vote to move this to Third Reading. We hear it today or we hear it tomorrow."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk. You wish to explain your vote? No. You've spoken in debate, Mr. McCracken. You want to verify this? 71 votes on it? No, I need 60 votes, Mr. McCracken."

McCracken: "Well, point of order, then, Mr. Speaker. Under 37(d) a Bill returned to the Order of Second Reading to which Amendments have been adopted shall not be taken up on again on the Order of Third Reading that same Legislative Day and

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readvanced and may be... and this paragraph may be suspended upon the affirmative vote of 71 Members.

Speaker Greiman: "71 votes, that's right. That's correct. You're correct. Okay. All those... Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 71 votes for 'aye', 45 voting 'no', none voting 'present' and the Gentleman from DuPage, Mr. McCracken, has requested a verification of the affirmative vote."

Clerk Leone: "Poll of the Affirmative. Barrios. Bowman. Braun. Breslin. Brunsvold. Bugielski. Capparelli. Christensen. Cullerton. Curran. Currie. Daley. Davis. DeJaegher. DeLeo. Deuchler. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Greiman. Hannig. Hartke. Hicks. Homer. Huff. Jones. Keane. Klemm. Krska. Kulas. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McGann. McNamara. McPike. Morrow... "

Speaker Greiman: "Mr. McNamara, for what purpose do you seek recognition?"

McNamara: "Leave to be verified for Mr. McCracken."

Speaker Greiman: "Mr. McCracken. Mr. McNamara. Yes, you have leave, Sir."

Clerk Leone: "Continuing with the Poll of the Affirmative. Mulcahey. Novak. Panayotovich. Phelps. Preston... "

Speaker Greiman: "Mr. Curran asks leave of the House to be verified. Does he have leave? You have leave, Sir. Proceed, Sir."

Clerk Leone: "Rea. Rice. Richmond..."

Speaker Greiman: "Mr. McCracken, Ms. Currie asks leave to be verified. Ms. Currie, you have leave. Yes."

Clerk Leone: "Continuing with the Poll of the Affirmative. Ronan. Ropp. Saltsman. Satterthwaite. Shaw. Steczko.

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Stern. Sutker. Terzich. Turner. Van Duyne. White.
Williams. Wolf. Anthony Young. Hyvetter Young and Mr.
Speaker.

Speaker Greiman: "The Gentleman from McHenry, Mr. Klemm. For
what purpose do you seek recognition?"

Klemm: "Yes. I'd like to change my vote to 'no', please."

Speaker Greiman: "Mr. Klemm goes from 'aye' to 'no'. Ms.
Deuchler, did you want to get on that bandwagon? Alright.
'no'. Ms. Deuchler goes from 'aye' to 'no'. Mr.
McCracken, you have questions on the Affirmative Roll
Call."

McCracken: "Yes, Sir. Representative Krska."

Speaker Greiman: "Mr. Krska. Is Mr. Krska in the chamber today?
This morning? Mr. Krska. How was the Gentleman recorded?
Remove Mr. Krska."

McCracken: "Representative Martinez."

Speaker Greiman: "Representative Martinez. Is Mr. Martinez in
the chamber? Mr. Martinez. How is he recorded?"

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

Speaker Greiman: "Remove the Gentleman from the Roll Call."

McCracken: "Representative Berrios. Oh, I'm sorry. I see him."

Speaker Greiman: "Mr. Berrios is in his seat."

McCracken: "Representative Williams?"

Speaker Greiman: "Mr. Williams is at Mr. Young's seat."

McCracken: "Okay. Representative Terzich?"

Speaker Greiman: "Mr. Terzich. Mr. Terzich is not in the
chamber. You can remove Mr. Terzich."

McCracken: "Representative Hicks?"

Speaker Greiman: "Mr. Terzich is here. Return him to the Roll
Call."

McCracken: "Hicks?"

Speaker Greiman: "The Gentleman from... Mr. Hicks? Is Mr. Hicks
in the chamber? How is Mr. Hicks recorded?"

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

Speaker Greiman: "Remove Mr. Hicks."

McCracken: "Representative Flinn?"

Speaker Greiman: "Mr. Flinn. Representative, the Gentleman from
St. Clair, Mr. Flinn. How is the Gentleman recorded?"

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

Speaker Greiman: "Remove the Gentleman."

McCracken: "Representative Shaw?"

Speaker Greiman: "Mr. Shaw. Mr. Shaw is in his chair."

McCracken: "Representative Laurino?"

Speaker Greiman: "Mr. Laurino. Mr. Laurino. How is Mr. Laurino
recorded?"

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

Speaker Greiman: "Remove Mr. Laurino."

McCracken: "Representative Mulcahey?"

Speaker Greiman: "Mr. Mulcahey is in his chair."

McCracken: "Representative Kulas?"

Speaker Greiman: "Mr. Kulas. Mr. Kulas. The Gentleman... how is
Mr. Kulas recorded?"

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

Speaker Greiman: "Remove Mr. Kulas."

McCracken: "Representative Levin?"

Speaker Greiman: "Mr. Levin is in his chair."

McCracken: "Representative Panayotovich?"

Speaker Greiman: "Mr. Panayotovich. How is Mr. Panayotovich
recorded?"

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

Speaker Greiman: "Remove Mr. Panayotovich."

McCracken: "Representative McNamara?"

Speaker Greiman: "Mr. McNamara was... "

McCracken: "Oh, that's right. Yes. You're right."

Speaker Greiman: "... had leave to be verified."

McCracken: "Representative McGann?"

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Speaker Greiman: "Mr. McGann. Is Mr. McGann in the chamber? Mr. McGann. How is Mr. McGann recorded?"

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

Speaker Greiman: "Remove Mr. McGann."

McCracken: "Representative O'Connell."

Speaker Greiman: "Mr. O'Connell is at his desk."

McCracken: "Representative Giglio?"

Speaker Greiman: "Mr. Giglio is at the well."

McCracken: "Nothing further."

Speaker Greiman: "On this question there are 61 voting 'aye', 47 voting 'no', none voting 'present' and the Motion fails. Mr. Brunsvold."

Brunsvold: "Mr. Speaker, did you move the Bill to Third Reading again?"

Speaker Greiman: "Yes. I did move the Bill to Third Reading, Mr. Brunsvold."

Brunsvold: "Thank... thank you, Mr. Speaker."

Speaker Greiman: "Alright. Thank you, Mr. Brunsvold. On this Order appears House Bill 706. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 706, a Bill for an Act in relationship to motor fuel dispensed in state vehicles. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Clinton, Mr. Granberg."

Granberg: "Thank you, Your Honor, Members of the House. House Bill 706 provides that the Department of Central Management Services evaluate and assess the needs of ethanol and how it's used in the state vehicles for the fleet and in the state depots. Historically, Illinois has led the country in corn production. We feel it's extremely important for Illinois in its position to take the role of leadership and we can do that at the State level by using ethanol to set the example for the rest of the state. We would appreciate your 'aye' votes."

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Speaker Greiman: "The Gentleman from Clinton has moved for the passage of House Bill 706, and on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 114 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order of Business on page 8 of the Calendar appears House Bill 708. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 708, a Bill for an Act in relation to the purchase or contract to purchase food by state agencies. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Macoupin, Mr. Hannig, on House Bill 708."

Hannig: "Yes. Thank you, Mr. Speaker, Members of the House. This Bill deals with the problem that arose last year when we found that the Department of Corrections was buying Yugoslavian pork and using it in our state institutions, and the problem that that actually presents is a question of why, when we have the most productive farmer in the world in the American farmer, are we buying these products from foreign countries, Communist countries, which subsidize these products. It's a shame that we see so often in the paper pictures of foreigners coming to the United States to study the ways that we farm in Illinois and in this country, and then they go back to their country and try to copy that as best they can and, in spite of the fact that they simply are not as productive as our farmers, they still try to find ways to undercut us and to play in a situation that simply is not fair. All things being equal,

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trade being fair, there's no farmer in the world that can out produce the American farmer. But having said that, we know that that's not always the case. We see these foreign companies and these foreign countries, in this particular instance, coming to the United States and simply selling this product at less than their cost of production in order to gain Western currency for whatever purpose. So this Bill requires that the State of Illinois purchase American agricultural products when the United States grows those products. It's a very simple concept and I believe that we should have this commitment to our American farmer. Some may argue that it violates fair trade, but, as I say, we don't see a situation of fair trade in agriculture. We have, for the last few years, seen imports come into this country in agriculture in areas that we've never seen imports come in before, and it's because we've seen unfair competition by foreign companies... countries. Some may argue that it may cost us a little bit more to buy these products. But I would argue that, while we may save a few dollars if we buy foreign products, that the long term consequences of having American farmers go out of business, the social cost, the economic cost, the cost to us as taxpayers, to this state is much greater than the few dollars it would cost us to buy our products up front. So this Bill is an attempt to address that problem, to solve that problem, and I'd ask for your support."

Speaker Greiman: "The Gentleman from Macoupin moves for the passage of House Bill 708, and on that the Gentleman from McLean, Mr. Ropp."

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

Speaker Greiman: "He indicates he'll yield."

Ropp: "Representative, as we talked about this last week, I certainly support your intent. Let me raise a question for

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you. Let's suppose the United States exports hogs to, where do you say, Poland, and also exports the grain to feed those hogs, are those American? Are those hogs that come back in the form of ham, is that American originated ham or is that Polish ham?"

Hannig: "First of all, Representative, I think that's a very unlikely situation, but..."

Ropp: "That's not necessarily true because we're always in the business of exporting live hogs to many countries around the world. People in my district, the... a number of businesses are exporting purebred livestock all around the world. Now, to prevent those animals from being involved in trade, or by your definition, American origin, I would say that those are American hogs, if, in fact, the seed stock have come from the United States, or even Illinois."

Hannig: "Could you repeat that, I couldn't hear you. There's a lot of noise, Gordy."

Ropp: "I say, if we are exporting purebred livestock to Poland, we are exporting our soybeans and our corn to Poland to feed those hogs, they come back in the form of processed ham, wouldn't that, in fact, be maybe Illinois ham in itself?"

Hannig: "I believe that when we are talking about American products, when we sell a product to another country, it becomes their product, but the thrust of this Bill is how can it be that a foreign country can raise this product cheaper than us and export it back to us cheaper than an American farmer here in Illinois, where there's very basically no transportation costs involved, how can he beat that price. The only way they can is because they're being subsidized by their government."

Ropp: "Another question, then, relative to the cost that we might save. How much money would we save, if, in fact, we are

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able to... well, no. How much money would it cost if we would have to buy some, say Illinois hogs versus Polish hogs?"

Hannig: "Representative, the fiscal note simply says that it would result in some higher costs, but it doesn't say any dollar amount because we don't know. What this Bill is really trying to do is solve a long term problem in the United States. We're simply looking at a possibility of saving a couple of dollars today versus the long term economic and social problems of putting a lot of farmers out of business in the long run."

Ropp: "I think you've brought up a very good point. The long term possibility of this Bill is so detrimental. It is very serious, and the fact that when we get involved in determining who we will buy grain from or who will not buy from us, we are sending a message to the world that we want to put a border, a fence around our state so that we really don't want to deal with you in terms of international trade. The biggest amount of sales that we deal with agriculturally is in the area of corn and soybeans, and with this Bill, at the very premise of causing those foreign countries, who are big buyers from the United States, and from Illinois in particular, to turn them off and to say to them, 'We do not want to trade with you.' They, in fact, will say, 'We don't need your soybeans, we don't need your corn, because we can get it from Brazil, Argentina or some other country.' Ladies and Gentlemen, this is a Bill that we do not want to start because long term, this is detrimental to international trade, as it affects every Illinois and U. S. farmer and I urge your opposition."

Speaker Greiman: "The Gentleman from Livingston, Mr. Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House. I think

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the last speaker made a very good point. This, unfortunately, is probably a Bill that has a lot of political appeal, but when our farmers start thinking about it, they're going to realize that it isn't doing anything for them. That it's going to hurt them in the long run. I hope that the people in this Assembly will look carefully at the type of precedent we're setting here. We are one of the largest exporting states in the country. We don't want to jeopardize that. We don't want to have to hire new bureaucrats to be sure that whatever... everything we purchase for our prisons or mental health institutions or whatever, is grown in the United States. It's ridiculous. It sounds good, but it's bad. It's very similar to the situation where we followed the dictates of the people back home and we have now allocated all of the lottery money to education. It doesn't put one more dime into education. By passing this Bill we'll allocate our money for products grown in the United States, but it won't put one more dime in the pockets of our farmers, and in fact, it may in the long run hurt them. And I would suggest a resounding 'no' to this bad idea."

Speaker Greiman: "The Gentleman from McDonough, Mr. Slater."

Slater: "Thank you. Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in support of Representative Hannig's Bill. You know, we spent a lot of time giving lip service to a lot of things around here, and one of those things is the American farmer. A vote for this Bill is a vote for the American farmer and a vote that everyone should be proud to cast. Thank you."

Speaker Greiman: "The Gentleman from Fulton, Mr. Homer."

Homer: "Thank you, Mr. Speaker. A question for the Sponsor."

Speaker Greiman: "He indicates he will yield."

Homer: "Representative Hannig, has the Illinois Farm Bureau taken

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a position against your Bill?"

Hannig: "Representative, I've... they have not taken a position on the Bill at all."

Homer: "They are not in opposition to your Bill?"

Hannig: "No. I would suspect, though, that their members would be for this Bill."

Homer: "Is the Illinois Department of Agriculture in opposition to your Bill?"

Hannig: "No, it is not."

Homer: "Mr. Speaker, to the... to the Bill."

Speaker Greiman: "Proceed, Mr. Homer."

Homer: "We've heard a lot of talk about how this involves the world trade situation, involving Illinois farmers. Pardon the pun, but sounds like 'hog wash', really. What we're really talking about, the issue is whether the Illinois Department of Corrections ought to be purchasing Yugoslavian pork. Now, how can we in good conscience, allow that to happen. We've got farmers here who are losing their farms and going out of business, and that's why we're considering this whole Order of Business. This Bill would allow the Department of Corrections to buy outside of Illinois, anywhere in the United States. It just simply says that we shouldn't go overseas to buy products and bring them back to feed our prisoners at the Department of Corrections. I think that's so inherently reasonable that it should be beyond debate and we ought to get on with other business and vote resoundingly in favor of the Gentleman's Bill."

Speaker Greiman: "The Gentleman from Kankakee, Mr. Novak."

Novak: "Mr. Speaker, thank you for this opportunity to speak. I rise in support of this Bill. The farm economy has been devastated in this state, in this whole country. I don't think we should be buying Yugoslav hams. We've got some of

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the best pork producers in my district, so I support the Bill. Thank you."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. Who was that guy?"

Speaker Greiman: "Further discussion? There being none, the Gentleman from Macoupin, Mr. Hannig, to close."

Hannig: "Thank you, Mr. Speaker, Members of the House. Just to address a couple of points that were raised in debate. First of all, I hope the Members on that side of the aisle are simply not opposing this Bill because it's a Democratic initiative this year. I would point out that last year Senator Davidson on the Republican side in the Senate introduced this same proposal. I'm certain that the Senator still supports this proposal when it gets to the Senate. Secondly, this Bill would not put a fence up around Illinois. It says that we can buy American agricultural products. They can be from Iowa. They can be from Florida. They can be from California. It doesn't say just Illinois. And lastly, we're not talking about agricultural products that are not grown in the United States. We'll buy bananas from Brazil and we'll buy foreign products from those countries where we don't grow them here, in America, from foreign countries. It would not address those problems, but it will address the problem growing Illinois pork in Illinois and in this United States in seeing our prisons buying Yugoslavian pork. You know, people, when they read about the State Legislature and State Government in the paper, oftentimes wonder, you know, what really is going on in Springfield. Do those people know what's going on and is there sense being made of our government? People read in the paper about a foreign government selling their products to Illinois Department of Corrections, and we, in the State Legislature, doing

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nothing about it. It doesn't really make any sense to me that we should be telling American farmers that they can line up for all these programs that we're trying help them, and yet, we won't buy their products because we want to subsidize the foreign government. The real question this Bill wants to address is, should we buy pork and foreign products from... and foreign foods from foreign governments or should we buy those products from our American farmers? If someone could prove to me that other farmers are more efficient and better producers than our farmers, I'd say, fine, let's buy them, but that's not the case. This is a Bill to help the American farmer and this is the Bill that should pass. And I'd ask for your support."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 89 voting 'aye', 27 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order of Business appears House Bill 709. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 709, a bill for an Act to amend the Illinois Forestry Development Act. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Jackson, Mr. Richmond, on House Bill 709."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill, House Bill 709, is another Bill in the harvest the heartland package and it's a very simple Bill. It proposes to recreate for two years the Illinois Forestry Development Council. The new council is to consist of the same members serving on the old commission. And the

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commission is mandated to continue its previous functions, including studying forestry resources, determining the opportunities for the economic growth to the development of forest lands, conferring with state departments on the administration of various programs and fostering soil conservation benefits from forestry management. The new council is required to report his findings by July 1, 1988, and it will be terminated as of December 31, 1988. The forestry industry in Illinois is a sizable one and it is growing and it also is being neglected. And the purpose of this council is to help in that direction. I ask that you support 7..."

Speaker Greiman: "Gentleman from Jackson moves for the passage of House Bill 709. And on that, the Gentleman from Winnebago, Mr. Hallock."

Hallock: "Will the Sponsor yield?"

Speaker Greiman: "Indicates he'll yield for questions."

Hallock: "Is this a commission or a council?"

Richmond: "As a result of the Amendment that we placed on the Bill on Second Reading, it is now a council."

Hallock: "Is this the type of council that we abolished a couple of years ago when we abolished most commissions, councils and Committees? Is this a legislative council?"

Richmond: "The Forestry Commission, as it was known as in the first two years of existence, was passed by this House in spite of the fact that commissions had been eliminated because of the need for the commission to make a report to this General Assembly within two years. The fact that they were unable to complete their work in the given time was due to the fact of the Governor and various others who were very slow in making their appointments, and we barely got in under the wire with part of the duties of the council. And it is one that requires very little budget, and I would

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ask that we approve it for another two years."

Hallock: "Well, you recall a couple years ago when we all joined together and abolished all commissions and agencies. Does this actually have legislative appointments?"

Richmond: "I'm sorry, I didn't hear the last of your question."

Hallock: "Does this have legislative appointments or is this appointed strictly by the Governor?"

Richmond: "No, it has legislative appointments and by the Governor in the private sector. There are 25 members on it and it includes Legislators, department directors, representatives of certain universities, the forest industry, farming and environmental concern organizations."

Hallock: "When they meet, what are they suppose to do that cannot be done by the Department of Conservation or some other state agency?"

Richmond: "Well, it specialized in the development of the timber industry and the forestry industry and the expansion of it that deals with incentives to the farmers to place marginal land into forestry and it... we had taken an inventory of what is involved in the industry and reporting to the Legislature as to the liability and the size of the industry and what can be done by further promoting it. The various departments that you have mentioned are a part of the commission, but they have their own little segment, but this... we operate under one umbrella."

Hallock: "And what's the budget level for this council?"

Richmond: "In the past, it's been 40,000 dollars. There is no salaries whatsoever."

Hallock: "Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open, and this is final action. Have all voted who wish? Have

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all voted who wish? Mr. Clerk, take the record. On this question, 117 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears House Bill 1041. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1041, a Bill for an Act concerning the quality of Illinois grain. Third Reading of the Bill."

Speaker Greiman: "Gentleman from McLean, Mr. Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. House Bill 1041 is an attempt to begin to work together between the University of Illinois College of Agriculture and the Illinois Department of Agriculture to come up with some standards in addition to the Federal USDA grain standard so that, in fact, we could begin to market grain based on protein and oil in soybeans, for example, or protein in corn or carbohydrates. The fact of the matter is that many of our foreign buyers are coming to the United States, Japan, in particular, requesting soybeans based on oil and protein content, and under our current USDA standards, we do not provide them with that service. These are standards that must conform with USDA, and it is my intent that we can come up in Illinois with those kind of standards that we can go to USDA and say, we need to implement these kinds of standards so that, in fact, Illinois soybean growers will be able to reap benefits for producing the high oil and protein bean that we do in Illinois. And I welcome any questions or... and your support."

Speaker Greiman: "The Gentleman from McLean moves for the passage of House Bill 1041. On that, is there any discussion? The Gentleman from Effingham, Mr. Hartke."

Hartke: "Will the Gentleman yield for a question?"

Speaker Greiman: "Indicates he will."

Hartke: "Representative Ropp, what will this mean in dollars, do

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you think, to the Illinois farmer? What is it going to cost to implement this program?"

Ropp: "This won't cost anything other than the few bucks that we give for research. The program in itself could add substantial bucks or actually substantial pennies to a bushel of soybeans that the American farmer and Illinois farmer would produce and sell to market. Soybeans are based on protein and oil. That's what we use. We don't sell soybeans based on the value that we get out of the foreign matter or cracked kernels. That's nonsense to be selling grain on that. We ought to be basing it on the value of that product."

Hartke: "Okay. Who's going to pay the premium for these soybeans?"

Ropp: "In this case, the foreign buyer would because they're going to reap more in product, either in oil or protein, and yet the product would be worth more because you're going to end up getting more in product. Illinois does have the highest soybeans percentage of protein in oil of any state in the nation."

Hartke: "Representative Ropp, is the Illinois farm Bill behind this suggestion of yours?"

Ropp: "I really don't know. I don't know why they would be opposed to it."

Hartke: "Where does the Illinois Department of Agriculture stand on this issue?"

Ropp: "I know at one time, the Department Agriculture was the prime mover in this area some fifteen years ago."

Hartke: "Well, I think at the present time, they're opposed to it. Isn't that correct?"

Ropp: "Not to my knowledge."

Hartke: "I think they are. I think the... the Federal Government can do this testing if they so desire. Right now, we sell

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grain on grain quality standard set up by the, what, Federal Government?"

Ropp: "That's correct."

Hartke: "And buyers buy that grain on those standards, correct?"

Ropp: "Tragically enough, the Japanese people are coming to this country wanting to buy soybeans based on oil and protein, and under our standards, they cannot buy it, so they're going to Brazil. So, if you supported the previous Bill or the one prior to this, discouraging people to going out of the state and out of the country, then you would want to support this Bill."

Hartke: "What... what would you call this, USDA Grade #1 soybeans, #2 soybeans, what?"

Ropp: "No, my intent is to provide for USDA some proven standards that will be beneficial in assuring them that they, in fact, would change their standard so that these would become the standards for USDA sales of exported products. And we're attempting to give them basis, facts and figures, so that they, in fact, will amend their current standards to include protein and oil content. It's an excellent concept and one that you ought to support."

Hartke: "Well, isn't it a fact right now, that our foreign buyers are buying for price, not necessarily quality? If they wanted better quality, they could buy that #1 or #2 corn or soybeans?"

Ropp: "Yes, but there has... there's no content in there as to oil or protein or carbohydrates or anything. You buy it on moisture content, foreign matter and cracked kernels. Why would you want to buy grain based on cracked kernels or foreign matter when you ought to be buying it based on the amount of protein or oil that you can get out of soybeans? You can get 44 percent out of soybean, wouldn't that soybean be worth a lot more than getting soybean that's

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only worth 35 percent protein?"

Hartke: "That all depends on what you're buying it for. Maybe, these buyers would want to have that quality and they know what quality they're getting when they buy #1, 2, 3... soybeans."

Ropp: "No. No. No. Now that's not true. If it is..."

Hartke: "You... you."

Ropp: "No, you don't know how much protein or oil happens to be in a #1 soybean or a #2 because it's not part of the standards. I want to include it in the standards so that when you buy a #1 soybean, you're getting a soybean that the new standards would have, 44 or 45 percent protein or 20 percent oil, whatever the case might be. Currently, you do not know in the current standards what kind or how much protein or oil is in a #2 or #3 or #4 or #1 soybean."

Hartke: "What is the variation in the oil content of a bean?"

Ropp: "Well, it ranges all the way from, maybe 35 up to 45 or 47, 48 percent protein, but you'll never know under the current USDA standards."

Hartke: "Are you saying, then, that each individual elevator, as the farmers bring in their beans and blend them and whatever, every batch has to be tested and so forth and here we've got a million bushels of grade A #1 soybeans with a 44 percent oil content, and that should be priced X number of dollars and a 35 percent content on #1 beans should be placed... priced at another content?"

Ropp: "When you bring in soybeans right now, and you well know, if you got 20 percent moisture, you're going to get docked for it. You don't get any premium for it. What we're saying here is when you get ready to export that, you can have Japanese come in and they'll buy soybeans based on a 44 percent protein content or a 20 percent oil, whatever the case might be, and be able to meet those standards."

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Hartke: "Is this going to mean a premium to that farmer, then?"

Ropp: "It wouldn't necessarily be a premium. It could be the established price. I mean, you... whatever corn is today, it is less as you go to two, three or four grade, you don't even buy corn on #1. You don't even sell it on #1 anymore. It's always based on #2."

Hartke: "Well, I realize that, but is this going to help the farmer?"

Ropp: "Absolutely. I wouldn't introduce it if it wasn't going to help the farmer."

Hartke: "How is it going to help the farmer? You just said it wouldn't help him get a better price for his product."

Speaker Greiman: "Gentlemen, the purposes is to question facts and what not and not to argue. So, proceed, Sir."

Ropp: "Well, soybeans that have more protein will be worth more than soybeans that have less protein and price would be based on that rather than on moisture content. It's simple."

Speaker Greiman: "Mr. Hartke, did you have further remarks?"

Hartke: "Well, I simply am opposed to the Bill and I... no further questions."

Speaker Greiman: "Gentleman from Jackson, Mr. Richmond."

Richmond: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Bill. It was my... I had an opportunity to visit several hours of seminar at U of I on this very subject, and they have worked extensively in the field of trying to determine why we've lost a lot of our export customers. And one of them... they feel one of the major reasons is the... our method of grading and inspection. And this Bill is moving in that direction. I think it's time that we let USDA know that there are some corrections needed, and I believe we should pass this Bill."

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Speaker Greiman: "Further discussion? The Gentleman from McLean, to close."

Ropp: "Thank you, Mr. Speaker. I think we've had adequate debate and I welcome your support..."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those in favor vote 'aye', those opposed 'no'. Voting is open, and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'aye', 4 voting 'no', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears House Bill 2378. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2378, a Bill for an Act to amend the law in relationship to grain dealers. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Lee, Mr. Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I offer for your consideration House Bill 2378, which updates the Illinois Grain Dealers Act, which you may recall is Senate Bill 800 of three years ago. The Public Grain Warehouse and Warehouse Receipts Act and the Illinois Grain Dealers Insurance Act to bring them in conformity with what we did last Session, that is the 84th General Assembly, at which time we indicated that the Illinois Public Accounting Act was amended, required third parties who rely on the certified financial statements to notify accountants of their participation. This Bill has been suggested to us by the Department of Agriculture. It has no fiscal impact on state revenue or the Department's budget. It is supported by the Grain and Feed Dealers Association because the administrative penalties have been

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removed from the Bill. I'd be please to answer any additional questions."

Speaker Greiman: "Gentleman from Lee moves for passage of House Bill 2378. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 116 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. And on this Order of Business appears House Bill 2494. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2494, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Effingham, Mr. Hartke."

Hartke: "Thank you, Mr. Speaker and Members of the House. House Bill 2494 requires the Department of Transportation in conjunction with the Department of Agriculture to institute research or... institute research to the study of the use of calcium magnesium acetate and report the findings of that study to the General Assembly by May of 1989. I would ask for your support."

Speaker Greiman: "Gentleman from Effingham, Mr. Hartke, moves for the passage of House Bill 2494. And on that, is there any discussion? Gentleman from McDonough, Mr. Slater."

Slater: "Thank you, Mr. Speaker, would the Sponsor yield for questions?"

Speaker Greiman: "Indicates he'll yield for questions."

Slater: "Mr. Hartke, are you familiar with House Bill 746 which was sponsored by Representative Johnson and former

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Representative Weller?"

Hartke: "I do believe there was such a Bill."

Slater: "My question, Sir, is what's the difference between your House Bill 2494 and House Bill 746 which was Republican sponsored?"

Hartke: "House Bill 746 specified that it should... the study should be conducted in certain counties and I'm not requiring that."

Slater: "Secondly, how did your Bill get on this Calendar to be called on Third Reading while 746 was just moved to Third Reading this morning?"

Hartke: "Just lucky, I guess."

Slater: "Well, thank you very much, Mr. Hartke. I think what we have here, Mr. Speaker, is an example of an abuse of power exercised by the Majority. There was a Bill, 746, which actually did almost exactly the identical thing that Mr. Hartke's Bill does. It deals with the use of CHA which is a corn product. It's a good Bill. And the Bill that Mr. Hartke is sponsoring is a good Bill, but it's a situation that we have very simply where the Majority has stolen the right to claim credit by refusing to call 746 a Bill which was heard in Committee passed out of Committee unanimously and simply advanced to First Reading... to Third Reading this morning. And I intend to vote for Mr. Hartke's Bill. I think this legislation is good legislation. I just regret that we couldn't have both Bills called and that we couldn't have a Republican Sponsor as well as a Democratic Sponsor. Incidentally, another Cosponsor on Mr. Hartke's Bill is Mr. Christensen, and I commend him for Cosponsoring this Bill. Thank you very much."

Speaker Greiman: "Gentleman from McLean, Mr. Ropp."

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

Speaker Greiman: "Indicates he'll yield for questions."

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Ropp: "If, in fact, this turns out to be a good program, and I understand USDA is doing the same kind of programs, so your program is probably not necessary, but let's say it would provide that farmers would receive an extra dollar for a dollar bushel for corn. Would you support the usage of this product on the highway?"

Hartke: "For a dollar a bushel is quite a bit, Representative Ropp. I don't think it's going to amount to..."

Ropp: "Let's say fifty cents a bushel. Would you support it?"

Hartke: "Try twenty cents."

Ropp: "Twenty cents?"

Hartke: "Yes."

Ropp: "Even if it would cost three to 500 dollars a ton more than salt now?"

Hartke: "Well, it depends upon the long term, the advantages of using CMA over salt."

Ropp: "Well, would you be in support of mandating that? By 1990, we ought to use this product entirely so that we could get that extra twenty cents a bushel for corn which would provide... probably prevent more farmers from going bankrupt and be a real true test to the 'Harvest of the Heartland' proposal that we're hearing so much about."

Hartke: "Well, Representative Ropp, I think your Bill would have mandated that and my Bill says, let's study that, and if it's going to be outrageous and cost the state entirely too much money, then we'll decide that when the conclusion of this study is in."

Ropp: "Well, aren't you attempting to help farmers? If you're going to try and help farmers, then we ought to help farmers. If we're just going to do a duplicate study like we're currently doing under USDA, then I kind of raise the question."

Hartke: "I think that was a statement, not a question."

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Speaker Greiman: "Further discussion? There being none, the Gentleman from Effingham, Mr. Hartke, to close."

Hartke: "Well, thank you very much, Mr. Speaker. I'll remind Mr. Slater and I appreciate his concern for his colleague, but I think he ought to check with his colleague. It is my understanding that that Bill will be called tomorrow and will be considered then. I just ask for your support on House Bill 2494."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Ms. Hasara, did you want... did you wish to explain your vote? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 114 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On this Order appears House Bill 2837. Mr. Clerk, read the Bill."

Clerk Leone: "On page 50 of the Calendar."

Speaker Greiman: "Mr. McCracken, for what purpose did you wish to seek recognition? Would you like me to take this out of the record. Alright. Proceed, Mr. Clerk."

Clerk Leone: "House Bill 2837, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker Greiman: "Lady from Sangamon, Ms. Hasara, on House Bill 2837."

Hasara: "Thank you, Mr. Speaker. House Bill 2837 would add a representative from the Department of Ag and a representative agri-business to the Technology Innovation and Commercialization Grants-in-Aid Council. For your information, this Council is located within DCCA and provides assistance to universities, community colleges,

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research institutions, consortiums and other not-for-profit entities in Illinois businesses to foster research and development in high tech and service sectors. This research, then, leads to the development of new products and services that can be marketed by Illinois business, and it's felt that these two additions to the Council would ensure that consideration is given to agricultural purposes. This came out of the Governor's Rural Affairs Council. And I move for the adoption."

Speaker Greiman: "Lady from Sangamon moves for the passage of House Bill 2837. Is there any discussion? The Gentleman from DeKalb, Mr. Countryman."

Countryman: "Thank you, Mr. Speaker. Will the Lady yield? Representative Hasara, how many people are presently on this Council?"

Hasara: "Seven."

Countryman: "So, the number would then go to nine?"

Hasara: "That's correct, Representative."

Countryman: "And do... as I recall, I believe the director of DCCA is on the Council."

Hasara: "Yes, would you like me to read who the Members are?"

Countryman: "Yes, if you would, please."

Hasara: "Okay. There are two representatives of DCCA: One from the Board of Higher Ed, one from Science or Engineering appointed by the Governor, two representatives of business and one from small business."

Countryman: "So..."

Hasara: "We would add a representative from the Department of Ag and one from agri-business."

Countryman: "So, the representative from agriculture, would that be the director?"

Hasara: "He would appoint the member. It would not have to be the director."

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Countryman: "Okay. Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 111 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Olson in the Chair."

Olson: "Mr. Speaker, fellow Members of the House, these group of girls here are from Mt. Pulaski, Illinois. Mt. Pulaski is a small community in my district. And if you drive around the State of Illinois, you'll go through a lot of small communities, but Mt. Pulaski is different. They have a rich athletic heritage. If... down in southern Illinois, you have Teutopolis. Here, in central Illinois, we have Mt. Pulaski. We've had high school championship basketball teams, grade school championship basketball teams. And what I have here today is a championship grade school 8A volleyball team. Mr. Clerk, would you read the Resolution."

Clerk Leone: "House Resolution 252, offered by Representative Robert Olson. Whereas, the Members of this Body are delighted to recognize instances of athletic excellence throughout this state; and whereas, it has come to our attention that the Mt. Pulaski Grade School girls' volleyball team has won the Illinois Elementary School Association Class A Volleyball Tournament; and whereas, with an impressive 24 and 0 record on the season, the Mt. Pulaski Grade School volleyball team is under the guidance of head coach, Ken Runkle; and whereas, Mt. Pulaski volleyball team known as the Honeybears, were able to

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defeat the Virginia Redbirds to capture the championship at the State 8A volleyball tournament held in Manteno High School and; therefore, be it resolved, by the House of Representatives of the 85th General Assembly of the State of Illinois, that we congratulate the Honeybears from Mt. Pulaski Grade School on winning the Illinois Elementary School Association Class 8A Volleyball Tournament and that we commend the players and coach for their hard work and dedication; and that we extend our best wishes to them for continued success in the future."

Olson: "Don Saltsman was talking to the girls down in the corner here, and he said they hadn't beat anybody from Peoria. If they haven't beat anybody from Peoria, Don, it's only because they hadn't played them. I would now introduce to you, Mr. Rich Sato, Principal of the Mt. Pulaski Grade School, and he wanted to introduce the coach and the members of the team."

Rich Sato: "Thank you, Representative Olson. I'd like to take this opportunity to introduce the coach, Mr. Ken Runkel. Our match record this year was 24 and 0, and our game record was 48 and 2. I'd like to introduce the girls at this time. Tara Fisher. Laurie Letterle. Angie Marshall. Christa Morre. Jennifer Murphy. Sarah Schilling. Lainee Schmidt. Laurie Sharp. Crystal Skaggs. Tanya Wade. Jennifer Walton. Manager, Jennifer Wubben. Manager, Marcia Stewart. Thank you very much, Ladies and Gentlemen. It's been a thrill for the girls, the coach, and myself. Thank you, Representative Olson, for helping us."

Olson: "Thank you, Mr. Sato. And to my fellow Members, I know it's a very busy day and a very busy week to interrupt the proceedings, but this morning, I thought it got just a little bit warm enough that this here might just make the day a little smoother. Thank you very much."

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Speaker Braun: "Representative Braun in the Chair. On page 20 of the Calendar, on the Order of Public Health, Second Reading, appears House Bill 1415. Representative McCracken. 1415 on Second... Mr. Clerk, read the Bill."

Clerk Leone: "On page 20 of the Calendar. House Bill 1415, a Bill for an Act to amend the Right of Conscience Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Braun: "Third Reading. Representative McCracken."

McCracken: "It's a... there is a Floor Amendment, Madam Speaker, Pullen - McCracken - O'Connell, Floor Amendment #1."

Speaker Braun: "The Bill will be returned to the Order of Second Reading. Mr. Clerk. Mr. Clerk, read the Bill on the Order of Second Reading."

Clerk Leone: "Floor Amendment #1 is being offered by Representative Pullen and McCracken - O'Connell."

Speaker Braun: "The Lady from Cook, Representative Pullen, on Amendment 1."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. With the cooperation of the Sponsor of this Bill, I am seeking to add to this Bill which concerns abortion, the provisions of House Bill 1399 which is a major prolife Bill, which did not come out of Committee because of a confusion between me and the Chairman which was inadvertent. It was not voted on in Committee. The Amendment provides that when an unborn child is viable, no abortion shall be performed except in a hospital which has measures for life support."

Speaker Braun: "Excuse me, Representative Pullen. For what reason do you rise, Representative Bowman?"

Bowman: "Thank you, Madam Speaker. I believe the Amendment has

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not been printed and distributed and hence of being appropriate for us to take up this matter at this time."

Speaker Braun: "Mr. Clerk. Representative Pullen, the Amendment apparently has neither been printed nor distributed."

Pullen: "Madam Speaker, I introduced this Amendment a couple of days ago. I don't know whether the Clerk's office has lost it for good, since they didn't originally even recognize that there was such an Amendment."

Speaker Braun: "Representative McCracken."

McCracken: "Speaker, Representative Churchill is holding up a copy of the Amendment."

Speaker Braun: "I'm sorry, Representative Pullen, the Amendment is neither printed nor distributed. It hasn't been... We'll have to come back... we'll have to come back..."

Pullen: "How did Representative Churchill get a printed copy?"

McCracken: "No. No. Let's not come back. Here it is."

Speaker Braun: "Out of the record. House Bill... House Bill. We will come back to House Bill 1415 as soon as the Amendment has been printed and distributed on the Democratic side of the aisle. Half of your colleagues, Representative McCracken, have not seen the Amendment. It is inappropriate and in violation of our rules to consider the Amendment when the Members have not had a chance to review it. House Bill 2044, Representative Pullen. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2044, a Bill for an Act to amend the Criminal Code."

Speaker Braun: "Lady from Cook, Representative Pullen."

Pullen: "Madam Speaker, the Bill is on Second Reading, and I believe the Clerk should indicate what Amendments have been adopted and what Amendment is pending."

Speaker Braun: "That's correct. Mr. Clerk. House Bill 2044. Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 2044, a Bill for an Act to amend the Criminal Code, has been read a second time previously. Amendment #1 was adopted on May 16. The next Amendment is Floor Amendment #2, being offered by Representative Stephens and Pullen."

Speaker Braun: "Are there any Motions filed with respect to Amendment 1?"

Clerk Leone: "There are no Motions filed."

Speaker Braun: "Floor Amendment... any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representatives Stephens and Pullen."

Speaker Braun: "The Gentleman from St. Clair, Representative Stephens, on Amendment 2."

Stephens: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #2 would amend the Hospital Licensing Act and the Blood Bank Act and require that the Department of Public Health to include in its licensure standards for hospitals with blood banks and for independent blood banks, the requirement that such establishments implement directed blood donations. By a matter of detail, it would require DPH, by rule, to include in its licensure criteria, the condition that each hospital which operates a blood bank must establish direct blood donations. The direct blood donations would allow a blood donor to specify the donated blood to be reserved for the use of a person or a designated group of persons for a period of seven days from the date of donation. This provides that the same licensure requirements regarding the establishment of direct blood donations also apply to blood banks. What we would like to address here is the need by the general public, especially when faced with elective surgery, that they want to know that their blood supply is going to be untainted by the current AIDS virus or the second AIDS

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virus, the one that has been established in Africa and has... we have two documented cases that I know of in New York City that we do not have a test for yet, and so, what people would like to be able to do is to establish a donation pool of known members of their family or a designated group that they feel assured are able to supply an AIDS free or AIDS related complex free...AIDS virus free blood supply. And so, I move for the adoption of Amendment #2."

Speaker Braun: "The Gentleman has moved for the adoption of Amendment 2. And on that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative White."

White: "Madam Speaker, will the... the Sponsor respond to a question?"

Speaker Braun: "He indicates he'll yield."

White: "Representative, with this Amendment, would we... will it have the tendency to dry up the supply of blood?"

Stephens: "No, not at all. As a matter of fact, I think by way of public consciousness, it may increase the awareness of the need for blood, and I think an overall increased awareness of the... both of the blood supply problem that, you know, that we already have in certain parts of the year in Illinois and in America, and as it relates to the AIDS virus and the new information that we're getting on that. So, no, I don't think, in any stretch of the imagination, that this would diminish the current blood supply in hospitals or blood banks."

White: "The reason for me asking that question is because I have a sneaking suspicion that unions, fraternal organizations, social clubs would set aside blood specifically for their members, causing a drain on the supply of blood. So, that is my concern."

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Stephens: "No, I... I just don't... I don't share that concern."

White: "Well, would... is the Medical Society or the hospitals or the AIDS Council, any of those groups in support of this Amendment?"

Stephens: "I have not been contacted by any of those three groups as to their position on this Amendment. Someone else on the floor may be aware of a pro or con or neutral position, and I would... I have not been contacted. I would let you know that as a matter of public policy, whether or not we want to establish this as a matter of public policy, I don't think should just be left to any one of those groups or, I think, if that's the purpose of public debate and talking about this in a public forum is to somehow reflect the needs of a community that might not be reflected by any one of those three single groups that you just named."

White: "Well, House Bill 2097 that dealt with the same subject was held in Committee because of our concern for there being a limited supply of blood. And in House Bill 337, we have the same kind of an approach, the same thing as included in Representative Levin's Bill, 736. And you also have a man behind you, Representative Stange, who has a Bill which I could live with, because he limits the donation to members of his immediate family. And I'm in support of that Bill, and I'm in opposition or opposed to Amendment #2... Amendment #2."

Stephens: "I don't understand the reasoning behind your support of limiting it to a family whereas..."

Speaker Braun: "Representative Stephens, this is not... should not be a debate."

Stephens: "I thought that was a question. I was just responding..."

Speaker Braun: "Yes, Sir. Is there further discussion? The Chair recognizes the Lady from Cook, Representative

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Pullen."

Pullen: "Thank you, Madam Speaker. The difference between this Amendment and the language that was approved by the Committee is that this Amendment does not restrict the recruitment of donors to just members of someone's family. A very small percentage of the people in Illinois could take advantage of this blood trust program if we limited it to members of the family. It is not at all inappropriate to give the prospective recipient of blood the opportunity to decide whom his donors will be. That is the only difference between this and the language that has been accepted by the Committee, language that is being used in this Amendment is that which the Gentleman on the other side of the aisle informed me was proposed by the Hospital Association. So, the issue here is, do we want to make this public protection proposal available just to those few people who have family members who are eligible to donate to them and have matchable blood types, or do we want to let a majority of people in Illinois take advantage of an opportunity to be more assured of the safeness of the blood they are receiving. I support the Amendment and strongly urge its passage. Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Lady from Cook, Representative Currie."

Currie: "Thank you, Madam Speaker, Members of the House. May I ask a question of the Sponsor?"

Speaker Braun: "He indicates he'll yield."

Currie: "Representative Stephens, if this Amendment were added to this Bill, if the Bill were to become law, and you, yourself, were in need of blood transfusions, if you were ill, facing surgery or what have you, would I be right in assuming that you would be anxious to take advantage of the provisions of this law in ensuring that directed donations

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were available to you?"

Stephens: "I suppose I'd have to make that decision at the time of..."

Currie: "But I assume that you think that people like yourself might be interested in having this option."

Stephens: "I think that the... when you put it in that term, the fact that we have that option, I would have... that's the reason that I'm proposing the Amendment so that we could have a perfect..."

Currie: "Right. Right. Let me just ask... let me ask this. If you, yourself, or a member of your immediate family were then in a need of blood donations and you preferred this directed program, I would anticipate - and I think I would be right in anticipating - that the news would go out to the friends, to the folks that care about Representative Ron Stephens and his family to get in there and direct these blood donations. Would that be right? I mean, there might be some... a general clarion call going out to the friendship network to say Representative Stephens or his good wife or his good child is in need of these directed donations."

Stephens: "If I could answer that question, Madam Speaker, the... if that were the case, the tremendous benefit to the general blood supply would be a real benefit because this only... this Amendment only allows the blood to be held for seven days, which means it has a full 21 days that it could be used for anybody who had access to that blood supply. So, three-fourths of the time that that the blood is available, it would be available for use by anyone outside the designated person."

Currie: "Okay. Let me ask this, Representative. Would it be your view that, you know, your good buddy, Joe, your neighbor right next door, who hears this clarion call for

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help from the Stephens family, that good buddy Joe is likely to feel some peer pressure to respond to the call for a directed donation. Would you think that likely?"

Stephens: "I think that's really stretching it."

Currie: "Do you think that's likely?"

Stephens: "I think that's really stretching it."

Currie: "To the Amendment, Madam Speaker and Members of the House. It seems to me it's, indeed, likely. And good buddy, Joe, the neighbor down the block, who is in encouraged, in fact, pressured to make a directed blood donation to Representative's family or Representative Stephens himself. It may turn out that good buddy, Joe, himself, has blood that is infected with AIDS antibodies. What happens to good buddy, Joe, once he has made that blood donation? As I understand the underlying provision of House Bill 2044, good buddy, Joe, has now opened himself to a criminal charge because he has offered blood that is tainted to add to the general blood supply. This Amendment, it seems to me, is totally upside down. It creates the wrong kind of incentives for giving blood, and if I may say, in addition, in answer to other points made by people supporting this Amendment, that the language of this Amendment is not approved by the blood banks, by the Hospital Association, by the Medical Society. Representative Daley has introduced a Resolution this Session that would call upon a study of the whole issue of directed blood donations or blood trusts. It seems to me that we ought to be wary where we tread. We ought to defeat this Amendment. We ought, instead, adopt House Resolution 109."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Morgan, Representative Ryder."

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Ryder: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of this Amendment, and I hadn't intended to speak until I heard the argument that was just given by the past speaker. How far afield can we go to say that people who would be responding to the need of a friend or a relative or a loved one would somehow feel pressured to go in knowing that they had AIDS and commit a felony. To stretch the argument to that extent is fallacious. In this situation, we're talking about people who are responding to a need, a need in this situation of someone who has facing the responsibility of knowing that they're going to need blood, calling upon those who are their friends to donate for a specific purpose. Recently, I had an... just a chance to read about this, and I gave thanks that no one in my family had ever found it necessary to have a transfusion, except then my wife reminded me that because of the traumatic birth of our child, within the first hour of his life, he received two units of blood. And now we face the quandary of saying, who donated that blood? Was the blood contaminated? And so, we're going to find it necessary for a six year old child to perhaps take it... have the necessity of an AIDS test. If there is nothing... if there is nothing more pure in this situation than to be asking your friends and your relatives to be able to donate blood for your purposes, this seems to me one of the most sensible, common sensible kinds of Amendments to deal with this problem that I can think of, and I strongly urge the passage of this Amendment."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Homer... the Gentleman from Fulton, Representative Homer."

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

Speaker Braun: "He indicates he will."

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Homer: "Representative Stephens, under current law, what would happen if a situation arose where donors appeared on behalf of a donee and a particular hospital said, 'We want our blood to go to Joe.' Is there any law that would prohibit the hospital, currently, from segregating that blood and making certain that it is available?"

Stephens: "You can't present yourself at a hospital and do that. You can't designate it like that. It can be requested. A recipient can request, but you can't..."

Homer: "There's nothing in the current law that would prohibit a hospital from setting up its own program that you mandate in this Act, is there?"

Stephens: "No, that's true."

Homer: "And the seven day requirement, as I understand it, it's only to be kept separate for seven days. Enlighten me about the significance of seven days. How long is blood able to be used?"

Stephens: "We... General medical practice indicates it's 30 days."

Homer: "What would happen if more donors arrived to give blood specified for an individual than was needed for that individual?"

Stephens: "Well, if it wasn't used within seven days, and that's a pretty unpredictable course to take, but it would be after seven days. On day eight, it would be used... could be used in the general pool of that blood bank."

Homer: "But what if, on day one or day two, that donee's needs were satisfied and there were other needs at the same time for that same blood, under your Bill, the hospital, by law, would be required to prevent the needed person from getting that blood until the end of the seven days."

Stephens: "Our intention is that the donee would be able to undesignate that blood for himself. I'm not sure that

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that's in the Amendment, but that is certainly our intention."

Homer: "I don't think it is in the Amendment. I think it's pretty clear it has to be kept for seven days. Let me finally ask, and Representative Currie made reference to it, but what is the position, if any, if the... on your Bill, of the AIDS Task Force? Have they taken a position on your Amendment?"

Stephens: "Which AIDS Task Force?"

Homer: "Well, I know there are a number of them. Are any of them in support?"

Stephens: "I have not been contacted by any AIDS Task Force on any Amendment to this Bill."

Homer: "And what about the Illinois Hospital Association, are they taking a position?"

Stephens: "We... this is very similar to the language that they had. I told... I spoke earlier, I said that I have not been contacted officially by the Illinois Hospital Association, but someone else remarked on that earlier. I would have to recall their remarks."

Homer: "I'm advised that the Hospital Association is generally opposed to this type of Amendment, whether they've seen this specific Amendment or not, I don't know. The Illinois Medical Society, have they taken a position?"

Stephens: "The... did you say the Hospital Association again?"

Homer: "Well, no, the Medical Society, have they taken a position?"

Stephens: "The Medical Society... there might be some confusion about this like there is about the Hospital Association, because I'm getting mixed signals. The Hospital Association contacted Representative Stange, mentioned that seven days was a key word, that they support it, and language very similar to this, and in essence, the same

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language, I believe, has been represented to Representative Stange that that's a position that they would support. Now, as to the Medical Society, I have not been officially contacted by the Medical Society as to their position on this Bill."

Homer: "It's my understanding that Representative Stange's Bill limits the provisions to family members. But, Mr... Madam Speaker, to the Amendment. I don't really quarrel with the purpose of the Amendment that the Sponsor intends, however, I just don't believe that it's necessary. There is no reason why now the hospital couldn't adopt a policy or, upon special request, maintain a program whereby a specific recipient could... or donors could designate a specific recipient in need of blood. I think that happens all the time, quite frankly. So, I don't think this is anything novel. I think hospitals are by and large doing it within their own parameters. I question the wisdom, however, of mandating that all hospitals engage in this kind of a program for the reasons that have been pointed out by some of the other speakers and because where I come from, we have a number of smaller rural hospitals who have a limited blood supply. And I can envision a circumstance arising where they're... they have an emergency situation, a need to provide blood to that recipient, and yet, because of this law, the blood that they have in their blood bank has somebody else's name on it. So, they're not able to help with a car accident patient in an emergency or some other needy recipient. I think it unnecessarily restricts the ability of that medical care center to provide the best possible medical care. And, as I indicate, there is nothing to prevent those hospitals from developing their own program if they have the capability and manpower to do it. So, I think although the Amendment is well intended, I

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think it's ill-advised and ought to be opposed."

Speaker Braun: "Ladies and Gentlemen, there are 15 Amendments to this Bill alone and, as such, we will go to the use of the timer so that your remarks may be kept as succinct and to the point as possible. Is there further discussion? The Chair recognizes the Gentleman from DuPage, Representative Stange."

Stange: "Thank you, Madam Speaker. The Illinois Hospital Association on this Amendment is the same Amendment that they wanted to offer me in my blood donor Bill. What the key word in this Amendment is, 'in seven days'. What that actually means if the recipient, after seven days, has used the blood or has not used the blood, there's blood left over, it can go into the general blood bank. For example, if you had a next door neighbor or an uncle or friend that wanted to give you blood, he can do that and it won't hurt the blood bank or any blood programs because after seven days that blood immediately goes into the blood bank supply."

Speaker Braun: "Is that a question, Representative Stange?"

Stange: "No, it's not."

Speaker Braun: "Is there further discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' I'm sorry, Representative Stephens, to close."

Stephens: "Thank you, Madam Speaker. A lot has been said. I would like to respond to several points. First of all, the issue that, if this blood was in the blood bank and it was designated for a certain individual that if there were another emergency that came up... well, they wouldn't be able to access that blood. They wouldn't be able to access it anyway, because if it hadn't been requested by the designee, it wouldn't have been in the pool to begin with. The fact of the matter is that a side benefit of this

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Amendment, should it become law, and we hope that it does, is that because, as someone referred on the other side of the aisle, my good buddy, Joe, who may have never given blood in his life on my plea for his donation of blood would have the experience of donating blood and would find out that it's not that negative of an experience. Many people fear the medical atmosphere, the needles and all that, but I think that once they've gone through it, like many of us have here on the House floor, realize that it's a very innocuous procedure, and that, hey, I might not be so unwilling to do this again. As a matter of fact, organized blood banks and hospitals, once they have received the donation, keep track of that person's name and address and phone number and would be very likely to contact them in the future should they have needs to replenish their blood supply. And, as we all know, they... many people wear with pride upon their lapel, a little lapel pin that says that they've given their... a whole gallon of blood and there's a lot of competition going up to 20 and 50 gallons that you've given in your life and that's a real side benefit that I'm glad that the debate brought out to this Amendment. I would also like to point out that this is a freedom of choice Bill. This gives the choice to the people of the... a proof that they're going to have blood that they feel comfortable receiving. The issue of seven days is very important in this Amendment, and we want this to be part of the Bill because it's going to provide the protection for the designee, but then will increase the general pool... the blood supply pool because after that seven days, it will be 21 more days that that would be... it would be accessed by anyone who's in need. I would only close by saying that because of the increased experience of these donations and the hopefulness that we

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will be able to address the future needs of blood supply both for those who are concerned about the AIDS epidemic and for the general population in total, that we would want to make sure that Amendment #2 to House Bill 2044 were adopted. And I would move for its favorable passage."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #2. All in favor say 'aye', opposed say... all in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 76 voting 'aye', 34 voting 'no'. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representatives Stephens and Pullen."

Speaker Braun: "The Chair recognizes the Gentleman from St. Clair, Representative Stephens, on Amendment 3."

Stephens: "Withdraw Amendment 3, please."

Speaker Braun: "Amendment 3 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representative Pullen and Stephens."

Speaker Braun: "The Chair recognizes the Gentleman from St. Clair, Representative... I'm sorry, the Lady from Cook, Representative Pullen, on Amendment 4."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Amendment requires the Department of Public Health to adopt regulations prescribing procedures for hospitals to test patients who are admitted for invasive procedures. This is so that we can protect health care workers who are in an elevated risk of infection by the types of procedures that go on in hospitals from surgery to even merely drawing blood. I urge the adoption of the Amendment."

Speaker Braun: "The Lady has moved the adoption of Amendment 4."

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And on that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative White."

White: "Madam Speaker, will the Sponsor yield to a question?"

Speaker Braun: "She indicates she will."

White: "Representative, how much will this cost the State of Illinois, this testing procedure that is encompassed in..."

Pullen: "It does not require the state to perform the test, so I don't see that it costs the state anything."

White: "Well, what is the cost of it?"

Pullen: "I don't have a figure on that, Sir. I think that it's worth the cost, whatever it might be."

White: "Well, I have a cost in the Democratic analysis that says it will cost about 63,000,000 dollars for this procedure. So, those individuals who are seriously thinking about voting for Floor Amendment #4, think about the cost, 73,000,000 dollars."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Bowman."

Bowman: "Yes, thank you, Madam Speaker, Ladies and Gentlemen of the House. Just to underscore the last point. The Department of Public Health indicates that there are presently 1.8 million hospital admissions each year. And so, even with a relatively modest cost per test, we're talking about tens of millions of dollars. The cost would have to be borne by somebody. The Lady who's the Sponsor of the Bill and the Amendment is certainly a champion of the position of no...no such thing as a free lunch. And so, I would certainly ask her to take a close look at the cost implications of this particular piece of legislation and see if, indeed, she still wants to hold her position that no price tag is too high."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Stephens, Representative..."

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the Gentleman from St. Clair, Representative Stephens."

Stephens: "I rise in support of the Amendment. I question the 63,000,000 dollar price tag that you quoted the number of hospital admissions, but this Bill deals with those admitted for invasive procedures. You would have to... before you put a price tag on it, you would have to segregate out those procedures from other hospitalizations. The fact of the matter is that the medical personnel that may be subject to exposure to the AIDS virus needed this... exposure needs to be treated as any other public health or medical problem. The issue can be dealt with if the information is there. A nurse or a practitioner operating in or about an AIDS virus medium which could be the blood of the patient, could be the other serum, other fluids, dealing with needles in the process, many things can happen that if we knew the severity of the virus that the patient had, procedures could be... we could deal in a procedural matter with that patient to prevent any possibility of exchanging that AIDS virus through whatever contact, whether it be through a needle prick or a... other procedure that would protect the health care professional, whether it be the nurse, the doctor, operating room technicians or whatever. This is a common sense Amendment. It ought to be law. Its cost would not be nearly what the people on the other side of the aisle are saying. And the fact of the matter is that we ought to be talking about protecting the unknown victim, and that's what this Bill would help do. And I rise in support."

Speaker Braun: "Representative Greiman in the Chair."

Speaker Greiman: "The Gentleman from Cook, Mr. Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to Amendment 04. This matter was considered by the U.S. Center for Disease Control.

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And one of the reasons they turned it down and recommended against it is because of its cost and because it is so broad based and pervasive. This isn't just limited to certain types of patients or certain age groups, this applies to everybody. So, if you've got a one month old who comes into the hospital for an operation, it's going to apply there. It's going to apply to senior citizens who are terminally ill with cancer. It's going to apply to every single population that comes into the hospital. And it's one of the reasons why it's so very, very expensive and why it was rejected by the Federal Government, the Center for Disease Control."

Speaker Greiman: "The Gentleman from Kane, Mr. Kirkland."

Kirkland: "Will the Sponsor yield, please?"

Speaker Greiman: "Indicates he (sic - she) will."

Kirkland: "Representative Pullen, are there other tests for other things that are applied across the board for all patients, if I read the analysis correctly, all patients who come into a hospital to undergo invasive procedures?"

Pullen: "There are standard tests that are ordered by doctors so that the hospitals will know how to treat patients, of course."

Kirkland: "Are you aware of statutory law that requires, as this would seem to, a test for everybody who comes into a hospital to have an invasive procedure done in any other area besides what you're proposing with AIDS?"

Pullen: "I don't believe that it has been necessary for us to prescribe public policy for other diseases which have been recognized as communicable dangerous diseases, as this one doesn't seem to be."

Kirkland: "Thank you."

Speaker Greiman: "Further discussion? The Lady from Lake, Ms. Stern."

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Stern: "Mr. Speaker and Members of the House, I believe you will find that when you enter the hospital, whether it is for an invasive procedure or not, you are given a...you are administered a blood test to find out what your blood type is, and it can go on your chart, and so on. That becomes an invasive procedure all by itself. So, I think what we're talking about here is a test for AIDS for every individual who enters the hospital. In addition, I think it's important to point out that one of the things that we do know about AIDS is that the incubation period is six weeks to incalculable. So, an individual could conceivably be infected and not have it show on the blood test or not have the results back before the person is out of the hospital. I think this has considerable problems, and I think we have to be careful in dealing with this particular subject that we don't, somewhat hysterically, try to test everybody. I think this is a bad Amendment. I urge your vote against it."

Speaker Greiman: "The Gentleman from Madison, Mr. McPike."

McPike: "Will the Sponsor yield?"

Speaker Greiman: "Indicates she'll yield for questions."

McPike: "What does invasive procedure mean?"

Pullen: "It means anywhere, any way that the skin or an orifice is invaded. It would include..."

McPike: "Does it include... would it include an enema?"

Pullen: "Yes, I think it should in this situation."

McPike: "So, it's not necessary for the skin to be broken, then?"

Pullen: "The entrance of an orifice or the skin."

McPike: "Would it include an ear exam where a Q-tip or whatever other instrument they use to probe your ear?"

Pullen: "I don't know. It was defined for me by someone from the Medical Society. I talked with him about the concept of testing, patients being admitted to hospitals, and he

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pointed out to me that, as an example, someone going in for a mammogram would be counted as an admission, but there wouldn't be any way of a transmission taking place from that. And he said, Why don't you limit it to invasive procedures which would encompass all the ways that you... that are known for transmitting the virus, but wouldn't include other things."

McPike: "Well, you don't define it in the Bill, is that correct?"

Pullen: "It is a standard medical term. It is not defined in the Bill."

McPike: "Alright. Well, briefly to the Amendment. I presume that most of these Amendments are going to pass. I voted for the first one, and I presume that most of them are going to pass, but this just appears to go a little too far. Representative Stern was correct when... and I believe the incubation period is at least six weeks, so that you can, indeed, have AIDS and test negative for the first six weeks. So, I have my children's 75 year old grandmother going in for an exam which may require a very minimum amount of invasion and not as a surgical procedure, but a very minimum amount of invasion, and I don't know what it is because neither does the Sponsor of the Bill, and she's going to be tested for AIDS. I just think that you've gone a little bit too far here and that you're testing every single person that goes into the hospital for really no rhyme or reason. And then when you get the tests, you don't know if the tests mean anything. If you've got a... you're trying to target a certain group, which you're not, you're targeting the entire population that walks into the hospital, just about, for anything except an X-ray, and you've got the test... and you've spent all this money, you've got the test back and it's meaningless. If that's... the test just said, well, maybe

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they don't have AIDS, but we don't know because there's an incubation period here of six to eight weeks when they're going to test negative. So, you've spent tons of money and you've done nothing. I think the Amendment goes a little too far and I think you ought to vote against it."

Speaker Greiman: "The Lady from Cook, Ms. Pullen, to close."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. First, I would like to state that it would not be my intent that it would include an ear inspection. I don't know whether that is considered an orifice or not. As to the cost matter involved, the... one of the Gentlemen indicated that it would be 63,000,000 dollars and then a minute later he said it would be 73,000,000 dollars. And I'm not sure how high it would have gone if he had spoken any longer, but the fact is that one of the Gentlemen said that there are 1.8 million people admitted to a hospital every year, that, of course, is everyone admitted, not just those admitted to... for invasive procedures. But even if it were 1.8 million people, the cost is still under 10,000,000 dollars and the cost is not borne by the State of Illinois. The average cost of a blood test is, for AIDS, is currently at six dollars and it is coming down as technology advances and as more people are being tested because of economy of scale. This would probably bring down the average cost, but in any case, it would be under 10,000,000 dollars for the entire health care system, not for the state anyway. As far as the problem of the possibility that someone would be tested and found negative, who actually did have the virus is concerned, yes, that's true. There would be some people who would be found clear who actually had the virus. But right now, health care workers are playing Russian roulette because no one is even being tested. So, the only AIDS infected

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people that they know about are those who are already diagnosed, and people can have this virus in their system and be capable of transmitting it, including by accidental needle sticks for seven, eight, now they're even saying possibly up to 15 years without any symptoms. I think the health care workers of the state need this Amendment. I understand that there are some serious concerns among some Members of the House, but I think that this is a needed public policy step. And I would urge adoption. Thank you."

Speaker Greiman: "Question is, 'Shall Amendment #4 be adopted?' All those in favor signify by saying 'aye'... Alright, all those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Gentleman from DuPage, Mr. McCracken, one minute to explain your vote."

McCracken: "Thank you, Mr. Speaker. It's my understanding that invasive procedure has a commonly accepted medical meaning and that it includes only where the skin is broken, such as, in surgery. My understanding is that an enema does not constitute an invasive procedure. I called the Medical Society and they... So that's my point."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Take the record. On this question there are 49 voting 'aye', 65 voting 'no', and none voting 'present', and the Amendment fails. Further Amendments?"

Clerk Leone: "Floor Amendment #5, offered by Representative Pullen and Stephens."

Speaker Greiman: "Lady from Cook, Ms. Pullen, on Amendment #5."

Pullen: "Withdraw the Amendment, please."

Speaker Greiman: "Amendment #5 withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #6, offered by Representative Parcells and Pullen."

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Speaker Greiman: "Lady from Cook, Ms. Parcells, on Amendment #6."

Parcells: "Thank you, Mr. Speaker. This Amendment requires the Department of Public Health, or a local health department, to give prompt and confidential notice of the identity of any school age child with AIDS, Acquired Immuned Deficiency or AIDS related complex, ARC, to various administrative personnel of the school district in which the child resides. This was prompted because, in my district in Wilmette, there was a case of AIDS in a child, and some of the parents... that was handled very well, and I think more and more schools are coming up with policies now on how they will handle this, but if the parents of this child with AIDS had not notified the school that the child had AIDS, there would be no way for the school to know and take any necessary precautions. The other parents in the community asked me and suggested that this would be a very fine idea to have Public Health notify the superintendent and the head of the school board, or in the case of a private school, the person that's the head of the school to tell them and keep confidential the identity of the child, but to let them know that there is a child with AIDS in the school."

Speaker Greiman: "The Lady from Cook, Ms. Parcells, moves for the adoption of Amendment 6 to House Bill 2044. And on that, the Gentleman from St. Clair, Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. Just this past week in St. Clair County, one of our local school districts had to deal with the issue of a child who had AIDS and they found, through their own wisdom, that dealing with the issue openingly, transmitting all the knowledge that they had about the issue, making sure that the parents were well informed was the right way to go. The child is in school today. I'm sure that the child is better off. The

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community feels better about itself for having dealt with the issue openingly. I rise in support of the Lady's Amendment and urge its passage."

Speaker Greiman: "Further dis... Gentleman (sic - Lady) from Cook, Ms. Currie."

Currie: "Gentleman from Cook?"

Speaker Greiman: "Lady from Cook. You know how androgynous the House of Representatives. Proceed, Ms. Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I rise in opposition to the Amendment. It seems that it may be generated from a concern for openness and disclosure, but it seems to me to put the disclosure requirements all together upside down. The school board might know. The superintendent might know, but the principal, in the school where the infected child attends classes, does not know which child it is who may be in this perilous physical shape. The principal of the school is the individual who, of all people, ought to be able to take precautions and ensure that the child does not present a danger to himself or anybody else. This Amendment has it upside down. This Amendment would notify absolutely the wrong people and prevent the principal of the local school from knowing which child it is who might be subject to risk to himself, or herself, or might subject other children in the classroom to risk of infection from AIDS. If you want to protect the school children, if you want to protect the local community, and if you want disclosure and openness in our public school process, then the only correct vote on Amendment 6 to House Bill 2044 is to vote 'no', for this Amendment has it upside down."

Speaker Greiman: "Gentleman from Cook, Mr. Kubik."

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

Speaker Greiman: "Indicates she'll yield for questions."

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Kubik: "Representative, what... could you simply elaborate on who would be notified in this particular case by the Department of Public Health?"

Parcells: "Yes. The reason the superintendent was chosen was each school board and school district will come up with their own policy, and therefore if there are many schools in the district, the superintendent will know what the policy is. And it says right in the Bill, the superintendent or president of the board may disclose the presence of an infected child to such educational and administrative personnel as may be deemed necessary and appropriate and shall not disclose the identity of the child. Therefore, school districts are coming up. This will be handled at the local level. They are coming up with their own policies. This will put the superintendent and the president of the school board in charge. If their policy is to have the teacher of the child know, then he will tell the principal of the school who will then tell the appropriate personnel, but if their policy is we're going to do nothing, then only the superintendent and the president of the school board are the people that know."

Kubik: "Okay. Thank you."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman."

Bowman: "Yeah, I don't understand the need for this proposal. Wilmette, which is in my legislative district, at least a portion of it, was the, probably, the first school district in the state to be faced with this issue. They handled it very well, without any prodding or oversight by the state or any legislation. I mean, we are constantly being besieged on the floor with entreaties to leave the school districts alone and let them handle their own business. And Representative Parcells represents the other part of Wilmette, but I think that this particular piece of

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legislation would be onerous particularly in Wilmette. And so, I recommend to the Representative to withdraw the Amendment."

Speaker Greiman: "The Gentleman from Cook, Mr. White."

White: "Mr. Speaker, Ladies and Gentlemen of the House, I'd like to share with you a story, a true story that took place about two years ago. I teach at a school and as it turned out, a young lady came to me and she indicated that she had been raped by her uncle. And I shared this information with the principal. She shared it with the assistant principal. The assistant principal shared it with the teacher, and the teacher was overheard sharing this information with another teacher, and the next thing we knew, 600 kids within that school knew that this young lady had been raped. The bottom line is that I'm in opposition to this Amendment, and I'm afraid that following this procedure that some young person who may have contracted AIDS may get hurt. I stand in opposition to the Bill."

Speaker Greiman: "Lady from Cook, Ms. Pullen."

Pullen: "The remarks of the preceding Gentleman are precisely why the identity of the child is not to be made known to the principal or the teacher. Most certainly, the teacher or the principal can be told that there is a child present in a class with AIDS so that that teacher can take steps to be sure that there is the kind of decorum in class that will not provide for transmission, because it cannot be transmitted casually just by being around such a child, but there are situations in which a child is capable of transmitting the virus. As far as Wilmette is concerned, the fact is that the reason that Wilmette was able to handle it as well as they were was because the school officials were informed by the parents because they thought they ought to go tell the school officials. But, the

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Wilmette officials would have had no idea that there was a child who might have medical difficulties if the parents had not volunteered that information. The people in our public schools, we are asking in all situations to be momentary caretakers, to have concern for the children in the public schools during the public school day. This Bill does not tell the public schools what their policies must be. It simply gives the local public school authorities the opportunity to know if there is a child attending school who has AIDS so that they can provide policies to take good care of that child and the other children in the schools. I urge adoption of the Amendment."

Speaker Greiman: "Lady from Cook, Ms. Parcels, to close."

Parcels: "Thank you, Mr. Speaker. In response to the Member, the Representative from the other half of this district, the reason it worked out so well is the very point I brought up. They were very brave parents who came to the school and said, 'We have an infected child here.' They wouldn't know in Wilmette yet, and that child could be spreading the disease to other children. It is because of their brave stance that this came forward, and that's the very reason this Bill came forward. We would like this to be reported. Each school, you have to understand this, it's local control, each school can decide for themselves what their policy will be and then they will institute this policy, but this will give them the knowledge of knowing in confidentiality who that child is. There could be a very large fine for breaking that confidentiality, but at this point, the local control will be handled by that superintendent, the president of the school board and that will be kept confidential. And only in... according to that local plan will this information be divulged to any of the other personnel in the school. I urge your 'aye'

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vote."

Speaker Greiman: "The question is, 'Shall Amendment #6 be adopted?' Those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 82 'ayes', 32 'nos', none voting 'present', and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Parcels and Pullen."

Speaker Greiman: "Lady from Cook, Ms. Parcels, on Amendment 7."

Parcels: "Please withdraw Amendment #7."

Speaker Greiman: "#7 withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative Pullen and Stephens."

Speaker Greiman: "The Lady from Cook, Ms. Pullen, on Amendment 7... 8. Amendment 8."

Pullen: "Yes, it's Amendment 8. Thank you. As another... first, in this legislative process, I am sponsoring this Amendment at the request of George Dunn, the President of the Cook County Board. This Amendment would require a health care worker who knows that he is positive for the human immunodeficiency virus to notify his or her employer of that fact and requires the employer then to take steps that may be needed to protect other persons from transmission of the virus, including limiting direct contact between patients and the diagnosed health care worker. As you think about this Amendment, I would ask you to think about how you would feel if you had to undergo major surgery, for example, brain surgery, perhaps, and you later found out that the surgeon was carrying the AIDS virus and knew it. I think it would give you considerable pause about whether or not you have survived the surgery in health. Health

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care workers not only can have this virus transmitted to them more easily than the average member of the public, but they can also transmit it through their jobs. I urge adoption of this Amendment."

Speaker Greiman: "Lady from Cook, Ms. Pullen, moves for the adoption of Amendment 8 to House Bill 2044. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment is adopted. Further Amendments?"

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

Speaker Greiman: "Lady from Cook, Ms. Pullen, on Amendment #9."

Pullen: "Please withdraw it."

Speaker Greiman: "Withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #10, offered by Representative Capparelli and Barger."

Speaker Greiman: "Gentleman from Cook, Mr. Capparelli."

Capparelli: "Thank you, Mr. Speaker. Amendment #10 requires the applicants for a marriage license will undergo an examination and a serological test to prevent the spread of Acquired Immunity, AIDS. At the present time, they are given a test for syphilis. This would just add to the... this here... AIDS virus testing and before you get your marriage license, you would have to have this test and then the doctor could sign your certificate and you could get your license, but before that, the doctor would consult with those two individuals who want to be married and let them know the ramifications if one of them have AIDS. I would move to adopt Amendment #10."

Speaker Greiman: "Gentleman from Cook, Mr. Capparelli, moves for the adoption of Amendment #10 to House Bill 2044. And on

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that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #11, offered by Representative Capparelli and Barger."

Speaker Greiman: "The Gentleman from Cook, Mr. Capparelli, on Amendment #11."

Capparelli: "Withdraw #11."

Speaker Greiman: "#11 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #12, offered by Representative Frederick and Goforth."

Speaker Greiman: "Lady from Lake, Ms. Frederick, on Amendment #12."

Frederick: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. Amendment #12 combines and incorporates House Bill 343 by myself and House Bill 951, Representative Goforth. It requires that sex offenders be tested after conviction for the presence of sexually transmitted diseases, including AIDS. The results are confidential and may be offered at the discretion of the court, and there are similar provisions that apply to persons convicted of crimes regarding possession or sale of a hypodermic syringe. So, a defendant convicted of sexual assault will be tested for the AIDS virus and the Judge may decide if the victim shall be notified whether or not the attacker is a carrier of the AIDS virus. There are those who say that tests for the AIDS virus are not reliable, and I have to respond that that will not always be the case. Research is ongoing all the time and the tests will become more accurate. I believe, eventually, there will be a cure for AIDS, not soon, perhaps, but eventually. And finally, I

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believe this Bill is important for women, especially because they are the victims of sexual assault usually. I think they deserve the most protection we can offer for their lives and the lives of their unborn children. I move adoption."

Speaker Greiman: "The Lady from Lake moves for the adoption of Amendment #12 to House Bill 2044. And on that, the Lady from Cook, Ms. Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I have no doubt the Amendment is well intentioned, but I think again the target in this Amendment is the wrong target. It seems to me that provisions for providing testing for victims of sex crimes might be a more appropriate way to see to it that we are protecting the health and the safety of Illinois citizens. It isn't clear that the sex offender population constitutes a significant portion of the infected population and covered under this Amendment are any number of individuals whose crimes may not pose a risk of infection for anybody else. So, were the Amendment redrafted to target victims of sex crimes, I think it might make eminently good sense, but as it is, I think it requires costs that will not be supported by the results of the tests proposed in Amendment 12 to House Bill 2044. I would urge a 'no' vote."

Speaker Greiman: "Gentleman from Morgan, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. Simply in response to the last speaker, we've already heard that the incubation on this can be a matter of six weeks to several years. To indicate that the victim should be tested, when? Do you test them after six weeks, after three years, after five years? No, that doesn't make sense. It's simply going at the matter in the wrong way. You test the perpetrator, those who very well may or may not have this problem. Also in answer to

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the test we heard before, there was a question of you never know what the test says. The test says exactly what it says. As of the date the test was made either a positive or a negative response to the test was made. If there was a positive test, we know for sure what occurred. If it was negative, their incubation period may or may not have taken place, but the test will tell you just exactly that. Not only is this Amendment well intentioned, it is appropriate for the situation, and I urge its passage."

Speaker Greiman: "Further discussion? There being none, the Lady from Lake, Ms. Frederick, to close."

Frederick: "Well, I would like to respond also to the speaker before Representative Ryder and say, the victim is now being tested, but that is no guarantee that she is protected from the AIDS virus. I think to test the perpetrator of the crime is the way to go, because he may have AIDS at that point and it's important that the woman know that this has happened to her and she would then make the decision whether or not to become pregnant because babies born of AIDS victims are always born with AIDS. I urge the adoption of Amendment #12."

Speaker Greiman: "The question is, 'Shall Amendment 12 be adopted?' Those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 96 voting 'aye', 12 voting 'no', 6 voting 'present', and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #13, offered by Representative Frederick and Goforth."

Speaker Greiman: "The Lady from Lake, Ms. Frederick, Amendment 13. Amendment 13 withdrawn. Are there further Amendments?"

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Clerk O'Brien: "Amendment #14, offered by Representative Goforth and Pullen."

Speaker Greiman: "The Gentleman from Perry, Mr. Goforth, on Amendment 14. Ms. Pullen, what is your pleasure, Ma'am? Mr. Goforth apparently is not in the chamber."

Pullen: "Mr. Speaker, I am a Cosponsor of this Amendment and I wonder whether I could please proceed with it."

Speaker Greiman: "Proceed, Ms. Pullen."

Pullen: "Thank you. Amendment #14, and we're almost done, I think, would require the testing of persons committed to prison for human immuno deficiency virus and require the Department of Corrections to take necessary steps to ensure that the health and safety of all committed persons, including the person whose test results are positive, are protected and that the virus is not transmitted to other persons and that all committed persons who test positive receive care, treatment and counseling regarding transmission and protective measures. I think in a state where our prisons use double celling as a standard policy that it is important for our correctional officials to know. It is important for the sake of the prisoner who is uninfected to know that the prison officials are protecting him from being infected. This is a very important Amendment for the sake of those people who are in our prisons, who have no control over their own environment and who are in an environment where they may be infected with this deadly virus. There are many people in our prisons who are there and who expect to be going out again some day and rejoining the general public. To not take any precautions in the face of this virus, this epidemic, is to sentence to death many of those who certainly don't deserve such a sentence. I think that the prison officials need to know so that they can protect those persons who are

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committed and are not infected. This is about stopping the transmission of this virus in environments where people cannot control their own environment. I urge adoption of Amendment 14."

Speaker Greiman: "Lady from Cook, Ms. Pullen, moves for the adoption of Amendment 14. And on that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We did conduct a Subcommittee... an AIDS Subcommittee meeting in Chicago. And Representative Goforth is seeking attention. He's a hyphenated Sponsor of the Amendment. Perhaps, I can..."

Speaker Greiman: "Mr. Goforth, for what purpose do you seek recognition?"

Goforth: "Is this my Amendment, Mr. Speaker?"

Speaker Greiman: "You are the lead Cosponsor on it. Ms. Pullen is a hyphenated Cosponsor and sought to..."

Goforth: "Mr. Speaker, I'm sorry. I was away from my desk when this was called. I think that..."

Speaker Greiman: "Well... well, excuse me, Mr. Goforth. Ms. Pullen made an opening which is under our rules. Perhaps, she would... she would let you close on the Amendment."

Goforth: "A point of personal privilege, then."

Speaker Greiman: "Oh, you wish to take it out of the record?"

Goforth: "That's what I was getting up to, if you'll..."

Speaker Greiman: "Fine. Gentleman..."

Goforth: "Okay. Can I explain it?"

Speaker Greiman: "Proceed, Sir."

Goforth: "The Department... I think that Senate Bill... House Bill 2044 is an exceptional Bill. I think it will pass the floor of this House. The Department of Corrections has advised me that this Amendment, as written, that they will be firmly against. However, they are willing to work with

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me, also, Representative White. I've just over discussed it with him. He's got a Bill that will solve part of this problem. The Department of Correction is willing to serve the rest of it with me, so therefore, I withdraw the Amendment."

Speaker Greiman: "Amendment #14 withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #15, offered by Representative Goforth and Pullen."

Speaker Greiman: "Gentleman from Perry, Mr. Goforth."

Goforth: "Withdraw."

Speaker Greiman: "Amendment #15 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #16, offered by Representative Currie and Bowman."

Speaker Greiman: "Lady from Cook, Ms. Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This Amendment merely provides that the Department of Public Health, may by rule, exempt certain classes of individuals from the requirements of House Bill 2044 as amended when there is good reason to do so. For example, people over the age of 65 may not be appropriate candidates for marriage testing. For example, in some hospital settings, it may be appropriate not to require tests for Acquired Immuno Deficiency Syndrome. This Amendment just offers some flexibility to the Department. So, if we're looking at a particular kind of class of individual for whom the provisions of this Bill as drafted and as amended should not apply because the costs are too great or the risks are too small, then the Medical Determination Board will be able to exempt that individual class from the provisions of this Bill."

Speaker Greiman: "Lady from Cook has moved for the adoption of Amendment 16 to House Bill 2044. And on that, is there any

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discussion? The Lady from Cook, Ms. Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen of the House, it's quite clear that this Amendment is intended to gut the testing provisions that this House has adopted in this Bill and to restore to the Department of Public Health all the decision making concerning this epidemic that the Department of Public Health has not addressed. I urge defeat of this Amendment. Thank you."

Speaker Greiman: "Gentleman from St. Clair, Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. First of all, I'd request a Roll Call vote on this Amendment. This Amendment would damage the Bill and would directly affect the Amendments that were adopted earlier in the day by this House. One, by a unanimous House... voice vote, Representative Capparelli's Amendment dealing with marriage certificates. The Department of... the Medical Determination Board might just say, well, that's not a high risk group. Let's throw them out. And as to people over 65, I... that one astounds me. I'm overwhelmed to think that the Representative from Chicago would think that people over age 65 do not have... enjoy sexual relations. That's ridiculous. The... I'm very suspect that the Medical Determination's Board might be promulgating rules and actually destroying the substance of the very Amendments that this House has just voted that it's in favor of. The Amendments we weren't in favor of, we voted down. This Amendment, if adopted, would gut those Amendments, would gut the effect of those Amendments. Those of you who voted in favor of the earlier Amendments ought to rise in opposition to this Amendment, and it should be roundly and soundly defeated. The Sponsor, I don't think, is in good interest trying to help this piece of legislation. And so, I would urge, again, a Roll Call vote on this Bill, on this

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Amendment, and for those of us who have supported the previous Amendments, to stick together. Thank you."

Speaker Greiman: "The Gentleman from DuPage, Mr. Barger."

Barger: "Thank you, Mr. Speaker. To this Amendment. This is, perhaps, as fine a job of social engineering as the Sponsor of the Amendment has ever come up with. We have here an attempt to protect the people of the State of Illinois, and we have bureaucracy that is interested in providing funding for their particular projects. On the Bill, on the Amendment that Mr. Capparelli and I Cosponsored, the... we have results here of some opinion polls and position polls. The Illinois Department of Public Health supported it by one percent. We think that's a fantastic thing for a bureaucracy whose responsibility is to protect the health of the people of the State of Illinois. The U.S. News and World Report were 77 percent in favor of protection from AIDS and 20 percent didn't think it was necessary. Wall Street Journal's opinion poll was 82 percent in favor of protecting the people. Even those of us who are in the plus 60 category, we feel that we have a right to that protection. National Enquirer was 92 percent for. So, I think that this Bill or this Amendment to the bill is an attempt to take from the citizens of the State of Illinois, the protection that the people of the State of Illinois want, and I suggest very strongly that we defeat this Amendment."

Speaker Greiman: "Gentleman from Cook, Mr. Capparelli."

Capparelli: "Thank you, Mr. Speaker. I agree with the previous speakers. Amendment #16 is only to create and destroy House Bill 2044. I would ask my colleagues to vote 'no'. Thank you."

Speaker Greiman: "Lady from Cook, Ms. Currie, to close."

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

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must be some confusion about the Amendment. The Amendment does not give any authority to the Department of Public Health to circumvent the provisions of House Bill 2044 as amended. The Medical Determination Board, appointed directly by the Governor of this state, would, in limited circumstances, have the opportunity to waive some of these requirements for certain classes of individuals. For example, if people applying for a marriage license have already tested positive for the AIDS antibody virus, what would be the point in requiring them to test again? For example, if you're dealing with elderly people in a nursing home, who, on their death beds, decide they wish to marry, what is the value in a test for the AIDS antibody virus? In order to control costs, this Amendment would give the Medical Determination Board, not the Department of Public Health, some flexibility not to waive entire provisions of this Bill, but to see to it that those provisions are applied only in circumstances where the provisions make sense and can protect the health and the safety of the people of Illinois. This is not an Amendment that gives additional authority to the Department of Public Health, but to the Governor's appointed Medical Determination Board to make sure that what we do here in this Assembly today does not cost the taxpayers of the State of Illinois too much in terms of the value of the work of protecting us from the spread of this virulent epidemic. I urge adoption of Amendment 16 to House Bill 2044."

Speaker Greiman: "The question is, 'Shall Amendment #16 be adopted?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 26 vote 'aye', 87 'no', none 'present', and the Amendment fails.

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Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Oh, I'm sorry, not Third Reading. There has been a request for a fiscal note on this Bill. So, the Bill will remain on the Order of Second Reading. Now, on this Order of Business appears... On this Order of Business appears House Bill... Mr. Sutker, for what purpose do you seek recognition?"

Sutker: "I'd like to correct an error on the last Roll Call, Mr. Speaker. My vote should have been 'aye'."

Speaker Greiman: "Alright. Let the record show that... let the transcript show that Representative Sutker would have voted 'aye' on the last one. Thank you. On this Order of Business appears House Bill 2070. Mr. Clerk, read the Bill. Mr. McCracken, for what purpose you seek recognition?"

McCracken: "Speaker, previously 1415 was called and there... the Amendment had been printed and distributed, but some of the Democrats didn't have it. We were told we'd go to that immediately after 2044. There is an Amendment on it by Representative Pullen."

Speaker Greiman: "It was before I got in the Chair. Is that right? I mean I don't know."

McCracken: "Yes, it was. It was Representative Braun who said that."

Speaker Greiman: "Ms. Satterthwaite, I've called your Bill at this point. Do you wish to take that out of the record for the moment to accommodate Mr. McCracken? I have called your Bill. You're entitled to proceed with it. Ms. Satterthwaite."

Satterthwaite: "As long as we get back to this immediately after the other Order, I will withdraw it."

Speaker Greiman: "Alright, the Lady takes her Bill out of the

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record. Mr. Clerk, House Bill 1415."

Clerk O'Brien: "House Bill 1415, a Bill for an Act to amend the Right of Conscience Act. This Bill has been read a second time previously. And we were... you were considering Floor Amendment #1."

Speaker Greiman: "Lady from Cook, Ms. Pullen, on Amendment #1."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I did explain this Amendment earlier when it had not been distributed in half of the House. This Amendment would put into this Bill the provisions of one of the pro-life Bills for this Session, 1399, which did not come out of Committee because there was a mix up between the Sponsor and the Chairman of the Committee. There was no vote taken in Committee. It was not defeated. It just wasn't called. The Amendment would provide that when an unborn child is viable, an abortion which is proposed to be performed may not be performed except in a hospital which has measures for life support. When we're talking about an unborn child that is viable, we're talking about one that is, in the opinion of the physician, capable of sustaining life outside the womb, and so, to provide that the abortion cannot be done in just a doctor's office or some similar location, but must be in a hospital with measures for life support, is a protection for that unborn child because it is possible for those who are undergoing abortion to survive the abortion procedure. The pregnancy is terminated, but the child can still live. It also is a measure of protection for the woman because these are late term abortions and late term abortions are more dangerous to the woman than earlier ones. I move adoption of this Amendment."

Speaker Greiman: "The Gentleman (sic - Lady) from Cook, Ms. Pullen, moves for the adoption of Amendment #1 to House

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Bill 1415. Pardon me? Oh, yes. Yes, I'm sorry. And on that, the Gentleman from Cook, Mr. Young."

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

Speaker Greiman: "Indicates that she will."

Young: "Does this Amendment in any way change the definition of viability?"

Pullen: "No, it does not."

Young: "Okay. I see that violation of this Amendment would be a Class 3 Felony?"

Pullen: "If it is intentional knowing or reckless failure to conform to this. That's correct."

Young: "Who would be guilty of the felony?"

Pullen: "The physician."

Young: "So, the person who is having the abortion would not violate the law if they did not conform to this Amendment. Is that correct?"

Pullen: "That's correct."

Young: "Under this Amendment, when would the fetus be determined as viable?"

Pullen: "It's not prescribed in this Amendment. It is in the law as it stands and the definition is, 'the stage of fetal development when in a medical judgment of the attending physician based on the particular facts of the case before him, there is a reasonable likelihood of sustained survival of the fetus outside the womb with or without artificial support'."

Young: "So then would the person performing the abortion be the one whose medical judgment we use to determine viability?"

Pullen: "Yes, it would."

Young: "Thank you."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman."

Bowman: "Thank you, Will the Lady yield for a question?"

Speaker Greiman: "Indicates that she will."

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Bowman: "Representative Pullen, I understand that the law defines viability in terms of the physician's judgment, but could you give me and the Membership a rough idea as to what the lower limit on viability is, that is to say is after three months or four months or two weeks even, could you give us a rough idea?"

Pullen: "Well, as you indicated, it is defined in the medical judgment of the attending physician, but generally speaking, it is after about five months gestation."

Bowman: "After about five months. Okay, well, but it could be less than that, is that not true?"

Pullen: "If the attending physician believes that the child was viable, it could be less than that. It certainly couldn't be two weeks. We're dealing with late term abortions when we're talking about viability."

Bowman: "Well, that's... that's true, but... well, are you aware of any particular instances where a child was born prematurely, say after the fourth month and survived?"

Pullen: "There are rare cases where this Bill would protect children of maybe four and a half months."

Bowman: "Okay. Thank you. My point, Representative and Members of the House, is that this particular proposal.. in fact, the underlying law in which it seeks to amend is probably flies in the face of Roe versus Wade in the Supreme Court, the famous Supreme Court decision on the subject of abortion which delineated the pregnancy in terms of trimesters and established fetal rights relative to that of the mother at different trimesters. In the first trimester, the mother's rights are essentially absolute, and the last trimester, the fetal's rights are given great weight. And my feeling, Ladies and Gentlemen, is that this Amendment, as well meaning as it is, is probably unconstitutional. So that I would urge the opposition to

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this, and lastly, including... just to say that, it seems to me, that even though the doctor shall describe the basis for his judgment that a medical emergency exists on the formulas prescribed by Section 10 of this Act in the event that he has to perform the abortion in a hospital where there is not adequate support systems available, it seems to me that he might be subject to or expose himself to a greater risk of medical malpractice, and as we all know, that is a particular problem in obstetric cases. I believe that we should not expose our physicians to even greater risk than they now have, and so, it's a further reason for opposing this Amendment. Thank you."

Speaker Greiman: "Further discussion? The Lady from Cook, Ms. Pullen, to close."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It might interest the House to know that our law does not now provide that abortions must be performed in the hospital under... in any hospital under any circumstances, and so, right up until the last moment of labor, an abortion can be performed in an ambulatory surgical center or under Judge Nortberg's decision, in my opinion, could even be performed in a doctor's office. That isn't good medical practice for anybody, and yet, sometimes it is done by some of our so called medical practitioners. And I would urge adoption of Amendment #1. Thank you."

Speaker Greiman: "Question is, 'Shall Amendment #1 be adopted?' All in favor signify by voting 'aye', those opposed 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 79 voting 'aye', 26 voting 'no', 5 voting 'present'. And the Amendment is adopted. Further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Yes, Mr. Young, for what purpose do you seek recognition?"

Young: "Mr. Speaker, it appears that this most recent Amendment changed the title and therefore, I believe this Bill should be returned to..."

Speaker Greiman: "Under the rules, the Bill would go to the Order of First... Second Reading, First Legislative Day, if that's the case. Alright. In examining the Bill, indeed, it does change the title of the Bill. Under the rules, the Bill would go to the Second Reading, First Legislative Day. Now, Mr. Piel, for what purpose do you seek recognition?"

Piel: "Mr. Speaker, you asked if there's any further Amendments. The Clerk said, 'No further Amendments'. You said, Third Reading. Then you called on Mr. Young afterward."

Speaker Greiman: "No, Mr. Young had his light on, and I didn't see it."

Piel: "No, if you'll check the record, Mr. Speaker, you said Third Reading."

Speaker Greiman: "Mr. Young had his light on and..."

Piel: "I don't care if he had the light on or not, you already mentioned Third Reading before you... Mr. Speaker."

Speaker Greiman: "Mr. Piel, we oftentimes... Mr. Piel, we oftentimes... This Bill, if you'll recall, is being considered because of the courtesy of the Chair and of a Member. So, we do that sometimes. I've done it for Mr. McCracken many times. Mr. McCracken."

McCracken: "Speaker, I move to amend that rule to of..."

Speaker Greiman: "No, that's out of order to amend the rule."

McCracken: "No. No. No. I move to suspend the rule, 36(d), which is the rule on which Representative Young relies, requires 60 votes to suspend that rule, and I so move."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, moves

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to waive the provisions of Rule 36(d) so that the Bill may... need not be placed on the Order of Second Reading, First Legislative Day. And on that, is there any discussion? Gentleman from Cook, Mr. Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would ask that this Motion be defeated. This particular Amendment is actually a Bill into itself. It has not been argued in Committee. The people on this side of the aisle have not had proper time to study its effect, and we need the extra time that placing this Bill on First Legislative Day would afford us in case there are some appropriate Amendments. So, I would urge that we not suspend the House rules in this matter and that we return this Bill to the Order it should belong whenever we change the title by purpose of an Amendment. So, I would urge a 'no' vote on this Amendment."

Speaker Greiman: "Lady from Cook, Ms. Pullen."

Pullen: "Mr. Speaker, Ladies and Gentlemen, the Bill that is being amended relates to abortion and so does the Amendment. This is a major pro-life Bill of the Session, in fact, both of these Bills. Now, they together make an even more major one. And I urge the adoption of Representative McCracken's Motion."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman."

Bowman: "Well, just to point out, Mr. Speaker, that an Amendment like this is precisely what the rule is designed for. The Amendment changes the scope of the Bill. It is itself the proper subject of a Bill, a Bill which, by the way, was never heard in Committee. So, that the whole purpose for returning the Bill to the First Legislative Day is to provide an opportunity for people to examine it, to propose additional Amendments and under these circumstances, the underlying... the scope of the underlying Bill is so

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changed by the Amendment that we ought to have proper time to consider additional Amendments to this legislation. I think it is appropriate to uphold the rule and I oppose the Motion."

Speaker Greiman: "Gentleman from St. Clair, Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. I rise in support of the Gentleman's Motion. Let's not kid ourselves. This has nothing to do with the rules. This is a pro-life issue. That's the reason for the opposition to the Motion. Jiminetly (sic), the way the other side of the aisle sometimes treats this issue, it just amazes me. This is... they're trying to make this a political issue, and it's not that. We're not looking for leadership from... to our Parties. We're looking for leadership to the philosophies to which we associate ourselves. This is a pro-life issue and that's the way it should be decided."

Speaker Greiman: "Gentleman from DuPage, Mr. McCracken, to close."

McCracken: "Thank you, Mr. Speaker. A vote 'no' on this Motion is a vote to defeat the Bill. It would return it to Second Reading, First Legislative Day. Friday is the deadline for Third Reading. As a practical matter, a 'no' vote here is a vote against the merits. I ask all Legislators who voted in favor of this Amendment to also vote in favor of the Motion. Thank you."

Speaker Greiman: "Question is, 'Shall the Motion to waive Rule 37(d) be adopted?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 82 voting 'aye', 28 voting 'no', 1 voting 'present', and the Motion is adopted. Third Reading. On this Order appears House Bill 2070. Mr. Clerk, read the

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Bill. Yes, Mr. Young, for what purpose do you seek recognition?"

Young: "Inquiry of the Chair, Mr. Speaker. I'd like to know how, within the House rules, I could announce that Michele Clark eighth graders from the west side of Chicago are in the gallery right now."

Speaker Greiman: "Well, this one you won. The last Motion, you lost. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2070, a Bill for an Act to provide for the establishment of local governmental mental health services. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Floor Amendments with respect to Amendment #1?"

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

Speaker Greiman: "Gentleman from Cook, Mr. Bowman, on Amendment #2."

Clerk O'Brien: "Representative Bowman."

Speaker Greiman: "Mr. Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 is a technical Amendment. It was recommended by the Democratic Technical Review staff just to indicate when the Bill speaks of a Subcommittee or a Standing Subcommittee to indicate the parent Committee that that Subcommittee belongs to. So, Amendment #2 simply adds the words, 'House State Government Administration Committee' to clarify the intent. I move its adoption."

Speaker Greiman: "Gentleman from Cook moves for the adoption of Amendment 2 to House Bill 2070. And on that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The

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Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On this Order appears House Bill 2410. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2410, a Bill for an Act to amend the Emergency Medical Services System Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there Floor Amendments?"

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

Speaker Greiman: "Gentleman from Will, Mr. Wennlund, on Amendment #1."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to withdraw Floor Amendment #1."

Speaker Greiman: "Amendment #1 is withdrawn. Further Amendments?"

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

Speaker Greiman: "Gentleman from Will, Mr. Wennlund, on Amendment #2."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Amendment makes technical changes to the Emergency Medical Services Act, Systems Act, by shortening the period in which data is required to be kept on trauma patients so that it only relates to the initial trauma injury and doesn't relate to follow-up and outpatient services, and also contains some provisions for confidentiality. The Chairman of the Human Services Committee, Representative White, is in full agreement with the Amendment and with the Bill and will speak on it."

Speaker Greiman: "Gentleman from Will, Mr. Wennlund, moves for the adoption of Amendment #2 to House Bill 2410. And on that, the Gentleman from Cook, Mr. White."

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White: "Mr. Speaker, Ladies and Gentlemen of the House, the Sponsor of the Amendment is correct. I'm in full support of the Amendment, and I urge all the Members to vote 'yes'."

Speaker Greiman: "The question is, 'Shall the Amendment be adopted?' Those in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On this Order appears House Bill 2682. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2682, a Bill for an Act in relation to the Hemophilia Advisory Committee. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Amendments 2 through 5 have been withdrawn. Floor Amendment #6... Amendment #6, offered by Representative Pullen and Stephens."

Speaker Greiman: "The Lady from Cook, Ms. Pullen."

Pullen: "May I have leave to withdraw the Amendment, please?"

Speaker Greiman: "The Amendment's withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Stephens and Pullen."

Speaker Greiman: "The Lady from Cook, Ms. Pullen. I'm sorry. Mr. Stephens, proceed."

Stephens: "Thank you, Mr. Speaker. Amendment #7 to House Bill 2682 would require the Department of Public Health to contact all known AIDS victims and request information on the identification of all persons that they had had

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intimate sexual contact with over the last seven years. Furthermore, it would require the department to contact those who had been exposed to the AIDS victim, and first of all, advise them of the risk of exposure to the AIDS virus; secondly, advise them of testing procedures that are available; thirdly, provide information on AIDS and its transmission; and fourthly, offer referrals and counseling for treatment, if necessary, or if appropriate. Moreover, the Bill would protect and respect the confidentiality of the AIDS... identified AIDS victims, provides a Class IV felony, a 10,000 dollar fine minimum per released information about an AIDS victim. We want to make sure that we provide for confidentiality. Furthermore, if the local Department of Public Health does not go along with the tenets in this Amendment should it become law, the Bill mandates that the State Department of Public Health, upon petition by any local resident, will take over the duties of contact tracing. Furthermore, the Department of Public Health will establish an AIDS registry for AIDS and... excuse me. I strike that last statement from the record. That's not part of this Amendment. The information..."

Speaker Greiman: "Excuse me, Mr. Stephens."

Stephens: "Pardon me."

Speaker Greiman: "For what... Excuse me. For what purpose do you seek recognition, Mr. Young?"

Young: "An inquiry of the Chair, Mr. Speaker. I would ask the Parliamentarian to rule on the germaneness of this Amendment, as the underlying bill was enacted establishing the Illinois Department of Public Health and Program for Hemophilia and the Hemophilia Advisory Committee. This Amendment deletes all references to hemophilia or the Hemophilia Advisory Committee, and I would say it's not germane."

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Speaker Greiman: "Mr. Young, the Chair has examined the Bill and the Amendment that was adopted and believes that the Amendment is germane. Mr. Turner, for what purpose do you seek recognition?"

Turner: "Thank you, Mr. Chairman. Just a minute ago, Representative Young introduced a school as the 'Michele Clark' School, and that was the wrong school, and I just wanted to correct that for the record. The real 'Michele Clark' is in the gallery now."

Speaker Greiman: "Thank you, Mr. Turner. He were... Mr. Stephens had finished, I believe. Is that correct? No? Mr. Stephens, proceed."

Stephens: "Thank you, Mr. Speaker. The... I started to talk about the age registry. That language is not in this Amendment. It has been adopted, I believe, on House Bill 736 previous to today. The concept of contact tracing, Mr. Speaker, is one that works in other places. It's the common medical practice, public health practice that's used in the area of syphilis and gonorrhea. The... in a recent March edition of the Journal of the American Medical Association in a comprehensive article dealing with the AIDS and AIDS related complex and the issues therein, the authors indicated that there are three main steps to dealing with the AIDS crisis in American today: step one, education and motivation; step two, serological screening; step three, contact tracing; and to quote the article, 'The combination of effectively using those three concepts would substantially reduce or even eliminate the transmission of the AIDS virus.' Mr. Speaker, AIDS is a public health issue. It's a medical issue. It ought to be dealt with with the best medical and public health tools that we have. Contact tracing is what we do for syphilis and gonorrhea, and I might add, some people think that, well, contact

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tracing, if you don't have a cure for the disease, that might be some argument that you need not get involved in contact tracing; however, I would remind the Members of the Assembly that before there was a cure for gonorrhea we started doing contact tracing. We were fortunate enough to come up with a cure for gonorrhea, Mr. Speaker, and because of the previous contact tracing that was done, many lives were saved and tragedies were averted. This Bill is permissive, Mr. Speaker. The... If an AIDS victim does not wish to cooperate, there is no penalty. There is no quarantining. There is no penalty. The only penalties involved in this Bill, Mr. Speaker, are for violations of the confidentiality of the Act. We wanted to make sure that because of the characteristics associated with AIDS virus and the public implications therein, that some people might be concerned with, that we have to be absolutely sure that confidentiality is maintained. This program is working in other areas. Several other states it's being brought on line this year. In San Francisco, probably the best news about contact tracing, a voluntary program in the city that's run by a not-for-profit organization there has contacted over 100 AIDS victims, and from that, determined 46 sexual contacts, and from that, seven victims of AIDS that were... that had no knowledge that they had, first of all, been exposed to the AIDS virus, and secondly, that indeed had contracted this dread disease. Because of that contact and because of the professionalism of the Department of Public Health in the State of Illinois and local Departments of Public Health, I urge the adoption of this Amendment so that we can treat this issue for what it is a public health problem, a medical problem that needs to be dealt with with the best tools at our hands. Mr. Speaker, I urge the adoption of Amendment #7 and so move."

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Speaker Greiman: "Gentleman from St. Clair, Mr. Stephens, moves for the adoption of Amendment #7. And on that, the Gentleman from Cook, Mr. Young."

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

Speaker Greiman: "Indicates he'll yield for questions."

Young: "Okay, is there any provision in this Amendment that... or how... how, under this Amendment, would someone who refused to report their past sexual contacts, does this Amendment provide for that?"

Stephens: "The... if a person refuses... if an AIDS victim is interviewed by a public health personnel and says that I wish not to cooperate, I wish not to be part of the program, I wish not to reveal my past sexual contacts, even though they may have been exposed to the deadly AIDS virus, then they are free to turn and walk out the door. No penalty, no questions asked."

Young: "Okay, on that, the provision of the Bill that provides for a member of the public to challenge a local unit of government's effectiveness in carrying out this program, how do you envision that working? How does an individual challenge the effectiveness?"

Stephens: "Well, the language is in the Amendment so that it will be a matter of law that Public Health Departments, local Departments of Public Health will be enjoined to either do this or if they are not doing it, an individual in the community such as yours or mine may bring suit in court and thereby demand that the Illinois Department of Public Health come in and institute the contact tracing program, because contact tracing is such an important part of the overall effort to eliminate the AIDS virus from our society."

Young: "And what do you envision being contained in the reports that are provided to the General Assembly?"

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Stephens: "What reports to what General Assembly?"

Young: "My notes tell me that this Amendment requires semi-annual reports to the General Assembly."

Stephens: "The last paragraph. That's a good question. The... Those are statistical reports that will be... that... the purpose of which is to gather information for the statistical... to statistically analyze the AIDS virus and its spread through our community, and confidentiality will be a part of that report. That will just be number of victims, cases reported, geographically, et cetera, in those areas."

Young: "So that report would not contain names, I take it?"

Stephens: "Absolutely not. That's part of the confidentiality protection."

Young: "If the Illinois Department of Health decides to delegate the tracking authority to a local unit of government, then how do you envision confidentiality being maintained as it goes from the State Government to a local unit?"

Stephens: "Well, that's another good question, Representative Young. You are... you have studied the issue and you are obviously up on top of it. The fact is, as you probably know the answer is first of all, local Departments of Public Health have a long history of providing... and proven confidentiality and... but even knowing that and knowing the sensitivity of the AIDS virus and the public implications therein, we have put into the legislation, into this Amendment which we hope is adopted, language that says that there will be a ten thousand dollar fine per incident if there is a violation of the confidentiality. I don't think that that's going to be a problem. I think what we are talking about is dealing with this with health care professionals because I really, sincerely believe that this is a health, public health issue and it should be

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dealt with professionally."

Young: "Does this Amendment define or delineate what would be considered a violation of confidentiality?"

Stephens: "If the... If identification is made public, that's a violation."

Young: "So, if identification was made to say, everybody in a local unit of government's Department of Health, would that be considered a violation or because they work for the Department of Health, then that wouldn't be a violation?"

Stephens: "Only those persons in the Department of Public Health who would have a need to know because of their participation in the prevention of the spread of the AIDS virus. Other persons would not and should not be privy to that information and again I would relate back to the history of the Department of Public Health, whether local or state, whether Illinois or throughout the nation, as having a proven track record of being professional and treating issues with a great deal of confidentiality. I think they're ready for this."

Young: "Thank you."

Speaker Greiman: "The Gentleman from Fulton, Mr. Homer."

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

Speaker Greiman: "Indicates that he will."

Homer: "Representative Stephens, so that I understand what your Amendment seeks to do, this is, of course, contact tracing. It was the subject matter of a Bill you introduced - 2596? Is that the Bill number that you introduced with this subject?"

Stephens: "This is similar to that Bill, yes. It's... "

Homer: "Alright. What happened to that Bill in the Committee?"

Stephens: "I believe it was a victim of the Subcommittee process."

Homer: "What... Yeah, in other words, you lost the Bill."

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Stephens: "There was no... there was no vote taken, I believe."

Homer: "Okay. Now, let me see if I understand what the procedure is. What you want to be done is, where there is an individual who's contracted AIDS virus, that you want to require that the Department of Public Health would question that individual about whoever else within the past seven years the person had contact with, such that there may have been exposure to the AIDS virus?"

Stephens: "That's the recommendation of the Journal of the American Medical Association article, yes."

Homer: "Alright then, under your Amendment, the department then would have the responsibility to try to trace and find all of those individuals for... that had that contact within seven years."

Stephens: "Because that's the only effective way to stop the spread of the AIDS virus, yes."

Homer: "Alright. What happens if the person's moved overseas or out of Illinois or wherever else? You still would have the department to try to find them?"

Stephens: "There is a point beyond which, and each case will certainly be separate, but there's a point beyond which... You know, for instance, if the person is missing in action in Viet Nam, I don't think we're going to go searching through the jungles of Viet Nam, or if they've taken a permanent trip to Europe, no. We're not going to send the Department of Public Health to Europe, but we certainly would hope that the European countries have adopted contact tracing laws so that, should they be identified as an AIDS carrier there, that they can be properly counseled and advised as to testing and other counseling that would be necessary."

Homer: "Representative Stephens, there's no limiting language in your Bill though, correct?"

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Stephens: "No, I would... again, I would go back to the Department of Public Health's history of dealing with contact tracing that they're very experienced at. They've answered these questions. They have the professional techniques. They have the professionalism within their department to deal with this issue. They know how to make those judgment calls. They're doing it now with gonorrhea and syphilis, and they've got years of history behind that. This is a public health issue. That's what AIDS is, that's the way it ought to be treated, and that's what this bill will do."

Homer: "Okay. Okay. Let me... In further understanding, what your Amendment would do would be to allow the Department of Public Health to delegate to the local County Health Department its duties under the Bill, so that you would... you would allow the department to give to each of the local County Health Departments, these obligations for contact tracing. And then, it would be the County Health Department's obligation to go out in unlimited boundary and to try to trace people who may have been... who may have been exposed to the AIDS virus."

Stephens: "Representative Homer, again, you obviously are very interested in this issue, and I appreciate that interest. Yes, we do expect local Departments of Public Health to participate. What we expect also is not just a broad effort, but to be reasonable and prudent in their operations, and again, I refer to the long history of Departments of Public Health. They have the experience, they know what bounds to use and they know that this is an effective way to treat any pandemic disease spread."

Homer: "Well, Madam (sic - Mr.) Speaker, to the Bill. I think... I appreciate the dialogue we've got here. I think maybe I could be briefer if I just address... Mr. Speaker. I'm

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sorry, I...It was up there."

Speaker Greiman: "Thank you."

Homer: "This... The Amendment would have the Department of Public Health assign its responsibilities for contact tracing to the local Public Health Department, and then the Bill says that anybody that resides within the Public Health Department's jurisdiction would have the right to file a complaint in the Circuit Court alleging that the local Health Department is not doing its job under these... under this Bill, in other words, isn't satisfactorily, to that individual's opinion, doing contact tracing. Now, the Amendment also goes on to say that if a complaint like that is filed, that the burden is on the local Health Department to refute the insinuation that they're not doing their job, so that all that the litigant would have to do, if they wanted to be vexatious or file a harassing suit against the Health Department under this Amendment, would be to go in and file a complaint. Then the burden, unlike all other civil... criminal cases, would automatically revert and fall upon the defendants in the case, the local Health Department, to come in and establish that, in fact, it is meeting its duty, in other words, to prove a negative. And my concern is that you're dumping on a local Health Department that may have already, like in my jurisdiction, faced a tax cutback proposition so that their tax levy was reduced, already operating on very marginal revenues, trying their best to deal with the whole myriad of public health issues that lie in their jurisdiction. Now, you're telling that Health Department, not only are you responsible for contact tracing, but if there's anybody out there that lives in your jurisdiction that wants to file a lawsuit, you're going to have to come in and prove, without them proving anything, that you are doing your job under

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the delegation of authority that was given to you. Now, in all due respect, Sir, when the issue of tort reform came up, there were many Members, I believe, including yourself, who felt that we should do something to cut down on frivolous lawsuits and to try to keep those kinds of cases out of our court system. This seems to me to be doing the opposite by encouraging people who have a grudge against the Health Department to come into court and not have to prove a darned thing, just file a case and force the Health Department into incurring expenses for litigation and time and effort of their staff in court, proving that they're doing a good job over perhaps what is an impossible task that would be assigned to them by the state. So I think, in spite of, perhaps, the Sponsor's good intentions on the Bill, this Amendment ought to be defeated."

Speaker Greiman: "The Lady from Cook, Ms. Didrickson."

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

Speaker Greiman: "Indicates he will."

Didrickson: "Representative Stephens, does this apply to... does this Amendment apply to Cook County?"

Stephens: "This Amendment applies to all Departments of Public Health in the State of Illinois."

Didrickson: "So, that does include Cook County. Have you had an opinion from Cook County Board Commissioners, or do we know what they are doing at the county level, in specific, in Cook County, and whether or not they will be able to handle these additional duties?"

Stephens: "I've not been contacted by Cook County or any other local Department of Public Health. I would only want to add, Representative, that in Cook County or in St. Clair County, any local Department of Public Health, I am sure that because of their experience in dealing with contact

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tracing in other areas and their fear of the future implications of the unknown spread of the AIDS virus, that they are going to be cooperative, using their public health skills in trying to stem what is becoming something that's going from an epidemic to pandemic proportions, and so, I would think that Cook County, I don't know politically how they would look at it, but I can... I would be surprised if, as a matter of public health, that they would not look at it as something that they would want to participate in. And should they decide not to participate, then the State of Illinois Department of Public Health would be in line to take the program over."

Didrickson: "So, what you are saying to me that in the event that the Cook County Department of Public Health determines that (a) they can't afford to do contact tracing for its population all the way back for seven years, or (b) if they choose not to, that we, then, in the State of Illinois, the Department of Public Health, will pick up the duties and the costs to do that kind of contact tracing."

Stephens: "Well, that's really yet to be determined. That's something that would be negotiated between local departments."

Didrickson: "But that could be... under your Bill, that is exactly what could happen. What happens right now with other sexually transmitted diseases, let's say, in Cook County or across the state? Do we delegate those duties to the local county health associations or Department of Public Health?"

Stephens: "Representative, yes, another good question, and that's exactly what happens is that we delegate that responsibility to local Departments of Public Health, the proven professionals in contact tracing."

Didrickson: "Including Cook County."

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Stephens: "Oh, yes, Ma'am, in Chicago."

Didrickson: "Okay. What has been the history and the success of such contact tracing?"

Stephens: "Well, that's... contact tracing in the area that it's most known to operate in, in the area of gonorrhea and syphilis, has proven to be quite effective. The... a lot of the same questions that are being brought up today were brought up 40 years ago as to the, you know, are people going to cooperate, is it going to cost too much, is it... what are the long term benefits. Syphilis and gonorrhea are no longer dread diseases in America, and that's the way it ought to be, and my goal is to make... be able to say the same thing about AIDS in the not so distant future."

Didrickson: "With regards to those other sexually transmitted diseases that you just mentioned, what has been the incidence in the last five years to 10 years? Have we seen an increase in the last five years?"

Stephens: "In syphilis and gonorrhea? I have..."

Didrickson: "Reported statistics."

Stephens: "I have no idea. Some of my advisors indicate that it may... at least the recent history of the last couple of years, that we are seeing decreasing incidences of those two diseases, but I can't give you exact data on that at this time."

Didrickson: "Okay. Overall cost to this Bill. What is the Fiscal Note on this?"

Stephens: "Well, that's pretty much undeterminable, because we don't know what the level of cooperation's going to be at the local Departments of Public Health. I can tell you that what really scares me is the cost of an AIDS virus that goes unchecked, in two terms: first of all, in human suffering; and secondly, as witnessed last week by the Department of Public Aid's announcement that they were

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going to at least spend 11 million dollars next year in unbudgeted money on... because of the AIDS virus. States with as much as 20 percent of Illinois' populations are estimating that the AIDS virus is going to cost their Departments of Public Aid as much as 14 to 20 million, which means that it might cost the State of Illinois hundreds of millions of dollars, and so when we start talking about the issue of cost, we're going to have to balance short-term cost with the long-term, obviously devastating cost, just Retrovir alone, the AZT that is being marketed now as a palliative treatment for AIDS, cost 28 dollars a day just in the drug cost alone, not to mention the fact that an AIDS victim is going to wind up in a hospital, in a nursing home, with... even at the best case, respite care at home - all of these extremely, extremely expensive alternatives dealing with the disorder, dealing with the pandemic disease spread that will have a cost, indeed. I do not have the cost. I don't know. I don't think it will be able to be determined. I think that like every other budgetary priority, we have to look at it closely. If it's necessary that we spend those funds to save lives and human tragedy, then I suggest that we ought to get about that. If we find that it's... that it's more cost effective to let AIDS spread and let our society die, to let the AIDS virus spread to the point where it is in Zaire today, where 40 percent, 40 percent of the entire population of the Country of Zaire in central Africa, Ladies and Gentlemen, has the AIDS virus. Those people have received their death certificate, and I suggest that in Illinois, we not allow this virus to spread unchecked."

Speaker Greiman: "Excuse me, Mr. Stephens. Are you giving a response to a question?"

Stephens: "I'm answering a question. Yes. Yes. A rather

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lengthy response, a rather touching response, and well-worded, I might add."

Speaker Greiman: "Yes, oh, definitely well worth it, Mr. Stephens. A really historic moment here in the House. Proceed, Ms. Didrickson, on your questions, would you?"

Didrickson: "Thank you, Mr. Speaker. One final question, Representative Stephens. Is there any... This is permissive language, right? Okay. Is there any other state right now to date that has adopted contact tracing for AIDS victims?"

Stephens: "Florida, Colorado, Idaho and the City of San Francisco. But... where it's... they certainly have some experience. As a matter of fact, in San Francisco, there are more people have died from the AIDS virus, more people died from the AIDS virus in San Francisco than died in World War II, Korea and Viet Nam combined. So, in... So, we have that limited experience, and I suggest that probably over the next couple of years, because of... no."

Speaker Greiman: "Mr. Stephens, there are moments when you just cross over the line."

Stephens: "Did I cross over the line, there?"

Speaker Greiman: "Yes, you've crossed it. Ms. Didrickson, do you have anything further? Alright. We'll let someone else speak on this subject. Would you mind, Mr. Stephens? Mr. McNamara, patiently waiting, Mr. McNamara, thank you, Sir, for your patience."

McNamara: "Thank you, Mr. Speaker, if the Sponsor will yield for a question on syphilis and gonorrhea."

Speaker Greiman: "Well, he will gladly, I'm sure."

McNamara: "Okay. And we would appreciate the brevity of the answers on this. On syphilis and gonorrhea, is it true that there is no difference at all in the tracing techniques of... that is used in syphilis and gonorrhea

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that will be used with AIDS, or is there a difference?"

Stephens: "Well, with AIDS, we are not suggesting a quarantine, so that difference, it's a little bit light on that side, but substantially, there is no difference, Representative."

McNamara: "What we're looking for is exposure to the AIDS virus. Is that correct?"

Stephens: "Yes. Yes."

McNamara: "Okay, just to the Bill, if I may."

Stephens: "Yes."

McNamara: "The exposure to the AIDS virus is something that we've actually been bandying around this House, and what has happened is, is I've heard the argument that, gee, it's going to cause additional duties, it's going to be a tremendous cost to try to protect our citizenry against AIDS, yet I think that the one thing that we should not do is bury our heads in the sand on this issue and say all of a sudden, we do not want to protect our citizens because we have already had a record of doing this in the areas of our sexual diseases. It is very important that in AIDS, that AIDS... we take a look at the situation, we try to find out who is infected, who will be infected, and protect our constituents, our people of this state, so that we don't kill more people. In those particular areas, when we have that large of a task to perform, additional duties for a Health Department and additional costs should mean nothing, because then you are putting a value on a life, and life cannot be valued. It's an invaluable commodity. I think it's a very important issue to address this problem on AIDS, the same way we address the problems on other sexually transmitted diseases, and that we come to some realization that this Amendment is a good Amendment and should be passed. Thank you."

Speaker Greiman: "The Gentleman from McLean, Mr. Kirkland."

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Kirkland: "Will the Sponsor yield, please, Representative Stephens?"

Speaker Greiman: "Indicates that he will."

Kirkland: "Representative Stephens."

Stephens: "Yes."

Kirkland: "Have you... Maybe somebody asked this. I apologize if they have. I'm trying to get a feeling for... in a public health clinic or, you know, operation, how much this additional contact tracing might add to their workload, percentage wise. I mean, they do a lot of contact tracing for other venereal diseases at this point. How much would this add?"

Stephens: "Representative, I just don't think we have the experience to give you a legitimate answer to that question. I would have to believe that the personnel are there, they're on line, they're used to dealing with this sort of issue, and as we get into it, I think we'll be able to better define how able they are to take on these duties and whether or not it's going to have any real fiscal impact at all."

Kirkland: "Okay, thanks."

Speaker Greiman: "The Gentleman from Cook, Mr. White."

White: "Mr. Speaker, Ladies and Gentlemen of the House, a team of experts testified in the Subcommittee about this Bill, and they tore the Bill apart, so to speak. They realized the fact that 10 years later, someone would be knocking on your door, you're happily married, asking... indicating to you that they are in the process of trying to find out if you have contracted AIDS because a person right now has AIDS. And I think that this would destroy a marriage, I think that it would not do the particular person or the family any good, so I'm in opposition to the Bill, and I think that it is ill-founded at this time. So please vote 'no'

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on Amendment #7."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Stephens, to close."

Stephens: "Thank you, Mr. Speaker. I appreciate the debate that's taken place on this important Amendment. To the last Representative, I would only want to respond that I have more respect for Department of Public Health personnel than to think that they would be so crass or shallow as to knock on someone's door and ignore all of the practices that they've developed over the last 40 years in contact tracing with other sexually transmitted diseases. That's not the way it's done. It's done with a great degree of class and a great degree of professionalism. These ladies and gentlemen are trained public health advisors, public health counselors that know their work. They know how to go about it. We're not after destroying marriages. What we are trying to do, Ladies and Gentlemen, is address this important issue of the AIDS crisis as a public health problem. It is not anything else than that, and we ought... "

Speaker Greiman: "The question... "

Stephens: "... To use the best public health tools at our hands, hopeful that in the next few years, we can come up with a better treatment, and indeed, a cure, and in the meantime, limit the spread of this terrible disorder. The questions were raised in debate, something about lawsuits. I think that's way off base. That's really a tangential issue. This is not... people aren't going to go running off, suing local Departments of Public Health if not for any other reason than that there's an expense involved, as we all know, when you enter the courtroom. No one wants to run in and just throw money away in order to bring their local public health officials into a courtroom for harassment

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reasons. The point is, that that part of the Bill is there so that if a local Department of Public Health refuses for whatever reasons, whatever political pressures they might be getting from local... "

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

Stephens: "I'm just doing that. Thank you. I think that we ought to ignore that argument. Ladies and Gentlemen, I implore you, this is part of a package of three basic steps to treat the AIDS epidemic. It's simply stated in the Journal of the American Medical Association, and only to close, Mr. Speaker, I earlier mentioned the thousand people who have died in San Francisco, and indeed, that is the... exceeds the number of people from that city that died in the wars that I mentioned. It's only to put this whole disaster in some perspective. Ladies and Gentlemen, we are Members who were elected to set public policy, and we ought to be thinking about those future victims of this dread disease and the possibility that the steps we take on this House floor today may indeed prevent the spread of this disorder and a future personal disaster. Thank you."

Speaker Greiman: "The question is, 'Shall this Amendment be adopted?' All in favor vote 'aye', those opposed 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 76 voting... 77 voting 'aye', 38 voting 'no', none voting 'present', and the Amendment's adopted. Are there are further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "A Fiscal Note has been requested on this Bill. Now, moving now on page four of the Calendar, on the Order of Special Order Business, House Bills Second Reading - Government Administration, appears House Bill 308. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 308, a Bill for an Act in relation to sewer and water projects. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Amendment #2 is withdrawn and 3 lost. Floor Amendment #4, offered by Representative McPike."

Speaker Greiman: "Gentleman from Madison, Majority Leader McPike."

McPike: "Yes, thank you, Mr. Speaker. Amendment #4 is strictly technical in nature. It has no substantive part to it, and I would move its adoption."

Speaker Greiman: "Gentleman from Madison, Majority Leader McPike, moves for the adoption of Amendment #4 to House Bill 308. And on that, is there any discussion? There being none, the question is, 'Shall this be adopted?' All in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

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

Speaker Greiman: "Gentleman from Madison, Majority Leader McPike."

McPike: "#5 is technical, but it does speak to the housing partnership portion of Build Illinois that we passed. We'll ask for a clarifying Amendment to implement that part of Build Illinois that we passed two years ago."

Speaker Greiman: "Gentleman from Madison, Mr. McPike, moves for the adoption of Amendment #5 to House Bill 308. And on that, the Gentleman from Winnebago, Mr. Hallock."

Hallock: "Will the Sponsor yield?"

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Speaker Greiman: "Indicates he'll yield for questions."

Hallock: "Now, our analysis of this would allow that local funds be used for this match, not necessarily non-state funds. In other words, as we read this analysis and this Amendment, it appears that the state funds could be used on the one hand and also local funds, government funds on the local basis, but wouldn't have to... the local funds would not have to be private funds?"

McPike: "The local funds... what?"

Hallock: "It appears that the local funds, under this Amendment, would not have to be private funds?"

McPike: "Yeah, that's correct. They do not have to be. They could be city funds."

Hallock: "So, what you're doing with this one would be to say that the state could match up with some other governmental entities on a local basis and spend local funds, but not private funds."

McPike: "I think that's correct, yes."

Hallock: "Thank you."

Speaker Greiman: "Gentleman from McHenry, Mr. Klemm."

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

Speaker Greiman: "Indicates he will."

Klemm: "Representative, in this match that we normally have the seven... three, I think it was before in your Amendment, was that really from a private developer on these low and moderate housing projects?"

McPike: "Well, I think I should address it this way. We had a number of House...of Members on the House floor that asked for individual projects in their area. Some Legislators in Chicago asked for this individual project, the housing partnership, to allow city and local... private groups to participate with state monies. I believe it was a 5,000,000 dollar Amendment in 1986, Fiscal '86. As we have

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introduced clarifying and technical Amendments to allow all the other projects to be funded, that is all we're doing here, is to allow this partnership portion of the '86 law that we are going to reappropriate this year to be implemented. Nothing else, nothing else."

Klemm: "Was the original concept to be 30 percent, roughly, of private funds and is that from a private developer or private entrepreneur who wants to do some moderate low housing and 70 percent, then, would come from your authority that we had our housing authority, but now we're asking to change that 30 percent to be from... concerning local funds included with the private?"

McPike: "Well, you can see what we did. We struck private. It would be obtained by the municipality from sources other than the State of Illinois. So, it was..."

Klemm: "Okay, what my point is..."

McPike: "So, it would be city taxes."

Klemm: "Okay. I understand that, but my point is is it a private person coming into a municipality where the city picks up 30 percent of the cost, the state picks up 70 percent and they have ownership and it's totally paid for by government entities, the taxpayers, and they reap the benefits of the rents and the low receipts now."

McPike: "No. No."

Klemm: "Then, who is the developer who puts up these low to moderate housing projects? I guess that's my question."

McPike: "Well, I think... I don't know how clear I..."

Klemm: "I hope... I'm not trying to complicate it. Yeah, I'm not trying complicate it. I was just asking you some..."

McPike: "I'm not trying to complicate it either. It says, any source. So, I would presume it would be from city revenues. If it's not from private, then it's going to be from public."

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Klemm: "Alright. So, the financing of multi-family housing, the multi-family housing is not by private developers as such, it's by the city who's doing it?"

McPike "Yes."

Klemm: "Well, that's fine. Then, it's not private people capitalizing on the city's good nature or the state's good nature and they go away with the profits. Is that correct?"

McPike: "I think you're correct."

Klemm: "Alright, thank you very much."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. This Amendment is adopted. Are there further Amendments?"

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

Speaker Greiman: "Gentleman from Madison, Mr. MCPike."

McPike: "At the request of Jim Reilly, I've introduced this Amendment to increase the line item in Build Illinois from 3,000,000 to 5,000,000. As you will recall, that money is split one-third Chicago, two-thirds downstate. So, under the \$3,000,000, Chicago got 1,000,000, downstate got 2,000,000. Under this, that line item has increased to 5,000,000. Chicago will get a third of that and downstate will get two-thirds."

Speaker Greiman: "Gentleman from Madison, Mr. MCPike, moves for the adoption of Amendment #6. On that, is there any discussion? Gentleman from Winnebago, Mr. Hallock."

Hallock: "Yes, will the Sponsor yield?"

Speaker Greiman: "Indicates he'll yield for questions."

Hallock: "Could you indicate to the chamber here what discussion brought this Amendment about?"

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McPike: "Mr. Reilly called me on the phone and asked me if I would do it, and I said certainly."

Hallock: "Is this a result of the Chicago White Sox situation?"

McPike: "He did not inform me. I read in the paper that there have... that the Governor's office has participated in negotiations in the city, and I presume that this is part of that. I have indicated that to your side of the aisle that the total Build Illinois Program has been allocated 1.3 billion dollars and we have identified 1.5 billion dollars in... off of a wish list. We have informed the Governor that he is to cut 200,000,000 dollars. How he does that is his choice, and I really don't care. If he chooses to stop route 51 in the middle of its tracks, that's alright with me. It's a feeling on this side of the aisle that we're not going to increase taxes to pay for the Governor's deficits in this program. If he wishes to increase the line item here, I have no objections. Certainly, all downstaters have been very interested in these tourism dollars and I don't know of any objections raised on this side of the aisle to increase in the amount of money used downstate for tourism since it's one of our growing industries. So, although the proposal came from Mr. Reilly, I support it."

Hallock: "Thank you, Representative MCPike. To the Amendment, Mr. Speaker, Members of the House."

Speaker Greiman: "Proceed, Sir."

Hallock: "I would say at this point in time that we would oppose this Amendment for the following reasons. First of all, and Mr. MCPike and I have talked about this, first of all, we are in some sort of consensus that we will not move Build Illinois projects along until we have resolved what's going to happen this Session on many other issues. And at this posture, we're taking the assumption, I think it's a

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bipartisan assumption, that we will, in fact, not plan on adding projects or not adding any new projects. This Amendment flies in the face of that. And although this Amendment, I think, is laudable, and truly, not only the Chicago situation, but also downstate tourism bureaus can use these additional funds. I would say until we finally work out the total Build Illinois package and what it may or may not become, we should oppose this Amendment. And I would urge a 'no' vote."

Speaker Greiman: "Further discussion? There being none, the Gentleman from Madison, Mr. McPike, to close."

McPike: "I can't... Representative Hallock, I don't understand what you said when you said this flies in the face of the agreement that we reached. I said that we would discourage Members from filing pork Amendments to Build Illinois, and you said you would discourage your Members from filing pork Amendments to Build Illinois, and that we would inform the Governor that he was to allocate the remaining money as he wished. He did that. That's all he did. He allocated as he wished. Now, I happen to think that it was a good allocation. I have no objections to more money coming into our local tourism bureau, to our local convention center. Most of us fought to get more money for this. So, if the Governor has somehow come up with some deal that's going to get more money to downstate tourism, more money to local convention bureaus, and if you want to oppose that, that's your choice. I think it's a good vote."

Speaker Greiman: "Question is, 'Shall Amendment #6 be adopted?' Those in favor signify by saying 'aye', those... those in favor of vote 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Yes, Mr. Ewing, I'm sorry, one minute to explain your vote."

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Ewing: "Thank you, Mr. Speaker. My light was on before you closed, but maybe you had your hand over it or something, but I think that we should..."

Speaker Greiman: "I'll give you whatever leeway you need."

Ewing: "Pardon, Sir?"

Speaker Greiman: "Whatever leeway you like? Proceed, Sir. Explain your vote."

Ewing: "I'm trying to. I think we should have some more red votes up there. This is additional money. I don't see how we can say the Governor's cutting out his 700,000 and we add another 3,000,000. I think it's premature to put this Amendment on this Bill. Let the Governor come and identify the cuts he's going to make. We agree with you, Jim, but I think it's premature and I think we should have some more 'no' votes up there unless you want to send more money up there for the Chicago White Sox Stadium. He cut the deal. He didn't ask us, and maybe if I ever have another piece of legislation, I'll have Reilly call you."

Speaker Greiman: "On this question, there are 63 voting 'aye', 50 voting 'no', 3 voting 'present', and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representatives Hallock and Ewing."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Hallock."

Hallock: "Thank you, Mr. Speaker and Members of the House. Unlike the last Amendment, I believe, this one is an agreed Amendment. Many of us in this House, on both sides of the aisle, have added in the past two Sessions... the past two years, projects which would be funded through DCCA. This Amendment would change, the language somewhat, by saying that, those grants, in fact, do not have to result in immediate jobs. The problem has been, of course, that some of the DCCA grants, have not been given out, because it is

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hard to pin down the number of jobs provided, therefrom. So, this would say, in fact, that job creation is not essential to those grants and make it retroactive to both FY'86 and 87 projects. I would ask for your support."

Speaker Greiman: "The Gentleman from Winnebago moves for the adoption of Amendment #7 to House Bill 308. And on that is there any discussion? There being none, the question is 'Shall this Amendment be adopted?' All in favor 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes', have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On this order appears House Bill 815, out of the record. On this order appears House Bill 989. Mr. Clerk, read the Bill. 989, Mr. Clerk."

Clerk O'Brien: "House Bill 989, a Bill for an Act to amend certain Acts in relation to mass transit. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On this order appears House Bill 1684. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1684, a Bill for an Act to amend the General Obligation Bond Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1... or Floor Amendment #2, offered by Representatives Daniels and McCracken."

Speaker Greiman: "The Gentleman from DuPage, Mr. Daniels, on Amendment #2. Mr. McCracken, do you wish to proceed with

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that? Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. This Amendment would increase the general obligation bond authorization for the State by \$70,000,000. In order to create the... "

Speaker Greiman: "Excuse me, Mr. McCracken. The Gentleman from Cook, Mr. Young. For what purpose do you seek recognition?"

Young: "And inquiry of the Chair, Mr. Speaker. Has this Amendment been printed and distributed?"

Speaker Greiman: "Mr. Clerk? We are advised that the Amendment has not been... yes, and it is the wrong Bill, Mr. Clerk. The Bill that we are addressing is 1684. Mr. Clerk, let us examine the Bill and the Amendment. In examining the Bill... the Amendment, that is, which is multi-subject, it is all ungermane, except that part, which touches the Amendment to the Bond authorization. And, so for that reason, it is germane. Mr. McCracken, proceed, sir."

McCracken: "Thank you. Ladies and Gentlemen, this is Amendment #2, which would establish the Federal Clean Water Act Revolving Loan Fund. It authorizes an additional \$70,000,000, for the State GO Bond Authorization and would be used for the purpose of a 20% match with \$350,000,000 from the Federal Government for the purpose of meeting EPA Deadlines for wastewater and sewer treatment, which has been mandated to be completed under penalty of law. These 286 communities are throughout the State of Illinois. I believe everybody in this chamber has an interest in this Amendment. This Amendment is an alternative to what has been used... as to one of the problems which has been held up as necessitating a tax increase. We have recently consulted with Mr... with Dr. Manderville, of the Bureau of the Budget. He estimates roughly that the cost of issuing the \$70,000,000 in general obligation bonds would start at

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about \$7,000,000 per year and be a reducing level thereafter, because principal and interest are both retired in the life of a pay back. So this is a way to solve that problem. It costs approximately \$7,000,000, which will have to be appropriated this year. It brings into the coffers of the State of Illinois for the purpose of this compliance \$350,000,000 in Federal Funds. This is a solution for all of us. The \$7,000,000 price tag does not necessitate a tax increase. The \$350,000,000 cannot be gotten unless we are able to put up the \$70,000,000. This is a way to do that. I might add that these bonds and the money which would go to the communities would be loans. The loan would have to be repaid. So that not only are we financing it in a manner which is feasible and responsible economically in light of our resources, but also will inure to the detriment of everybody's district throughout the entire State. Two hundred and eighty-six communities some of which touches each and every one of us can be solved with the adoption of this Amendment. I move its adoption."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, has moved for the adoption of Amendment 32. And on that the Gentleman from Madison, Majority Leader McPike."

McPike: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. We debated this the other day and that was your first opportunity, I don't know if it was yesterday or last week, that was your first opportunity to vote for a tax increase. And the Amendment failed so Representative McCracken wants to give you your second chance of the year to vote for a tax increase. Now perhaps on June 30 as I said the other day, we will come down to a no-tax budget. And, 60 people on this floor will agree that we need some new programs. And those 60 people will identify some taxes and say, Governor, we're willing to vote for these

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tax increases to pay for these programs. But at this point, I haven't seen sixty people walk forth and say I am willing to vote for any tax increase. I'm still waiting for one person on the other side of the aisle to file a tax increase for the Governor. So here's a program that nobody can pay for. It's just like Build Illinois that was passed as being paid for out of GRF instead of being paid for out of a Used Car Tax. Here's another program that they want you to put on the books, sell some bonds and just pretend like we can pay off the bonds without any revenue source. There is no revenue source to pay these off. The State doesn't have the money. If you want to vote for this, and when you vote for it, just say to yourself I'm for this and I'm going to vote for the tax increase to pay for it, because that's what necessary. I really could care less if you want it or you don't want it. The only thing I would ask is for you to recognize political reality and say to yourself, yes, I'm voting for a tax increase. That's what I'm going to do; that's what I intend to do. I'm for the program and I'm for the tax increase and then vote 'aye'. But if you're not for new taxes, you haven't made up your mind yet, and you don't want to cast a vote in the middle of May for a tax increase, you ought to consider voting 'no' on this."

Speaker Greiman: "Further discussion? The Gentleman from Adams, Mr. Mays."

Mays: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I agree with part of what the previous Speaker just said. But I also agree with the bulk of what Mr. McCracken said in debate. What we are going to be doing through this process over the next month and a half is selling bonds or authorizing the sell of the bonds for many, many different purposes. Whether a tax increase

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passes or not. Indeed, I think, you'll be saying...you know, an Amendment to follow this one will be asked to increase the bond authorization by about a \$176,000,000 for other purposes than waste water treatment facilities and matching the Clean Water Act and compliance for the various communities. So I'd ask that each and every Member take this into perspective. Look at this as a legislative priority and an executive priority. We have to match the \$350,000,000, or we don't get it. I don't see a match proposed in any following Amendments on a General Obligation Bond Note. So I would suggest that this is, at this early time, the most appropriate time to cast a vote for taking care of some much needed improvements with wastewater facilities throughout this State in Republican and Democrat districts. For that reason, I rise in support of the Amendment."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, to close."

McCracken: "The 'tax scare' is just a smoke screen. The Gentleman's has the next Amendment which would raise the GO authorization levels by a \$176,000,000. This is \$70,000,000, \$70,000,000 that can be retired by annualized... by an annualized appropriation of \$7,000,000 decreasing in the out years. Seven million dollars is the cost in FY'87 of this program. Seven million dollars that does not necessitate a tax increase. Don't be taken in by that. This is a solution to this problem, which affects every one of your districts and it doesn't mean a tax increase. It cost \$7,000,000 to float these bonds in the first year and it will be a reducing balance thereafter. You don't have to be for taxes to be for this. You can solve the problem that your communities want solved by going for this Amendment. It doesn't commit you to a tax

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increase. Seven million dollars is not the difference between a 'yes' or a 'no' on a tax vote. Vote for this Bill, solve the problem, let's get that \$350,000,000 in Federal money."

Speaker Greiman: "The question is 'shall the Amendment be adopted?' Those in favor say 'aye', those opposed 'no'. Do you wish a Roll Call, Mr. McCracken? Do you? Alright. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 49 voting 'aye', 64 voting 'no', 1 voting 'present'. Mr. McCracken, for what purpose are you seeking recognition?"

McCracken: "Verification."

Speaker Greiman: "And the Gentleman from DuPage requests a verification of the Negative Vote. Mr. Clerk... Mr. Preston asks leave to be verified. Does Mr. Preston have leave? He's right here at the Well. Mr. Hoffman. Mr. Hoffman votes 'aye'. No, we haven't done any. Mr. Homer. Mr. Homer."

Homer: "Thank you, Mr. Speaker. Would you record me as 'no'?"

Speaker Greiman: "Record Mr. Homer as voting 'no'. Mr. Clerk, proceed with the verification of the Negative Roll Call."

Clerk O'Brien: "Berrios..."

Speaker Greiman: "Excuse me, Mr. Mulcahey."

Mulcahey: "Change my vote to 'aye'."

Speaker Greiman: "Mr. Mulcahey votes 'aye'. Proceed, Sir."

Clerk O'Brien: "Poll of the negative vote."

Speaker Greiman: "Excuse me. Ms. Stern. Ms. Stern votes 'no'. Proceed, Sir. Yes, Mr. Granberg asks leave to be verified. You have leave, Mr. Granberg."

Clerk O'Brien: "Poll of the Negative Vote. Berrios. Bowman. Braun. Breslin. Brunsvold. Bugielski. Capparelli.

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Christensen. Cullerton. Curran. Currie. Daley. Davis.
DeJaegher. DeLeo. Dunn. Farley. Flinn. Flowers.
Giglio. Giorgi. Granberg. Greiman. Hannig. Hartke.
Hicks. Homer. Jones. Keane. Krska. Kulas. Laurino.
LeFlore. Leverenz. Levin. Martinez. Matijevich.
McGann. McNamara. McPike. Morrow. Novak. O'Connell.
Panayotovitch. Phelps. Preston. Rea. Rice. Richmond.
Ronan. Saltsman. Satterthwaite. Shaw. Steczo. Stern.
Sutker. Terzich. Turner. Van Duynes. White. Williams.
Wolf. Anthony Young. Hyvetter Younge. Mr. Speaker."

Speaker Greiman: "For what purpose does the Gentleman from Perry, Mr. Goforth, seek recognition? Mr. Goforth wishes to change his vote to 'aye'. Mr. McCracken, do you have questions of the Negative Roll Call?"

McCracken: "Thank you, Mr. Speaker. Representative Braun?"

Speaker Greiman: "Representative Braun? Ms. Braun? Is the Lady in the chamber? How is the Lady voted?"

Clerk O'Brien: "The Lady is recorded as voting 'no'."

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

McCracken: "Representative Flowers?"

Speaker Greiman: "Ms. Flowers? Ms. Braun has returned to the chamber. Restore Ms. Braun to the Roll Call. And on my left at the Well, Ms. Flowers has returned to the chamber."

McCracken: "Representative Dunn?"

Speaker Greiman: "Mr. Dunn, is at the Well."

McCracken: "Representative Krska?"

Speaker Greiman: "Mr. Krska? Mr. Krska in the Chamber? How is Mr. Krska voted?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Greiman: "Remove Mr. Krska from the Roll Call."

McCracken: "Representative DeJaegher?"

Speaker Greiman: "The Gentleman from Rock Island, Mr. DeJaegher.

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Is he in the Chamber? Mr. DeJaegher? How is Mr. DeJaegher voted?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Greiman: "Remove him from the Roll Call. The Lady from LaSalle, Ms. Breslin, asks leave to be verified. Leave is granted."

McCracken: "Representative Currie?"

Speaker Greiman: "Ms. Currie? Representative Currie? Is in Mr. Young's Chair or thereabouts."

McCracken: "Representative Sutker?"

Speaker Greiman: "Mr. Sutker is in his seat."

McCracken: "Representative Terzich?"

Speaker Greiman: "Mr. Terzich? Mr. Terzich? Is Mr. Terzich in the chamber? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Greiman: "Remove Mr. Terzich from the Roll Call."

McCracken: "Representative Laurino?"

Speaker Greiman: "Mr. Laurino? How is Mr. Laurino recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Greiman: "Is Mr. Laurino in the chamber? Remove him from the Roll Call."

McCracken: "Representative Panayotovitch?"

Speaker Greiman: "Mr. Panayotovitch? Mr. Panayotovitch? Is he in the chamber? How is Mr. Panayotovitch recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Greiman: "Remove Mr. Panayotovitch."

McCracken: "Representative Steczo?"

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo? Is Mr. Steczo in the chamber? How is Mr. Steczo recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Greiman: "Remove Mr. Steczo."

McCracken: "Representative O'Connell?"

Speaker Greiman: "Mr. O'Connell? Mr. O'Connell in the chamber?"

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How is Mr. O'Connell recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'no'."

Speaker Greiman: "Remove Mr. O'Connell. Mr. Steczko has returned to the chamber. Restore Mr. Steczko. Mr. Bowman and Mr. Shaw ask leave to be verified. Mr. Keane asks leave to be verified. Granted."

McCracken: "Representative Giglio?"

Speaker Greiman: "I'm sorry...what..."

McCracken: "Giglio."

Speaker Greiman: "Mr. Giglio is in the rear of the chamber."

McCracken: "Representative McNamara?"

Speaker Greiman: "Mr. McNamara is at the rear of the chamber."

McCracken: "Representative Ronan?"

Speaker Greiman: "Mr. Ronan is at the Nurse's station currently."

McCracken: "Alright."

Speaker Greiman: "Thank you, for your courtesy."

McCracken: "Representative Bugielski?"

Speaker Greiman: "He is in his chair. You'll learn to recognize him and pronounce his name right."

McCracken: "I'm sorry. Representative Richmond?"

Speaker Greiman: "The Gentleman is in his Chair. As always."

McCracken: "No further."

Speaker Greiman: "On this question there are 51 voting 'aye', 59 voting 'no', none voting 'present'. And the Amendment fails. Are there further Amendments?"

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

Speaker Greiman: "The Gentleman from Madison, Majority Leader McPike."

McPike: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. This Amendment is for \$176,981,900 in bonding authorization. Representative McCracken was correct when he said that his was only for \$70,000,000 and this is for a

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\$176,000,000. That was absolutely correct. The difference is is that a \$176,000,000 represents the no tax increase level. The no tax increase level, so that if we had adopted his, added to the 176,000,000, it was clear that we would have had a tax increase in order to fund it. We have a procedure here where we authorize projects. We then give the authority to CDB to sell the bonds. And then we appropriate the money to pay for the debt service. This 176,000,000 breaks down into various categories to fund projects that we have approved. State Educational Facilities, 21,000,000; State Correctional Facilities, 88,000,000; Conservation, 4.9 million; Mental Health, 12.9; State Government Facilities, 37.5; Cargo handling facilities, Port Districts, 9.1; State Water Resources 3,000,000. This represents a no tax increase level. I would move for its adoption."

Speaker Greiman: "The Gentleman from Madison, Majority Leader McPike, has moved for the adoption of Amendment 33 to House Bill 1684. And on that the Gentleman from Winnebago, Mr. Hallock."

Hallock: "Well, Mr. Speaker and Members of the House. If you follow the logic of the last discussion, you'll find out that truly, there is some holes in that argument. To say with a straight face that a \$70,000,000 increase in bond authorization will cause a tax increase, but \$176,000,000 authorization will not is ludicrous. I guess what he had done was assume that his would go on first and ours would go on after, and therefore together there would be a tax increase. Let's call the facts what they are. This is a budget busting request for a bond authorization increase. \$176,000,000 authorization increase is to be requested by this Amendment. And look where it goes. It goes for such things as Port Districts. Now how many of you in this

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General Assembly have ports in your District? If you care about this issue at all, if you care about the budget, if you do want to actually oppose taxes, you'll oppose this Amendment. This is a budget busting Amendment by trying to raise the authorization. It's going to have to raise taxes. Vote 'no'.

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken."

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

Speaker Greiman: "He indicates he will."

McCracken: "Representative, the 10,000,000... "

Speaker Greiman: "He indicates he won't. He indicates he won't."

McCracken: "He indicates he won't yield? I don't blame him. I wouldn't yield either if I had this Amendment."

Speaker Greiman: "Proceed, Sir."

McCracken: "I can only share Representative Hallock's lack of belief at the argument that \$176,000,000 increase in bond authorization isn't a budget buster, but \$70,000,000 is. And I tell you what that does. It says that you have to strike a priority in your spending. You have to say to yourself as a Representative whose districts need wastewater money, am I going to vote for this? This increase in bond authorization, which gives an increase in \$10,000,000 of bond authorization to port districts. Now, where do you think most of that going to end up? Do you think most of that is going to end up in Chicago? It doesn't give anything for mass... or for transit. It doesn't give anything for highway projects. Only \$3,000,000 for water resources. So I think the question you should put to the Majority Leader, because he won't answer it for me is, 'where are your priorities, Mr. Majority Leader?' Are you going to get the benefit of the \$350,000,000 from the Federal Government in return for issuing \$70,000,000 worth of bonds? Or are you going to

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issue an additional 10,000,000 to port districts, largely going to Chicago. Nothing for mass transit. Nothing for highways. So it's a priority. And your vote here should be an answer to the Majority Leader that no, we are not going to stand for it. All of our districts are involved in this, all of our districts will benefit from the \$350,000,000. And a 'no' vote will send that message home."

Speaker Greiman: "The Gentleman from Adams, Mr. Mays."

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

Speaker Greiman: "Indicates he wishes not to."

Mays: "Alright. Then, I'll make an observation only, and I'm hopeful that my observation is correct. In reviewing Amendment #3, I would observe that I did not see in any portion of that Amendment any bond authorization increase for transportation whatever. And that, plus the \$10,000,000 that Representative McCracken spoke to for cargo facilities is the two major differences with Amendment #3 versus Amendment #1 that is currently on the Bill. I... well if he won't yield, that's the assumption I'll make. And if I am wrong, I'm sure the process is early enough along. But I look at this Amendment and I ask myself, don't we have an obligation to repair the streets and highways in our State? Don't we have an obligation to repair the wastewater treatment facilities throughout this State? Is that obligation a bipartisan obligation or is it a partisan obligation? I think it's something that we all have to own up to. I believe that if we defeat Amendment #3 by a Roll Call, then we will still have Amendment #1 on the Bill which addresses at least more fully the capital needs of all the constituents of this State. For that reason, I would suggest that we vote 'no' on Amendment #3,

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too, we revert to Amendment #1 which at least addresses the transportation portion, which this woefully does not."

Speaker Greiman: "The Gentleman from Cook, Mr. Piel."

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

Speaker Greiman: "He indicates he wishes not to."

Piel: "To the Bill, Mr. Speaker. It's an obvious ploy on the Sponsor of the Amendment's part. When...you know, I've seen it many, many times, where people will joke around, say they don't want to answer any questions, but when a person turns in an Amendment like this, I can definitely see why obviously he doesn't want to. Ladies and Gentlemen of the House, I hope you do have a copy of the Amendment, and I hope you take a look at it very, very closely. All of these areas that are mentioned in the Amendment are covered and covered adequately by the Bill turned in by Representative McPike and Representative Mays. It was done in a conscientious effort to approach the needs of the State in a very conscientious manner. But now all of a sudden Amendment #3 is turned in and there is some great things in here. You know, one of the previous Representatives mentioned there was an area change. It was for cargo handling facilities, port districts, break waters. Everybody's heard about the Chicago break water situation. Including harbor entrances in port districts in conjunction with their facilities for small boats and pleasure crafts. Now maybe all of you have a port in your area, but maybe I just don't happen to have one. Maybe that's the reason I should vote against it. But this hasn't just gone up by a couple hundred thousand dollars. Ladies and Gentlemen, he has increased this from \$810,000 up to \$10,000,000, \$10,000,000. Other areas he has in here. Here's a real cute catch-all area here for use by

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the State. Now if that doesn't really open up a 'Pandora's Box', for use by the State, its departments, its authorities, public corporations, commissions and agencies. \$205,000,000. Doesn't tell what it is going to be used for. It's just going to be used by the State, its departments, its agencies, and its authorities. Ladies and Gentlemen, before you look... before you vote for an Amendment like this, I would ask that you look at it very, very closely. This Amendment is a budget-buster. This Amendment is the type of a thing to where you sit here and you say you take home all the pork to your districts. Well there's a lot of port in here, p-o-r-t, port districts, not pork districts. And I would ask that you would look at this Amendment very closely before you throw and 'aye' vote on it."

Speaker Greiman: "Yes, the Amendment has been printed and distributed. The Gentleman from Cook, Mr. Leverenz."

Leverenz: "Ladies and Gentlemen of the House, I believe that this Amendment will reflect all of the projects that we have in House Bill 799. And I would encourage your 'aye' vote for the Amendment."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Stephens."

Stephens: "Thank you, Mr. Speaker. This Amendment, costing what it does, I think is... well I question the timeliness, I wonder if we ought not have our House in order, as far as our revenues are concerned before we consider this increased bond authorization. I wish that the Representative would have yielded for questions, but knowing that he wishes not to, I will respect that. And I can only say that, I think, that those downstate Representatives either side of the aisle ought to see this for what it probably is. There's language out there, I'm sure, that's going to wind up making this money wind up in

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Chicago. This is something that downstate Representatives, Democrat and Republican alike, can probably agree on. That if we're going to be sending our tax money to Springfield, we ought to be very careful that it is not spent only in the City of Chicago, only on port authorities and the City of Chicago. We need to be very careful with this language. I think that the Gentleman ought to take this Amendment and maybe bring it up about June 30. I think it would be more proper. Thank you."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn. Mr. Flinn."

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

Speaker Greiman: "The Gentleman from St. Clair moves the previous question. ...in favor say 'aye', opposed, 'no'. In the opinion of the Chair, the 'ayes' have it. The Gentleman from Madison, Mr. McPike, to close."

McPike: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. I would expect that, that we would at least try to be truthful on the House Floor instead of representing things that aren't true. We, the Staff, asked the Governor, CDB, for what they needed for a no-tax level. And we put that in the Bill. We asked DOT what they needed if the gas tax did not pass, and they told us nothing. They didn't need an increase in bond authorization if the gas tax didn't pass. So we did not put that in the Bill. This is a bonding Bill, requires 71 votes to pass. The Amendment that was adopted in Committee was for a tax increase level. It was for a gas tax increase for DOT. And it was for the Governor's full tax increase. Based on all those taxes, an Amendment was adopted in Committee that would reflect the level of bonding that could be authorized with the new taxes in place. We attempted to do just the opposite. To ask the agencies what they would need without

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a tax increase. Seldom have I heard distortions, very seldom do I hear distortion on Bills like I have heard on this. I withdraw this Amendment. Mr. Speaker, I withdraw the Amendment."

Speaker Greiman: "Amendment will be withdrawn. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. On page 26 of the Calendar, on the Order of Coal Development, House Bills Second Reading, appears House Bill 1954. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1954, a Bill for an Act to designate a day to be observed as 'Coal Miner's Memorial Day'. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Greiman: "Third Reading. On this order appears House Bill 2797. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2797, a Bill for an Act to create the Underground Resource Conservation Reinforcement Fund. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Motions with respect to Amendment #1?"

Clerk Leone: "There are no Motions filed."

Speaker Greiman: "Are there Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Greiman: "Third Reading. Page 26, on the Order of Higher Education, House Bills Second Reading, appears House Bill 1805. Mr. Clerk, read the Bill. Okay. Yes, Mr. Stephens, for what purpose do you seek recognition?"

Stephens: "I was going to ask you what was on the board. I thought I saw a Bill with Representative Goforth's name on it. And he was in the chamber. I didn't know if you were going to call that Bill. It seemed like it was the next in

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order. Was it sent?"

Speaker Greiman: "It went to Third Reading, Mr. Stephens. Yes, you must have fallen asleep. You have handled it for the rest of us today."

Clerk Leone: "House Bill 1805, a Bill for an Act to amend the School Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment 31 is being offered by Representative McCracken."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken. Withdrawn. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. I'm sorry, a Fiscal Note has been requested. A Fiscal Note has been requested, so the Bill will remain on the Order of Second Reading. On the Order of Higher Education, House Bills Third Reading, appears House Bill 143. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 143, a Bill for an Act to amend the Public Community College Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Madison, Mr. Wolf, on House Bill 143."

Wolf: "Thank you, Mr. Speaker and Members of the House. First of all, let me say that this Bill does not apply to the City of Chicago. Nor does it apply to Cook County or to the East St. Louis Community College District. House Bill 143, which is Amendment... an Amendment to the Community College Act, simply permits and does not mandate the election of a District's Board of Trustees by sub-districts, rather than at large. The Board on its own motion or upon receipt of petitions from the registered voters in the District containing at least 2,000 or more signatures can order submitted to the voters of the District at the next

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general election the proposition for the election of Board Members by trustee districts rather than at large. If the proposition is approved by a majority of the voters in the district, then the district shall be divided into single Member districts, that is seven single Member districts, with one Member from each district. Terms of the initial Members elected under this Act would be determined by lot, initially, with their successors to serve six... a six year terms. This Bill is not intended to cause any problems in any community college districts throughout the State that already contain a complete balance of representation on the local community college district board. But it does intend to correct a situation where there is a complete imbalance of representation on a community college board. I think this is a fair Bill. And I think that this Bill puts into the statutes a provision whereby a community college district, which is not represented properly, can take it upon themselves, can take it upon their own initiative, to place a proposition before the electors to correct that imbalance. I would solicit your support, and would be glad to answer any questions."

Speaker Greiman: "The Gentleman from Madison, Mr. Wolf, has moved for the passage of House Bill 143. And on that, the Gentleman from Bureau, Mr. Mautino."

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

Speaker Greiman: "He indicates he will yield."

Mautino: "Representative Wolf, if those new districts are subdivided purely on the basis of population, what happens to those largely sparse populated rural areas? They would have little or no representation then, would they not?"

Wolf: "Dick, I'm sorry, I can't hear your question."

Mautino: "Currently, the... I have four community colleges within

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my Legislative District or parts of it. They all run at large, and the system seems to work well. If we... if you separate by Statute, these sparcely, geographically, what happens to the rural areas? Because, there's always been kind of a...an agreement that each area would be represented and has worked out well. Wouldn't we be disenfranchising the rural areas in support of, let's say, an urban area under your... under your conditions. Or how does a person from the rural areas get elected if they can't do it at large now?"

Wolf: "Well, first of all let me say that this Bill does not affect any community college district in this State where the residents of that community college district are perfectly satisfied with the representation on the board. They have to do absolutely nothing, just continue to do what they are doing... doing right now."

Mautino: "Well, if we then subdivide, purely according to geographic subdistricts, the heavily populated areas would lose representation. In many cases that's where you have your ethnic and racial makeup and breakdown. Do you not? In other words, one or two large cities and would not have one or two members on the Board. They may only have one, and then you are moving that geographically around. Are you not?"

Wolf: "No, I don't believe I quite... I don't believe I quite agree with that, Dick. The seven single member districts would be... would be divided on equally on a population basis. I think that there would be a much greater diversification of representation under this Bill if a district wanted to do that. And if they don't want to do it, they certainly don't have to do that. I think your rural areas would have a much better chance of representation on a community college board under this Act.

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If that is in fact what they wanted, then they would, running at large, like they do now."

Mautino: "Well, let me place to you an example. There are... let's say three seats and under your legislation, you are going to establish a progression. Correctly, correct? Under the new subdistricts that you are providing here? Let us say, the Illinois Valley Community College which covers five major cities... okay. Now, if there are basically four seats up or five seats up, that's going to leave out the total rural representation, because each of those areas are going to have their own individual. I can see a much greater balance in what is there now, especially when you have a large rural population with four or five larger cities as a base. Is there any court case that would address this question of...?"

Wolf: "I don't know of any Court case that would. No, but I don't agree with your... I don't agree with your rationale. I can't possible see where the present system of running at large in a district that has a complete imbalance of representation on that local community district board would be preferable than to dividing that community college district into seven single districts where there would be a certain guarantee of proper representation. Whether that be rural or whether that would be urban."

Mautino: "Well, I guess it's worked so well in the four college districts that are in my legislative district on the at large provisions, I guess what I am saying then, are you mandating that this will be part of a statute? I haven't looked in detail at your Bill for the election of trustees to the community college board, kicking in what year since this will be the establishment of the method of election."

Wolf: "I'm just barely hearing what you are saying. And you're standing there not more than fifteen feet from me here."

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But if I think if I understood what you said the... go ahead and repeat your question."

Mautino: "In your legislation, by establishing these sub-areas or seven, when will that kick in?"

Wolf: "Well, what would happen, is first of all, the proposition would have to be submitted to the voters for the voters to decide, within that particular community college district, whether or not they did in fact want to separate that community college district into seven single member districts."

Mautino: "Based solely on population. Is that correct?"

Wolf: "Based on population for each of the single member districts. Yes. Then if that proposition actually was carried by that referendum, then at the next general election would be the election of those particular single members within those districts. Because during that meantime, the proper authority would have to separate that community college district into seven equally populated districts."

Mautino: "Which authority would that be?"

Wolf: "That would be the State Board of Elections under this Bill."

Mautino: "Okay, thank you very much. Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Kane, Representative Kirkland."

Kirkland: "Will the Sponsor yield, please?"

Speaker Braun: "He indicates he will."

Kirkland: "Representative Wolf, I have a community college that's in Kane County, it's main campus is in Kane County, but part of the district extends into Cook County. Does it come under the provisions of this Bill?"

Wolf: "No, in view of Amendment #5, I believe it is, Cook County

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is excluded, no part of Cook County would be included in this... would be in this Act or any part of a community college district."

Kirkland: "Alright, so none of that district would come under these provisions."

Wolf: "No, Sir."

Kirkland: "Okay. Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from St. Clair, Representative Flinn."

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

Speaker Braun: "The Gentleman has moved the previous question. The question is 'Shall the main question be put?' All in favor say 'aye', all opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Chair recognizes the Gentleman from Madison, Representative Wolf, to close."

Wolf: "Well, thank you, Madam Speaker and Members of the House. I would just simply say that I think that this is a Bill that is very much needed to cover the community college districts. I think it provides a means in those districts that do have a complete imbalance of representation on community college district boards. A means whereby they can correct that situation. This Bill was brought about by the fact that in my particular district, my particular county, my county furnishes 34% of the budget for a particular community college district, and yet has no elected board member on that community college board. There are about six other community college districts in the State that, from what I can get from the legislative research unit, also have that same problem. I would hope that this legislation would not be needed by any of these community college districts. I would hope that by virtue of the legislation being on the books, that it would give

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an added incentative (sic - incentive) to community college boards to take it upon themselves to proportion that representation throughout the community college district on their own. But if they do not do that, then this legislation would provide a means whereby that imbalance could be corrected. I would ask for your support."

Speaker Braun: "The Gentleman has moved the passage of House Bill 143. All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. The Chair recognizes the Gentleman from Coles, Representative Weaver, to explain his vote. One minute."

Weaver: "Thank you, Madam Speaker. I didn't get a chance to talk in debate. I think that the idea is well intentioned, but we have some technical problems with this Bill in terms of the length of the terms. They simple don't fit in the required reapportionment every ten years. The ending terms would not fit the pattern of the Bill. And as was spoken before, in rural areas where we have a problem getting people to run anyway, if you have it broken down into county by county, I'm afraid we wouldn't have anyone running for the board. So, while I agree with the premise of the Bill, I think it needs some work, both technically and constitutionality. So, I have to vote 'no'."

Speaker Braun: "The Chair recognizes the Lady from Champaign, Representative Satterthwaite, to explain her vote. One minute."

Satterthwaite: "Madam Speaker and Members of the House. I rise in support of the legislation that is before us. It is not on the basis of county by county, but on the basis of districts that would be provided for equal population. What we are attempting to do by this, is if it appears that there is a collection of board members from one area and another area is not represented, if that is causing a

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problem within a particular community college district, there would be a means of redressing that problem. Currently, there really is none. Currently, all members run at large, and it is difficult to get member... get candidates to run in some instances, primarily because the districts are so large. I believe that if we were to go to single member districts, it would be far easier to get good candidates to run, because they would have..."

Speaker Braun: "Is there further discussion? I'm sorry, Representative Satterthwaite, the timer is on. The Chair recognizes the Gentleman from McLean, Representative Ropp, to explain his vote."

Ropp: "Thank you, thank you, Madam Speaker. I, too, had my light on and would like to have spoken in debate. I was going to raise the question relative to the fact that if the current terms are staggered, how would this particular process fit? And maybe Representative Wolf can answer that. Just on behalf of the Bill, I think it really has some merit to allow each community college to have districts so that you can have fair representation. Currently, those areas of heavily populated areas are the ones that are making the decision who will serve on those particular community college boards. It is only fair, it's equitable, and certainly this Bill ought to be passed in order to provide fairness, fair representation and equal representation for all people within that community college district."

Speaker Braun: "Have all voted? The Chair recognizes the Gentleman from Madison, Representative Wolf."

Wolf: "Well, thank you, Madam Speaker. Members of the House. I would just like to point out, and I think that many of you may have forgotten this."

Speaker Braun: "I'm sorry, Representative Wolf."

Wolf: "Am I on?"

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Speaker Braun: "Start the timer, yes."

Wolf: "Thank you, Madam Speaker. I would simply like to point out that this is by referendum only. The people in the district decide whether or not they want to split the district into single member districts. There is nothing mandatory about this provision. There is nothing in this Bill that mandates that community college districts are going to have to do anything if you don't want to do it. If you are in an area where the community college districts are running fine or running smoothly, you have to do absolutely nothing. This simply gives the option to a particular community college district to, by a referendum, divide that district into single member districts if the representation is in complete imbalance. I would ask for your support. This is a good Bill. This has been, this is not opposed by any organization that I know of... except the community college trustees association..."

Speaker Braun: "I'm sorry, Representative Wolf, but the timer does this on it's own. The Chair recognizes the Gentleman from Lee, Representative Olson. One minute to explain your vote. Representative Olson."

Olson: "Thank you very much, Madam Speaker. Ladies and Gentlemen of the House. I rise very briefly to agree with my Representative from Bureau County, Representative Mautino, where we share common districts. The initiative that has been offered to us is not in our estimation with the merit that is suggested. And I would suggest a 'no' vote."

Speaker Braun: "Is there further discussion? The Chair recognizes the Lady from DuPage, Representative Cowlshaw, to explain her vote."

Cowlshaw: "Thank you, Madam Speaker. I would urge my colleagues to think carefully about this. There are 56 'yes' votes up there now, only a few more are needed. As the Sponsor has

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pointed out, this is not something that is imposed. It is something that is simply made available as an option for those people who live in community college districts that encompass as many as five counties but have one large municipality from which all of the board members are presently elected. I would point out to you that right now all of the trustees in the Lincoln Land Community College Board are from Sangamon County. All of the trustee...Richmond Community College are from Macon County. All the trustees of Rock Valley College are from the City of Rockford. The people who don't live in those municipalities deserve to be heard too. They pay the taxes. We only need one more vote, one more vote, please. Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

Black: "Thank you, Madam Speaker. And I would urge that the Ladies and Gentlemen of the House pay particular attention to what you might be doing. It's easy for a minority to win a position on a community college board now. If you make them run by sub-districts, you may be eliminating minority members on a Board of Trustees for a community college. Currently, it is not necessary for a minority person to win a majority of votes in an election. This is true, because the districts are not subdivided; however, if you do this, if you vote 'yes' for this, it is unlikely that a racial minority would constitute a majority in any one of the new sub-districts. I urge that you give careful consideration to this. Thornbird versus Greengold, the voting rights case, says clearly that changes in any voting rights law have to demonstrate that whatever set of rules is used, they cannot result in a loss of opportunity to a

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minority group in the totality of results. If you pass this, in my opinion, you will be denying minorities a chance to serve on community college board of trustees..."

Speaker Braun: "Have all voted? The Clerk will take the record. On this question there are 60 voting 'aye', 54 voting 'no'. Representative Black."

Black: "Madam Speaker, if this should get the requisite number of votes, I will ask for a verification, please."

Speaker Braun: "The Gentleman has requested a verification of the Affirmative Vote. Representative Wolf."

Wolf: "Poll the absentees, please."

Speaker Braun: "Mr. Clerk."

Clerk Leone: "There are no absentees. Only Representative Tuerk is an excused absence."

Speaker Braun: "Mr. Clerk, proceed with the verification."

Clerk Leone: "Representative Preston is also not voting. Poll of the Affirmative. Ackerman. Berrios. Bowman. Braun. Bugielski. Capparelli. Christensen. Churchill. Countryman. Cowlshaw. Cullerton. Curran. Currie. Daley. DeLeo. Didrickson."

Speaker Braun: "Representative Davis. Representative Davis votes 'aye'. Representative LeFlore votes 'aye'. Representative Flowers votes 'aye'. Continue."

Clerk Leone: "Continuing with the poll of the Affirmative. Ewing. Farley. Flowers. Virginia Frederick. Giglio. Giorgi. Greiman. Hannig. Hoffman. Huff. Jones. Keane. Krska. Kubik. Kulas. Laurino. LeFlore. Levin. Martinez. McGann. McNamara. McPike."

Speaker Braun: "The Gentleman from Cook, Representative Kulas. For what reason do you rise?"

Kulas: "Leave to be verified."

Speaker Braun: "Representative Kulas asks leave to be verified. Are there any further request for verification?"

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Representative Laurino requests leave to be verified. Any further? Representative Panayotovich. Representative Hartke, for what reason do you rise? Representative Hartke changes his vote from 'no' to 'aye'."

Speaker Braun: "Continuing with the poll of the Affirmative. Novak. O'Connell. Robert Olson. Panayotovich. William Peterson. Phelps. Rea. Regan. Richmond. Ronan. Ropp. Saltsman. Satterthwaite. Shaw. Stephens. Stern. Sutker. Terzich. Van Duyne. Wait. White. Wolf. Anthony Young and Mr. Speaker."

Speaker Braun: "Representative Preston. Representative Preston votes 'aye'. Representative Black."

Black: "Thank you, Madam Speaker. Representative Keane?"

Speaker Braun: "Representative Keane, is the Gentleman in the chamber? Representative Keane? Is the Gentleman in the chamber? He appears not to be. Remove his vote."

Black: "Representative DeLeo?"

Speaker Braun: "Representative James DeLeo? Representative DeLeo? Is the Gentleman in the chamber? Representative DeLeo? Is the Gentleman in the Chamber? He appears not to be, remove his vote. Representative Keane has returned to the chamber. Restore his vote, 'aye'. Continue."

Black: "Representative Krska?"

Speaker Braun: "Representative Krska? Representative Krska? Is the Gentleman in the chamber? Representative Krska? He appears not to be, remove his vote. Any further?"

Black: "Representative O'Connell?"

Speaker Braun: "Representative O'Connell? Representative O'Connell? Is the Gentleman in the chamber? Representative John O'Connell? He appears not to be, remove his vote."

Black: "Representative Farley?"

Speaker Braun: "Representative Farley? Representative Bruce

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Farley? Representative Farley, is the Gentleman in the chamber? Is the Gentleman in the chamber? He appears not to be, remove his vote."

Black: "Representative Ronan?"

Speaker Braun: "Representative Ronan? Representative Ronan? Is the Gentleman in the chamber? He appears not to be, remove his vote. Yes, the Gentleman is in the chamber, Representative Ronan is in the far corner."

Black: "Representative Saltsman?"

Speaker Braun: "I'm sorry, Representative."

Black: "Representative Saltsman?"

Speaker Braun: "Representative Saltsman? Is Representative Saltsman in the chamber? Is the Gentleman in the chamber? He appears not to be, remove his vote."

Black: "Representative Morrow?"

Speaker Braun: "Representative Morrow is voted 'no'. Representative Morrow."

Black: "Representative Bugielski. Bugielski. Bugielski? Excuse me."

Speaker Braun: "Representative Bugielski? Representative Bugielski is in the back of the chamber."

Black: "Representative Breslin?"

Speaker Braun: "Representative Peg Breslin is...? Representative Peg Breslin is voted 'no'. Have you any other questions of the Affirmative, Representative Black?"

Black: "Representative Greiman?"

Speaker Braun: "Representative Greiman? Representative Alan Greiman? Representative Greiman? Is the Gentleman in the chamber? He appears not to be. You can remove his vote. Representative Greiman has returned to the chamber. Representative Greiman has returned to the chamber. Return Representative Greiman's vote. Representative Paul Williams changes his vote to 'aye'. Representative

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Saltsman has returned to the chamber. Representative Farley has returned. Record him 'aye'. Representative Farley has returned to the chamber, record him 'aye'. Further questions of the Affirmative?"

Black: "No further questions, Madam Speaker."

Speaker Braun: "On House Bill 143. On this Bill there are 63 voting 'aye', 49 voting 'no'. House Bill 143, having received the Constitutional Majority, is hereby declared passed. House Bill 180, Representative Satterthwaite. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 180, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House. You may recall that a few years ago, we instituted a program called the 'Merit Recognition Scholarship'. This Bill deals with several changes that we want to make in that Scholarship Program. The first change really is one that helps to encourage students to stay within the State of Illinois for their higher education program. The original program required that we use the final grade point average at the end of the high school career to determine whether or not the student qualified for the award. We are changing in this Bill to have that requirement proceed only through the seventh semester of the high school program. So that the student will know at a earlier date whether or not they qualify for the funds. We feel that that will help to encourage the best students to stay in state in order to receive the award. A second thing that happens in this Bill is an element to provide for the refund of the scholarship for a year in which the student may have gotten the award, but drops out of school. So that in fact, if

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they do not follow that direction, they would not qualify for a second year in the program. A third Amendment in the Bill deals with the time at which the student begins to have their college program and would provide for a situation where a student wanted to sit out a year between the high school and college programs, but not forfeit their eligibility for the program. That particular Amendment comes to us as a recommendation from JCAR, so that we know that those students will not be disqualified. Yet a fourth provision is that if in any year there are insufficient funds to cover the full program as designated in the Statutes, that the scholarship commission would have the ability to take those students who graduate in the highest percentiles of their class and work down from the top, so that the students who were the best qualified would receive the awards. I'll be happy to try to address any questions and otherwise move for the passage of House Bill 180."

Speaker Braun: "The Lady has moved the passage of House Bill 180. And on that is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Preston."

Preston: "Thank you, Madam Speaker. Will the Lady yield for a question?"

Speaker Braun: "She indicates she will."

Preston: "Representative Satterthwaite, is there any need component to the scholarships that are awarded under this legislation?"

Satterthwaite: "No, Representative, you know quite well that the program when it was established was established as one only dealing with the merit of the student and the placement of the student within their high school graduating class."

Preston: "Then is it correct that in some high schools around this State where the families are wealthy, that a... the child of a millionaire could be getting a financial

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scholarship from the State. And thereby excluding that same scholarship going to someone who has a financial need."

Satterthwaite: "It is possible that a student could come from a millionaire's family. However, we would also require that the student graduate in the top of their high school class. And that they attend an institution of higher education within the State. The program is meant to recognize the merit that has been demonstrated by the student, and I think it would be unfortunate if we penalized students who happen to come from wealthy families and deprive them of this particular award."

Preston: "Well, I appreciate your making a speech on behalf of your Bill after you responded with a 'yes' or 'no' to the question. I'd like to address the Bill, Madam Speaker. The concept here is not a bad one, but this Bill doesn't properly address the concept. There are high schools in the State of Illinois, in suburban Cook and other areas, where there are virtually no students graduating who have a need for a financial scholarship, where the dollars would not be the incentive to these children to remain at an institution of higher learning in the State of Illinois, which is the intent of this Bill. And on the down side of this Bill is what, regardless of in what district we are talking about, if the child of a multi-millionaire is given a five hundred dollar scholarship to attend a school of higher learning in Illinois, that five hundred dollars is being taken away from someone who does not come from a millionaire family, who can use that money, who desperately needs that money, to attend college. And if the purpose of this is simply to give away State funds at a time when there are dwindling scholarships, then I think you should vote for this. But if you believe, as I do, that there

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should be some, even very liberal, need component, maybe even a need component of granting a scholarship to families making \$100,000 a year or less. Some need component would make sense, but to have absolutely no need component, so that money is taken from poor children and given to the children of millionaires just doesn't make any sense, unless we in Illinois have money to burn. And from reading the Governor's messages, I don't think that's the case. And though I'm very much in favor with merit scholarship programs and incentives to attend higher education institutions in Illinois, I have to vote 'no'.

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Bowman."

Bowman: "Well, thank you, Madam Speaker and Ladies and Gentlemen of the House. I hadn't planned to talk until the last speaker got up. But his speech actually might have been relevant or would be relevant to the Bill that established this program in the first place. But that Bill was passed two years ago. The speech he gave was not at all relevant to the particular Bill. This particular Bill is a clean-up Bill. If the Bill fails, we still have the program. And Representative Preston will continue to be offended by the program. But we need this Bill, because there are certain technical problems that need to be worked out. And so the Bill is very timely, is very appropriate and unfortunately, Representative Preston's remarks were neither."

Speaker Braun: "Is there further discussion? There being none, the Chair recognizes the Lady from Champaign to close."

Satterthwaite: "Madam Speaker and Members of the House. The Member who has spoken in opposition of the Bill certainly has had ample opportunities since the original program passed to introduce legislation of his own if he is unhappy with the merit scholarship program. This Bill is not

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designed to substantially change the thrust of the program. This Bill is only there to give us a better opportunity for the goals that we originally established with the program. One of those goals was to encourage the best students graduating from high schools in Illinois to stay within the State of Illinois for their higher education opportunities. We believe that that goal will be better served by being able to designate the recipients of the scholarships at an earlier period. And that is one of the provisions made in this clean-up Bill. We also believe that it is not fair that we should extend the scholarship a second year to someone who has dropped out of school. We feel that they should be obliged to refund the funds that they have gotten, if they have dropped out or that they should be disqualified from further grants under the system. We also feel that it is feasible for us to give a one year out of school to people without having them forfeit the scholarship, and JCAR has suggested the language that deals with that issue so that students may still qualify for the grant. We also realize that the scholarship commission has no method in the current legislation to determine how they will prorate or distribute monies if insufficient monies are appropriated to cover the complete program. And we have given them language for that. This is good legislation that will do a number of things that need to be done as clean-up for the merit scholarship program. And I ask for your support in passing this legislation."

Speaker Braun: "The Lady has moved the passage of House Bill 180. All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 105 voting 'aye', 7 voting 'no'. And House Bill 180, having received

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the Constitutional Majority, is hereby declared passed. We will now turn to page 4 of the Calendar, Special Order of Business, Government Administration, House Bills Third Reading. Page 4 of the Calendar and thereon appears House Bill 41. Representative Levin. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 41, a Bill for an Act to amend an Act in relationship to Public Utilities. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Levin."

Levin: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 41 deals with two issues. The first, and I think the most important issue, deals with...is the issue of diversification of Public Utilities. And as amended, it applies only to electric companies. We are seeing a movement towards more and more diversification where utilities get into other areas and other endeavors and use their resources, and when we amended the Public Utilities Act two years ago, we mandated the Commerce Commission to take a more significant look in approving these diversification schemes. House Bill 41 basically deals with a number of tag end issues, which the consensus really at the time was...should have been included. First and foremost, when the Commerce Commission is making its determination, this legislation provides that there...the Commission has to determine if in fact there is any cross authorization between the Public Utility customers and this private entity that is going to be created through the reorganization. You know, the consumers certainly do not want to be paying to subsidize. In addition...Madam Chairman, can we take this out of the record with the understanding that we can get back to it?"

Speaker Braun: "Yes, Sir. House Bill 41, out of the record."

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House Bill 188. Representative Satterthwaite. Mr. Clerk,
read the Bill."

Clerk Leone: "House Bill 188, a Bill for an Act to amend an Act
in relationship to the rate of interest. Third Reading of
the Bill."

Speaker Braun: "The Chair recognizes the Lady from Champaign,
Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House. House
Bill 188, changes the State Usury Law to exempt loans to
students that come from institutions of higher education.
The Legislation was requested by some of the private
institutions in the State. Currently, they are able to
give loans that do not exceed the nine percent cap in the
Usury Law, but they are concerned that if that... if the
change in interest rates throughout the State, would come
about that they might not be able to provide the loans
within the current cap. What they are saying is that they
want to be able to provide additional money for student
loans. If they cannot do that at competitive rates, the
loan money will simply not be available, and the students
will not be able to have the advantage of getting the loan
from the institutions. Currently, the other sources of
loans available to students are already exempt from the
Usury Law, and we would simply like to make the funds
available through institutions, available on a comparable
basis. And I would ask for your support of House Bill
188."

Speaker Braun: "The Lady has moved for the passage of House Bill
188. On that is there any discussion? The Chair
recognizes the Gentleman from Cook, Representative Young."

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

Speaker Braun: "She indicates she will."

Young: "Under this Bill, are we putting any cap or ceiling on the

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amount of interest that a University can charge?"

Satterthwaite: "No, Representative, it just makes the higher education institutions exempt from the Usury Law, just as banks and savings and loans and other institutions are exempt from the law. So it's giving them parity with the other lending institutions. The institutions that testified in Committee on behalf of the Bill indicated that it will still be their goal to provide the loans as low as possible in interest rate. But they fear that the time may come when they may not be able to make those at less than the nine percent rate."

Young: "Thank you."

Speaker Braun: "Is there further discussion? There being none, the question is... the Chair recognizes the Lady from Champaign to close."

Satterthwaite: "Madam Speaker and Members of the House. I believe the Bill has been amply discussed and I ask your support for passage of House Bill 188."

Speaker Braun: "The Lady has moved the passage of House Bill 188. All in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? The clerk will take the record. On this question there are 115 voting 'aye', none voting 'no'. And House Bill 188 having received the Constitutional Majority is hereby declared passed. House Bill 237, Representative Hensel."

Clerk Leone: "House Bill 237, a Bill for an Act to amend the Barber and Cosmetology Act. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from DuPage."

Hensel: "Thank you, Madam Speaker and Members of the House. House Bill 237 amends the Barber and Cosmetology Act of 1985. It provides that at least one Member of the five registered cosmetologists on the Barber and Cosmetology

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Committee must be an owner or a major stockholder in the School of Cosmetology. It also provides that at least one member of the four barbers must be a owner or a major stockholder of the barbering school. And I would just ask for a favorable vote."

Speaker Braun: "The Gentleman has moved the passage of House Bill 237. And on that is there any discussion? There being none, the question is 'Shall House Bill 237 pass?' All in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 110 voting 'aye' and 2 voting 'no'. House Bill 237 having received the Constitutional Majority is hereby declared passed. House Bill 320, Representative Satterthwaite. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 320, a Bill for an Act to create the Illinois State Ensured College and University Responsive Education Trust. Third Reading of the Bill."

Speaker Braun: "The Lady from Champaign."

Satterthwaite: "Madam Speaker and Members of the House. This Bill provides for two different programs for investment for higher education purposes. The original Bill has a program referred to as 'Secure'. A program in which investments can be made to guarantee the coverage of tuition at a public institution within the State of Illinois. By Amendment yesterday we also incorporated into the Bill a provision that would permit State Bonds to be issued which people could buy through this program to have available funds at the time their student is ready to go to college. I believe that these two options are methods by which we can encourage people who have disposable incomes to start saving their money at an earlier time in the life of their children so that the resources available at time the child

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enters college will be there and in place for them. I also believe that a combination of the two programs is very feasible. And we would hope that we could get favorable rulings on the federal exemption from taxes from the Trust Fund. But if that is not possible, the program can still go forward. The families would have an option of choosing whether they wanted to participate in the trust fund, whether they wanted to participate in the bond program, or in fact, whether they wanted to participate in both programs. Because the trust fund would cover only tuition and possibly books by a separate addition to the contract, but because the bonds would be open to any kind of college expenditure, it's possible that a family might want to participate in both the trust and bond program to have complete coverage for the costs of their child going to an institution of higher education. There are provisions in the Bill so that if the student does not attend a public college within the State of Illinois, the funds could be transferred instead to a private college. I would be happy to try to discuss any of the details, if people have questions. But I believe there is substantial support for the two programs that are now incorporated in this Bill."

Speaker Braun: "The Lady has moved the passage of House Bill 320. And on that is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. The fund program, in my judgment, the zeros are much more preferable to the program that is also included in this Bill which is in place... which they are attempting to put in place in Michigan. It is my understanding there are some problems with the fifth, the Amendment #5 we adopted which in effect became the Bill. However, this is not unusual for this kind of thing to happen. I think

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there is a general agreement that we ought to do something in this area, and I think, it's appropriate at this point in time to move this Bill along, because the Sponsor has...is not an unreasonable person usually. And I'm sure on this particular topic, she will not be, because I think she feels strongly about getting something in place and to be helpful and to keep the cost of higher education down and make it available to people who might not otherwise be able to participate. And for that reason and with those reservations, I stand in support of House Bill 320 and request that we move it along."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Warren, Representative Hultgren."

Hultgren: "Will the Sponsor yield for questions?"

Speaker Braun: "She indicates she will."

Hultgren: "I have some concerns about this. I think there's a great deal of merit to the plan. I have concerns about the integrity of the trust. And I'm certain that this General Assembly would act responsibly with regard to monies placed in that trust. But perhaps I have some suspensions about future General Assemblies. What guarantees are we, that this trust is not going to be reached by future General Assemblies, so that in fact we won't create, perhaps, the same situation with these tuition trusts that we have with our retirement systems."

Satterthwaite: "Well, Representative, there is a substantial difference between the trust and the situation with the retirement systems. In regard to the retirement systems, the State has a obligation for a certain amount that the State is suppose to contribute to those retirement systems. The problem has risen because the State has not fulfilled that commitment. In regard to the trust, we are not really

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anticipating a State contribution. These are to be private funds contributed by the participants. And so if you had a child that you expect to send to college, you will have a method of investing that will give you a guarantee that the tuition for that child will be covered if they attend a public institution within the State. It is all money that is put in as a deposit by the participants in the program, and it does not require any kind of a state match or a state contribution."

Hultgren: "Who will manage that trust then?"

Satterthwaite: "There is a Board established under the Bill that provides for the treasurer, the comptroller and five other members appointed by the Governor."

Hultgren: "Couldn't some future General Assembly take funds in that trust and apply them for some other purpose simply by changing the law under which the trust was established?"

Satterthwaite: "The trust is not a part of State Funds. It is to be established outside of the State Treasury, and it is my impression that the General Assembly would not have control over those funds."

Hultgren: "But if the General Assembly created the legislation that authorized the trust, wouldn't the General Assembly then have the authority to alter that legislation in the future and thereby gain control over those funds?"

Satterthwaite: "Well, we have certainly tried to draft the legislation in such a way as to make that clear, that it is not a part of State money. It is a separate trust fund that would be held apart from the State Treasury, and I do not believe that the State could go in and use those funds for some other purpose."

Hultgren: "Thank you very much. Thank you for answering."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from McClain, Representative Ropp."

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Ropp: "Thank you, Madam Speaker. On behalf of the Bill, the bond portion is a Bill that we had introduced during this procedure and has been added to House Bill 320 in order to move this process along. In my judgement it is the best portion of the whole Bill, but it does give that opportunity for a choice in preparing for financial support for young people as they grow up and mature and get ready to go into college. It does allow that opportunity for families to begin planning for the future education of their sons and daughters. And I encourage you to support that portion and which includes the total House Bill 320."

Speaker Braun: "Is there further discussion? There being none, the Lady from Champaign to close."

Satterthwaite: "Madam Speaker and Members of the House, I would simply ask for your support for this program. We provide now at least two different options. There may in fact be other adjustments made to the Bill before final passage, because there may be other systems yet that we would find were feasible for this board to administer in order to give incentives to the people of the State of Illinois to begin to invest for the future of their young families. I would simply ask at this time that we support House Bill 320 and thank you for your support in a bipartisan effort to give options of various sorts that can be available for this purpose."

Speaker Braun: "The Lady has moved the passage of House Bill 320. All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. Representative Kulas?"

Kulas: "Thank you, Madam Speaker. Just to remind the Members, we have a lot of Bills on the Calendar, and we just spent 20 minutes on a Bill that received over 107 votes."

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Speaker Braun: "Have all voted who wish? The Clerk will take the record. On this question, there are 107 voting 'aye', 8 voting 'no', and House Bill 320, having received the Constitutional Majority, is hereby declared passed. Representative Frederick. Mr. Clerk, read the Bill on House Bill 344."

Clerk Leone: "House Bill 344, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Braun: "The Lady from Lake."

Frederick: "Yes, Madam Speaker, Ladies and Gentlemen of the House, House Bill 344 amends the School Code, and it provides that in counties other than Cook, regional superintendents will take office in January following their November election instead of the following August. This has been brought to me by the Lake County... actually, the Lake County Regional Superintendent Elect, and it is a good government Bill, and I urge the Members to approve this Bill, House Bill 344."

Speaker Braun: "The Lady has moved the passage of House Bill 344. And on that, is there any discussion? The Chair recognizes the Gentleman from Madison, Representative McPike."

McPike: "Will the Sponsor yield?"

Speaker Braun: "She indicates she will."

McPike: "Representative, what are the requirements under the law for a regional superintendent? Do you have to have certain qualifications before you can run for this office?"

Frederick: "Yes. Yes. Just a moment."

McPike: "I don't expect... You don't have to go into a lot of detail. I just... Let me just say, I presumed that there are... there are... "

Frederick: "He has to have an administrative degree."

McPike: "In all likelihood, wouldn't that individual be employed by a school district within his region?"

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Frederick: "Yes, probably."

McPike: "My concern is that that individual would be under a one year contract, starting September 1st, ending perhaps, June 1st. How would that individual break his or her contract?"

Frederick: "Well, actually, in order to run for this office, he would have to declare almost a year prior to that, so obviously, the school board would know the gentleman or woman who, whichever, would be planning to assume this office, should he or she be elected."

McPike: "That's correct, but there... I presume there's a Republican and a Democrat running, and one is going to win and one is going to lose. So, the school board has to sign a contract with this individual in the summer for the school year. And the one that wins is going to be under a one year contract. Now currently, we recognize that and allow that individual to take office, although it's not the best thing in the world to wait until next August, at least we recognize that that individual was probably under a contract and would then have to be in the position of somehow getting out of that contract. I just had a very technical question. How does the individual get out of that contract?"

Frederick: "Well, I have observed in school boards in my area that school boards do release people from contracts for all kinds of reasons, for another job that may be a better job, so I really don't think that it's... "

McPike: "Okay. Well... Okay... Well, perhaps you're right. Perhaps it's not a problem."

Frederick: "Alright. Thank you."

Speaker Braun: "Is there further discussion? There being none, the Lady from Lake to close. Representative Frederick... Frederick."

Frederick: "Yes, I would just ask for approval of House Bill

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344."

Speaker Braun: "The Lady has moved the passage of House Bill 344.

All in favor vote 'aye', opposed vote 'no'. Voting is open. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 103 voting 'aye', 11 voting 'no', and House Bill 344, having received the Constitutional Majority, is hereby declared passed. House Bill 393, Representative Homer. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 393, a Bill for an Act to amend the Energy Assistance Act. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes the Gentleman from Fulton, Representative Homer, on House Bill 393."

Homer: "Thank you, Madam Speaker, Ladies and Gentlemen. I'm aware there's been a lot of discussion about this Bill and I want to take just a moment to explain... give a little background, and then to explain the reason for introducing the Bill. Two years ago, the General Assembly passed the Energy Assistance Act, which really did two major things; one was, it established the 'IRAP' Program, the 12 percent low income payment plan. My Bill does not, in any way, address that aspect of the Energy Assistance Act. That program is in full force and effect and working quite well. However, the Section 7 of that Public Act also required the Illinois Commerce Commission to order the utilities to implement conservation and weatherization programs for low income customers during a four year period. The Commerce Commission proceeded pursuant to that legislation, to conduct public hearings and to make preliminary indications of recommendations by the staff for the implementation of that program. The issue is a very simple one in 393. I, in no way, nor do the other proponents, have any objection

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with the Section 7 of the Energy Assistance Act insofar as the purpose, which was to... to make a conservation and weatherization program for low income utility consumers. That's a certainly a desirable goal, and one that ought to be strived for. The question is this, 'How will that program be paid for?' 'Who is it that will pay for the weatherization program?' The existing law says that consumers of utilities will pay. In other words, every business, every residential consumer will, through higher utility rates, be required under existing law, to pay for the implementation of the weatherization and conservation program. I think that's wrong. I think that the program is a good one but should not be paid for through higher utility rates, which would be a further burden on beleaguered consumers, but rather, should be paid for through monies that are available through the Federal Government and through excess overcharge payments that we've reaped from Exxon and from Stripper Well Oil. Right now, we have available for this program, a total of sixty two and a half million dollars in excess Exxon overpayments. We have another thirty million dollars from the Stripper Well Oil charge case. We have part of a hundred and eighty million dollar collection from Shell Oil Company coming back to the State of Illinois, and in addition, we have 112 million dollars in Federal Funds that are available for weatherization and conservation. Doesn't it make more sense if we're going to have a weatherization program, that we fund it out of these specially designated funds that are made available for those purposes, rather than to throw the burden on consumers throughout this state? So, 393 very simply does this. It changes the funding mechanism from a burden upon utility consumers to appropriations that we will make pursuant to those funds

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that I've referred to - Exxon, Stripper and other Federal Funds that are designated for and earmarked for weatherization and conservation. Secondly, the Bill would prohibit the program from requiring the utilities to purchase appliances to install in those homes, and thirdly, would shift the responsibility for implementation of the program from the Commerce Commission to the Department of Commerce and Community Affairs, which already administers a very similar program. I would entertain your questions. Madam Speaker, I'm going to defer to my Cosponsor, Representative Ryder, however, to close."

Speaker Braun: "Is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Morrow."

Morrow: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise to address two issues here. First, I'd like to verify that my letter sent to the Clerk of the House in March is recorded in the House Journal stating my possible conflict of interest. The second issue that I rise to in... out of deference to Representative Homer, there's two issues that were brought up that I have to disagree with. In Chicago, the weatherization program that is run at the time in the City of Chicago has nothing to do with the purchasing of household appliances. Low energy and moderate income families take out a low interest loan to purchase furnaces, water heaters, any type of devices to try to cut down on their energy usage, so I have to disagree with the portion of the Bill that says the purchasing of household appliances is a low interest loan. Secondly, in the City of Chicago, if people are aware of the type of houses in the City of Chicago, many of the homes were built in the late 30's, the 40's and the 50's. Back then, the primary source of fuel was oil and coal. As natural gas became the popular form of usage, a lot of

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families were not able to purchase natural gas furnaces. They were forced to convert their old furnaces, their coal and oil furnaces, to natural gas furnaces. These appliances are not as efficient as a new natural gas appliance. This causes a larger usage of gas than if you would... if you had a natural gas furnace. Also, with these houses, many of these houses were not built properly, so a lot of customers are basically wasting energy. Between the outer and the inner walls, there is no insulation that was put in between these houses, which causes a heat loss. Now, if the utilities want their bad debt to go down, it would seem to me that they would want customers who are using fuel wisely, and this is why I have to rise in opposition to this Bill, even though I have a possible conflict, but I feel that a lot of people have been misinformed about this Bill. I close in saying I would ask that this Bill be defeated. I would ask that we vote 'no' on this Bill to give low income and moderate income families the opportunity to upgrade their housing stock. Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Saline, Representative Phelps."

Phelps: "Will the Sponsor yield for questions, Madam Speaker?"

Speaker Braun: "He indicates he will."

Phelps: "Representative Homer, will this Bill not allow all low income household people to be eligible for this plan? Does this actually deplete what we passed in the affordable plan in 1985?"

Homer: "Representative Phelps, my understanding is that it doesn't... the Bill does nothing to change the eligibility. It simply changes the funding mechanism."

Phelps: "It puts it in the Department of Commerce and Community

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Affairs."

Homer: "It does that also."

Phelps: "Okay, but does it... is it not somewhat different than how many people would be eligible in the low income area, compared to the... "

Homer: "My understanding is the Bill doesn't change eligibility whatsoever. My understanding is the same group would be eligible, the same individuals would be eligible under this Bill as would be under the existing law."

Phelps: "My analysis indicates that not all low income households would be eligible under Section 7, and that they would have to pay their own utility bills, which could exclude a lot of public housing projects."

Homer: "I don't... I don't have that analysis, Representative Phelps, and I'm not sure where they would be coming from on that. It certainly isn't the..."

Phelps: "I think it restricts it to persons eligible for the Illinois Home Weatherization Assistance rather than the low income public utility customers. To the Bill, Ladies and Gentlemen of the House. What we passed in 1985 in the affordable plan is something that we all should be proud of, because essentially, we made a commitment and a partnership between the private contractors and the utility industry and governmental programs to help poor people conserve and improve the quality of their lives. Now, two of the partners are wanting out of the deal before they have spent a dime. That's essentially what we have, here. I think that you will hear some say that the utility companies are in favor of this legislation. Where are their representatives? You will hear their representatives say the Energy Assistance Act will raise rates as currently formulated, which is not true. You will hear their representatives argue that it is philosophically incorrect

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for them to help pay for these programs. They created the problem. They are the ones that should pay for it. I ask your 'no' vote on this Bill."

Speaker Braun: "Is there further discussion? The Chair recognizes the Lady from Cook, Representative Flowers."

Flowers: "Madam Speaker, Ladies and Gentlemen of the House, I rise up in opposition to House Bill 393. This Bill would affect the low income people of this state as well as the senior citizens. Unfortunately, our senior citizens of this state is on a low and fixed income. They cannot afford the luxury of having their homes insulated on their income. I would appreciate a 'no' vote on House Bill 393. Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Young."

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I, too, rise in opposition to this Bill, and I'd just like to clarify something that my seatmate made in presenting this Bill. He did make it clear what the issue is. The issue here is, who is going to pay for the home weatherization, whether it's going to be paid for by the utility companies or by the state. Now, Representative Homer would have you believe that if it's paid for by the state, that we can easily tap into what's called the Exxon oil money. But, Ladies and Gentlemen, we've been spending that all Session. There is no extra oil money. If it's passed along to the state, it either will not be a funded program or it will be funded out of levels so low that it won't help those that it's intended to help. He also wants you to believe that it will be passed on to the consumer if, in fact, the Commerce Commission is forced to keep this program, which they have fought from day one. Well, I suggest to you, Ladies and Gentlemen, that the utility

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consumer is paying one way or another anyway. Right now, there are many low income people whose utility bills are very high simply because of the fact that they don't have these weatherization programs. Since they are unable to pay these high utility bills, the cost ultimately gets passed on to other consumers. I suggest that keeping this Bill or keeping this program with the utility companies will, in fact, encourage and promote weatherization that will stop so many low income people from being forced to be in a position where they cannot pay these bills. Again, it was a good program when we passed it two years ago. I don't think we've given it time to adequately work. I think it's very clear that a vote against this Bill will be a vote for consumers and for poor people, and I urge a 'no' vote."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Huff."

Huff: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I just heard one of my colleagues on this side of the aisle state that a lot of consumers waste energy. I think that argument is a little fallacious when you realize what the advent of estimated utility bills, it doesn't respect any consumer's desire to conserve anyway, because the utilities will send the bill that they think... the energy you use whether you use it or not, and I would be opposed to DCCA running anything, because they've already demonstrated over the years they can't successfully direct a one car funeral, let alone a weatherization program. I would urge our Members on this side of the aisle to vote 'no'."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from DuPage, Representative Hoffman."

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Hoffman: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation. I think the problems with the legislation was in place, were amply demonstrated and clearly delineated. This particular program, as it is now structured, will get a job done, will be taken from appropriate resources that were available for that purpose, and will allow weatherization to take place that wouldn't have taken place otherwise, and it will not be laid onto the rate payers. Now, if you think you can get the money from anybody else under the old program, than the rate payers, then you've been smoking some funny rope, because that is not the way it could possibly work, and for that reason, Madam Speaker and Ladies and Gentlemen of the House, I rise in support of this legislation."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Vermilion, Representative Black."

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

Speaker Braun: "He indicates he will."

Black: "Thank you. Representative Homer, if I understand your Bill correctly, it would remove the cost of weatherization from the utilities' rate base. Is that correct?"

Homer: "That is correct."

Black: "Would it not, then... if we're removing it from the rate base, then are we not trying to put some kind of a break on higher utility costs that would affect everyone, those who are eligible for weatherization as well as those who are calling all of us about high utility bills?"

Homer: "Everyone who pays utility bills would be given a break under this Bill."

Black: "Thank you, Representative. It only seems logical to me that if we have a program that would keep the cost of

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weatherization out of the rate base which would eliminate higher utility bills for everyone concerned, seems to me to be a good idea, and I support the Bill."

Speaker Braun: "Is there further discussion? The Gentleman from Cook, Representative Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The weatherization program that we passed just two years ago, Senate Bill 486, was the result of rather extensive negotiations in both the House and the Senate, and what we reached was very much of a compromise, which was strongly supported by this chamber, and it was heralded by the Governor as an excellent Bill when he signed it, as I recall the signing ceremony, which over 500 people were present. That Bill has just become law. It has just taken effect. What are the abuses we're rushing to correct? There aren't any, because the Bill has not been fully implemented yet. You know, if this were three or four years down the road, a Bill like this might be appropriate, but this law has just taken effect very recently, and there are really no abuses that would cause a need for this kind of substantial amendment of the legislation at such an early point in time. I think there is one issue which is a legitimate issue, and that is what the weatherization program covers, and I don't think it was ever the intent of the Members of this chamber to cover the cost of a new furnace. And there are other Bills that clarify that the weatherization program is not intended, it was not intended, when we passed it, to cover the cost of a furnace. So, I'm going to oppose House Bill 393, and I'm going to support the other legislation that clarifies that when we passed the weatherization law two years ago, we did not intend on including furnaces, and I think that that will resolve any legitimate problem that exists with the

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current law."

Speaker Braun: "Is there further discussion? The Gentleman from St. Clair, Representative Flinn."

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

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

Homer: "Thank you, Madam Speaker. I'd like to yield to Representative Ryder, Cosponsor."

Speaker Braun: "Representative Ryder to close."

Ryder: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think you should pay attention to this particular Bill, because this gives you an opportunity to be in one of those rare situations in the Legislature that's a win and a win. We are today going to reaffirm a commitment to take care of a conservation and a weatherization program for those who cannot afford such a program. That remains part of the Bill. We are today going to reaffirm our commitment to cap the amount of utility costs for low income people at the 12 percent. That remains part of the Bill. In fact, the benefit part of this Bill has been barely touched. The other part of the win is what we're doing to make the rate payers, the consumers of electricity, in fact, those very low income folks also in a win situation. It was a good idea two years when we did it. It's a good idea now because we're going to put the cost where it should be. We're not going to create a new program, we're going to put it in with DCCA where they already have a weatherization program. We're not going to make you and I when we pay our rate bill, our utility bill, pay an extra 11 percent in order to sponsor this program. We're going to make the

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Exxon and the Stripper Wells and the money that comes from them pay for this program as they rightfully should. It's a win for those people that supported the Bill in the first place. It's a win for those people that support the rate payers, the utility payers back home. It's a rare opportunity, but at this point, it's a chance to cast a good vote for a good piece of legislation, and I ask folks to do just that."

Speaker Braun: "The Gentleman has moved the passage of House Bill 393. All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 77 voting 'aye', 34 voting 'no', and House Bill 393, having received the Constitutional Majority, is hereby declared passed. House Bill 497, Representative Keane. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 497, a Bill for an Act to amend an Act to create the State Government Procurement Code. Third Reading of the Bill."

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

Keane: "Thank you, Madam Speaker. House Bill 497 is the State Government Procurement Code. The Code is intended to replace the piecemeal, often confusing network of statutes that we currently have in the purchasing... regarding purchasing practice. At the present time, there are 17 major statutes throughout the books that deal with procurement and more than a hundred other references. The Code establishes one set of procedures, laws... and procurement laws for all state agencies. Statutory procedures are established for procuring professional services, for EDP equipment and services, telecommunications, duplicating equipment, leasing and

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concessions. Information about everything the state wants to buy will be detailed in the Illinois Procurement Bulletin, which will be issued twice a week by the Department of Central Management Services. It will be available to anyone who wants to either take it by subscription or... and it will also be accessible by computer. The Technology Review Board has been established... would be established to begin a comprehensive planning for EDP and telecommunications. Several alternatives to the competitive sale bidding are established, including multi-step bidding, RFP procedures and other factors, as well as negotiations. Conflicting statutory provisions were eliminated, and the statutes that dealt with specific items to be purchased are repealed. Emphasis is placed in the Code on increasing competition and improving the planning that should proceed procurement. The Code... many of the ideas that came from the 16 hearings that the Audit Commission held throughout the state, as well as the American Bar Association's Model Procurement Code and the recommendations of the Council of State Governments. The Bill is set out in a fairly simple outline. The first article deals with purposes and definition. Article II is general procurement procedures. Article III deals with all construction. Article IV deals with telecommunications, EDP, automated office equipment, software and services. Article V deals with professional and artistic services. Article VI deals with maximizing competition. Article #VII deals with preferences. Article VIII sets up standard provisions from the Model Procurement Code. Article IX is lease and purchase of real property. X is concessions. XI is intergovernmental purchasing. XII is the normal fraud collusion and conflict of interest. Article XIII deals with procurement officer rules. Article

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XIV is the amendatory provisions, and the statutes that are repealed are in Article XVI. Article XVII... I'm sorry, Article XV. Article XVI makes the effective date of the Act, January 1, '88, and it sets up rule making procedures. I would be happy to answer any questions. I would ask for a favorable Roll Call."

Speaker Braun: "The Gentleman has moved the passage of House Bill 497. And on that, is there any discussion? The Chair recognizes the Lady from Cook, Representative Didrickson."

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

Speaker Braun: "He indicates he will."

Didrickson: "Jim, I think I mentioned this to you, but I would just like see if there has been any clarification. My understanding from the Chancellor of the University of Illinois was that there was some concern about gifts that were given or would be given, potentially, to the university with this new Procurement Code in place, that it would discourage such gifts, and I guess I'm specifically talking about a concern about gifts of computers, software, anything within that technological route. What does this Procurement Code do in that regard?"

Keane: "Thank you. That's a good question, and I'd like to clarify it and put some legislative intent in there. I met with the President of the University of Illinois, and we discussed... what we have exempted is any research, so if state money is not used to purchase EDP data processing equipment, then it is exempt from the purchase again, from these rules, so any time they're dealing with research on a grant or on a special thing like you mentioned, that does not come under this purview."

Didrickson: "So this doesn't have any bearing whatsoever on that type of gift, so you have allayed their concerns."

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Keane: "Yes, and I had mentioned to the President that I would mention that in debate so that we have a legislative record."

Didrickson: "Okay. One further question, personal, in this regard with regard to a purchase of stationery that I made through CMS, or my secretary did, that came from Kentucky. Had I know it was going to be coming from Kentucky, I would have made certain that I went out specifically myself and purchased, you know, either in Springfield locally or somewhere. Are there any guidelines or rules in that regard for CMS?"

Keane: "Yes, in the preferences, we've put in that the tie bids go to in-state vendors. We can use... They can use purchase of service from sheltered workshops and that, but it's really nothing more than tie bids. And retaliation against other state statutes, other states' preferences are the same. In other words, if Kentucky gives a... in-state preference to their people, then we have the same statute. We have a reciprocal kind of a thing."

Didrickson: "Okay, but if it doesn't, then we don't."

Keane: "No. Then it's just a straight out-and-out bid."

Didrickson: "Okay. Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Lady from Champaign, Representative Satterthwaite."

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

Speaker Braun: "He indicates he will."

Satterthwaite: "Representative Keane, it was hard to hear some of your responses to the previous speaker. Do I understand from what you just said that any purchases made by the universities through either private funds or through anything other than state dollars would not have to go through this procurement process?"

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Keane: "That's just in EDP. The guidelines for higher education. Are you only asking about EDP?"

Satterthwaite: "No, I'm asking for any purchases by higher education institutions."

Keane: "Oh, yeah. Oh, sure. They go through this. They're public... They're state agencies. This applies to all state agencies. If they're going to purchase pencils or paper or something..."

Satterthwaite: "If they are purchasing something with either private gift monies..."

Keane: "Yeah."

Satterthwaite: "... Or federal dollars or money from a corporation or whatever, do those purchases still have to go through this process?"

Keane: "It depends... It... Yes, basically they do. As soon as you give, if you give the University of Illinois a thousand dollar bequest, the moment you give it to them, that becomes state money. It's not private any more. If you give it to them and say, I want this for the history department at the U of I for the further study of European history, then it's still state money limited to those... to those..."

Satterthwaite: "So, the limitations that you were talking about in regard to research equipment was only for EDP equipment?"

Keane: "Exactly. The faculty was very concerned that if they got a grant or if they... for instance, you got the super computer at the university..."

Satterthwaite: "Right."

Keane: "... They were very concerned that somehow or other they would get tied up in planning process. The reason we did this with EDP is, we heard a tremendous amount of testimony in the Audit Commission that some of the computer firms

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want a computer on every state employee's desk. They're selling and selling and selling. And we don't know... A computer, when you buy the hardware, that's peanuts. What starts costing is the software, and we don't have any plan to buy it. We don't have any budget, we don't know where we want to go, and what we've done is put this advisory... advisory group together, the Technology Review Board, which will start making sense out of that. And really, it can't do anything more than embarrass someone that comes in and asks for... tells them, 'Here's what we're going to do.'

Satterthwaite: "One of my concerns is whether there is sufficient flexibility so that the universities can get what they need, perhaps, in other research equipment in addition to EDP equipment."

Keane: "If it's research, and if it's funded by outside sources, it's exempt, zip. That's..."

Satterthwaite: "Not limited to EDP."

Keane: "No, just EDP. Just EDP because..."

Satterthwaite: "But there are other types of research equipment that a university might need to have."

Keane: "But that does not come under the Technology Review Board."

Satterthwaite: "It does not come under it."

Keane: "In other words, if you're talking about some scientific instrument..."

Satterthwaite: "Right."

Keane: "That would not apply. It would not..."

Satterthwaite: "That does not have to come through this procurement process?"

Keane: "It depends... well, it doesn't come through the Technology Review Board. What it does come through, then the guidelines, the university guidelines would apply if it is according to the contract... Let's say that the

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university enters into a contract with the Department of the Army to test one thing or another and it takes special equipment. The contract says you will buy such and such a piece of scientific equipment, then they have to buy that."

Satterthwaite: "What is the current position of the university administration, particularly the U of I, relative to this legislation?"

Keane: "There are some problems. We originally... originally, the university's position was that they wanted to be exempt. We told them that all of the other systems have said... have come in and said, 'Okay, you know, fine. We can live with this.' And that's good. The university said, 'No'. Then, in the last few days before the Bill came through, they said, 'Here are our problems.' And we worked with them on reducing those problems. We're down to maybe one or two issues. I told President Ikenberry that when I would go over to the university and personally tell them, and I would also do it on the floor of the House, that EDP... they were very concerned about EDP research monies being exempt on the purchase of EDP equipment. It is exempt. He also asked that they wanted to write... the universities wanted to continue to write their own rules, and we said, 'Fine. You write the rules, and what happens is, CMS signs off on them,' And that's standard. I... That's the way I think they're doing it now. But somehow or other... someone said, 'Well, we don't want CMS to write the rules.' I talked to CMS. They said, 'He don't want to write the rules for the university. Have the university write the rules, submit them to us, we'll sign off on them, and that's the end of it.'"

Satterthwaite: "But we're saying that where the university could have gone ahead and made a purchase without any review by CMS, they will now have to have a review by CMS."

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Keane: "No. They will write their own rules of purchasing, and if... they have their own purchasing officer, so they will write their rules. CMS signs off on it. If the guy follows the rules, he's okay."

Satterthwaite: "But when an individual purchase is to be made, does that have to go through CMS?"

Keane: "No."

Satterthwaite: "It will be still handled by the university?"

Keane: "Right."

Satterthwaite: "And what role does CMS have in that, then?"

Keane: "Only in approving the rules, taking... What CMS will do is, they will review the rules to see that they don't violate state law, that there are safeguards from... the standard rules that everybody has to have, you know, that's the standard safeguards of purchasing are in there, in those rules. And then they'll sign off on them, and the university will follow those rules in doing their purchasing, and the Auditor General will come in, and when he audits them, he will audit them on the basis of their rules to see if they follow their own rules in making the purchases."

Satterthwaite: "But CMS will not have to review each of the purchase requests."

Keane: "No."

Satterthwaite: "Because I think that could be unduly burdensome on the system."

Keane: "I agree. I agree."

Satterthwaite: "Thank you."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, Madam Speaker. I have two parliamentary inquiries. Number one, I have in my files two Amendment #6's, one of which was adopted. I believe the one that was

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adopted was LRB #85014... strike that. I believe the one that was adopted is House Republican Staff 85H0497LKCAAM01. There is a... That was sponsored by Representative Mays and Parcels. There was another Amendment 06, sponsored by Representative Keane, which was actually done by the Legislative Reference Bureau, #8501497JSCHAM. Now, the second question is, if, indeed, the House Republican Staff Amendment was adopted, it amends the Bill on page 2 line 12, and as amended, it reads, 'This Code shall apply to every contract entered into by a state governmental body in any municipality with a population of over 500,000...' And then it goes on from there. So, the question is... the parliamentary inquiry is, does this Amendment - if this is, indeed, the one that was adopted - in any way preempt home rule, and if so, is there a requirement that the Bill have 71 votes? If it does not preempt home rule, then I assume that it has no meaning."

Speaker Braun: "Representative Cullerton, we will continue the debate and respond to your question after the Parliamentarian has had opportunity to review the Amendment which was adopted. Representative Deuchler."

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

Speaker Braun: "He indicates he will."

Deuchler: "Representative Keane, a question. I'm wondering, would the preferences for minority contracts and set aside under the ... program be retained under the new version of the State Procurement Code?"

Keane: "That segment of existing Code has not been touched, so existing law remains."

Deuchler: "Thank you."

Speaker Braun: "Representative Preston."

Preston: "Thank you, Madam Speaker. I just rise on a matter of personal privilege. On House Bill 393 - I know we're in

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the middle of debate, but since we're pausing, here -- on House Bill 393, I was off the floor, and my switches were, by someone inadvertently, pushed to vote me 'aye', and I'm very much opposed to that Bill, and I'd like the Journal to reflect my strong opposition to the passage of that Bill."

Speaker Braun: "Yes, thank you, Representative. Representative Mays."

Mays: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I just simply want to rise in strong support of this measure. As Representative Keane has stated time and again when he's presented this Bill, this has been the product of a couple of years' work, at least, of the Legislative Audit Commission, and it's a far cry better than what we have right now. If this doesn't pass, we'll go back to the existing way of going about procuring goods and services for the state, which is abysmal. And anybody that votes 'no' or votes red on this type of Bill is going to be saying that's the way you want to do it. It's not right. I would support this Bill and urge every Member on this side of the aisle... well, throughout the whole chamber, to support the bill in the strongest possible terms."

Speaker Braun: "The Parliamentarian has responded to Representative Cullerton's inquiry as to whether or not this Bill constitutes a preemption of home rule. It appears on the face of the Bill and the Amendment that home rule has been exempted by virtue of language that says, 'This Code shall apply to every contract entered into by a state governmental body and any municipality.' However, Section... Chapter 1, Section 1106 of the Il. Rev. Stat. indicates that no law enacted after a date in January of '77, which denies or limits any power or function of a home rule unit can do so, unless there is a specific language

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limiting or denying the power or function. In light of the fact that the Bill does not apparently include the specific limitation on home rule, although facially, it appears to create a general preemption of home rule, the Parliamentarian has determined that 60 votes would be required for passage of this Bill. Representative Cullerton."

Cullerton: "Well then, if I understand the ruling, then, Madam Speaker, it's your belief that this attempt... this attempt by the... Representative Hays' Amendment which was drafted by the House Republican Staff to preempt home rule was an ineffective attempt to do so, and therefore, the Bill would not preempt home rule, and therefore, it doesn't really apply to municipalities. It's not compelling municipalities over 500,000 to come under its provisions. If that's the way I understand the ruling. I would just point out that I agree with the ruling, however, it would appear that if the Bill was to become law, that there could be some litigation over the issue, and our attempts at legislative intent, here, could be overruled by some court at a future date. I just wanted to verify though, that the House Republican Staff's Amendment was inappropriately drafted. Is that the ruling of the Chair?"

Speaker Braun: "The..."

Cullerton: "If it was done in an attempt to preempt home rule?"

Speaker Braun: "I think that's correct."

Cullerton: "Alright. Thank you. Speaker, Madam Speaker."

Speaker Braun: "Representative Cullerton."

Cullerton: "And my other inquiry was to which Amendment #6 we had, indeed, adopted. I believe there are..."

Speaker Braun: "The Hays Amendment 6 was the... was the Amendment. Hays - Parcels Amendment 6 was the Amendment which was adopted."

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Cullerton: "And Keane's Amendment #6 was never voted on?"

Speaker Braun: "Was not adopted."

Cullerton: "It was probably never voted on, I would take it."

Speaker Braun: "Representative Mays."

Mays: "Just for the record, Madam Speaker, it was not a Mays -
Parcells Amendment. It was an Olson Amendment #6, and I
think the record would reflect that, so if that makes it
any clearer, Representative Cullerton, and the Roll Call on
the Amendment, as I recall it, I was one of the red votes
over on this side of the aisle."

Speaker Braun: "Representative Cullerton?"

Cullerton: "Well, if that's the case, I think we better get the
record straight. I have, here in my file, a Mays -
Parcells House Republican Staff Amendment #6. I also have
a Keane LRB Amendment #6. Now, if he says that the
Amendment #6 that we adopted was an Olson Amendment, I
think we should clarify from the Clerk which Amendment #6,
by LRB number or by House Republican Staff number, which
one we adopted. I don't have an Olson Amendment, although
I do note that Representative Mays did vote 'no' on
Amendment #6."

Speaker Braun: "Is there further discussion? The Chair
recognizes the Gentleman from Cook, Representative... Oh,
sorry."

Cullerton: "I have a question pending. I have a question pending
of the Clerk to find out which Amendment #6, by number, we
adopted."

Speaker Braun: "By number."

Cullerton: "Right. LRB or House Republican Staff A or House
Republican Staff B?"

Speaker Braun: "Thank you, Representative Cullerton.
Representative McCracken."

McCracken: "It's our position, Madam Speaker, that the Bill would

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control the Procurement Code for the City of Chicago and, in fact, is effective to do so. It does not require 71 votes nor any specific limiting language, because the language clearly controls the contracts entered into by a municipality with a population of over 500,000. So, it clearly complies with Section 1106 of Chapter 1."

Speaker Braun: "Representative Dunn."

Dunn: "Why don't we just split the difference and make it 66 votes and move on with this."

Speaker Braun: "Thank you, Representative Dunn. The House will be at ease while the Clerk examines the Archives to determine the LRB number of the Amendment... the real Amendment that was adopted to this Bill. Representative Cullerton."

Cullerton: "While we're waiting, I just wanted to announce for those people interested that the Cubs won today, and as a result, they are now in first place, and the St. Louis Cardinals are in second place."

Speaker Braun: "We have... Representative Stephens."

Stephens: "That's got to be by percentage points only."

Speaker Braun: "Okay. Representative Levin."

Levin: "Yes, I just wanted to ask Representative Cullerton. They won the game during the daytime in the sunshine? Thought so."

Speaker Braun: "Alright. We have pulled the file. Amendment 6, submitted by Representative Olson, which was a change from the original Amendment 6 by Mays - Parcels. Amendment 6, #HRS85HO497LKCAAM01 is the Amendment which was adopted. Representative Cullerton."

Cullerton: "Okay. And then, I have the Mays - Parcels Amendment is the same number."

Speaker Braun: "Is the same number, yes."

Cullerton: "And I would point out for the record, then..."

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Speaker Braun: "But the sponsorship changed."

Cullerton: "I see, and that's probably why Representative Mays voted 'no' and Representative Parcells was absent and didn't vote."

Speaker Braun: "Perhaps."

Cullerton: "Thank you."

Speaker Braun: "You're very welcome. The Chair recognizes the Gentleman from Cook, Representative Keane, to close."

Keane: "Thank you, Madam Speaker. I ask for a favorable Roll Call."

Speaker Braun: "The Gentleman has moved the passage of House Bill 497. And on that, all in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McCracken."

McCracken: "For the record. It's our position, Madam Speaker, for purposes of legislative history, that this is an effective limitation on home rule power because it does specify the manner... "

Speaker Braun: "Representative McCracken, you spoke in debate."

McCracken: "I didn't speak in debate. It was a point of order."

Speaker Braun: "Representative Young."

Young: "If I may explain my vote, Madam Speaker. I'm voting 'aye', based on the Parliamentarian's ruling that this does not preempt home rule. Thank you."

Speaker Braun: "Representative McCracken, you already did. Okay, Representative McCracken. Representative McCracken."

McCracken: "It's our position that this does effectively limit home rule powers. It has a requisite number of votes, specifically defines the limitations put upon the city in question and complies with the statute and the Constitution."

Speaker Braun: "Is there further discussion? Representative

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Keane."

Keane: "As Sponsor of the Bill, it's my legislative intent not to limit... not to have this as a limitation of home rule. I agree with Representative Young."

Speaker Braun: "Is there further discussion? Representative McPike. Have all voted? The Clerk will take the record. On this question, there are 92 voting 'aye', 1 voting 'no', and House Bill 497, having received the Constitutional Majority, is hereby declared passed. House Bill 513. Representative Steczo. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 513, a Bill for an Act in relation to activities of merchants. Third Reading of the Bill."

Speaker Braun: "Representative Steczo."

Steczko: "Thank you, Madam Speaker. I would ask leave of the House to bring House Bill 513 back to the Order of Second Reading for the purposes of an Amendment, please."

Speaker Braun: "The Gentleman asks leave to return this Bill to the Order of Second Reading for the purpose of an Amendment. Is leave granted? Leave is granted. The Bill will be returned to the Order of Second Reading. Mr. Clerk, read the Bill."

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

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Steczo, on Amendment 2."

Steczko: "Thank you, Madam Speaker. Amendment #2 was worked out between the Illinois Retail Merchants Association and the persons representing community currency exchanges. The Amendment simply makes a change from the wording 'in charge' to 'and may charge', and I would move for the adoption of Amendment #2."

Speaker Braun: "The Gentleman has moved the adoption of Amendment

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2. And on that, is there any discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. Representative Steczo asks leave for immediate consideration of... on House Bill 513 on the Order of Third Reading. And on that, is there any discussion? Being no objection, leave is granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 513, a Bill for an Act in relation to activities of merchants. Third Reading of the Bill."

Speaker Braun: "Representative Piel, for what reason do you rise?"

Piel: "I object, Madam Speaker. I said it three times."

Speaker Braun: "Representative Piel, I've been advised that in any event, it would be a matter that would take 71 votes. I clearly... I truly did not hear you. I would have... I kept looking around to see if I was hearing somebody say something, and I did not hear you. Sorry. Representative Steczo."

Steczko: "Thank you, Madam Speaker. House Bill 513 in its present form represents an agreed Bill between the Retail Merchants Association and the Community Currency Exchanges of Illinois. The Bill addresses the situation of merchants who currently are prohibited from charging more than 25 cents in allowable charges to cash checks. Current law allows only currency exchanges and other financial institutions to charge fees for check cashing services, and it's thought that that specifically excludes retail merchants from the Act. We presently have a situation where, especially in many small Illinois communities, that

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retail merchants may be the only establishments available to consumers for check cashing services on various numbers of occasions, on bank holidays, on weekends, after hours, et cetera. To provide the former limitation of 25 cents is actually a strong disincentive for those merchants to do that, and actually provides them with many losses. What House Bill 513 does, it provides that the merchant will be able to charge up to 50 cents, or a minimum of one percent of the total cost of the amount of the check. As I mentioned, this language now has been agreed to, and it would provide that those merchants who must take the risk, in many cases, who must actually borrow money to cover the cost of cashing checks on weekends and after hours, what have you, can now get back some of the costs that they have to provide for services - bookkeeping, postage, et cetera. I would answer any questions, would appreciate an affirmative vote on House Bill 513."

Speaker Braun: "The Gentleman has moved the passage of House Bill 513. On that, the Chair recognizes the Gentleman from Cook, Representative Piel."

Piel: "Thank you, Madam Speaker. Will the Gentleman yield for some questions, please?"

Speaker Braun: "He indicates he will."

Piel: "Representative Steczko, three times in the last couple of minutes, you've mentioned that the... House Amendment #2 to House Bill 513 was an agreed Amendment. What parties agreed to the Amendment? What I'm leading to, was the Department of Financial Institutions involved in these agreements, and did they agree to this Amendment?"

Steczko: "Representative Piel, the discussions took place between the retail merchants and the community currency exchanges. The Department of Financial Institutions had some difficulty with the original Bill. They provided us the

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language which is Amendment #1 in the Bill, which provides that the check cashing services be incidental to the services offered. With that language adopted, the Department of Financial Institutions has maintained a neutral posture."

Piel: "Because... alright now... are there any licensures that have to be done as far as these different merchants that are offering these services that are similar to the currency exchanges?"

Steczo: "No, there would be no licensure."

Piel: "So, in other words, basically... we are basically giving them currency exchange... allowing them to give currency exchange services without having to have the licensure or the covers like currency exchanges presently do. Correct?"

Steczo: "The fact is, Representative Piel, that the provision that the Department of Financial Institutions provided, indicating that the allowability to cash checks has to be incidental to other services. We're not allowing a merchant to go into business and simply provide check cashing services and not be licensed. That's the province of the currency exchanges. We're providing here, that in the normal course of business, if a merchant decides to cash checks as a courtesy, that they'll be able to at least get comparable fees, and as mentioned to you, that the currency exchanges, after the adoption of Amendment #2, have withdrawn their opposition, so with Amendment #1 and Amendment #2, they feel that it's no threat to them."

Piel: "Who will be the supervising authority over them, then, if it's not the Department of Financial Institutions. You see, they're not regulated by the Department of Financial Institutions. Because if you'll remember, in Committee, I brought up a point, and it was later substantiated that somebody had tried this in another state to where they had

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the same type of situation where they went out and they basically opened up a store front, and this person ended up, as I recall, it was bread. They ended up buying, I forgot, like 50 loaves of bread, you know, saying they were a bread store, and they were basically in the currency exchange business, so now that they are a quasi-currency exchange, they are not under the rules and regulations of the state that they were serving, and if there is nobody to check them, see, this... under this situation, who would be the supervising agency? There is nothing in the Bill that says that they would be supervised by the Department of Financial Institutions, and that is quite a concern of different areas, including the Department of Financial Institutions. They might take a neutral position, but they want to know who is going to be the body or the agency that is going to overlook this procedure?"

Steczo: "Representative Piel, there are two agencies that I can think of that would do that. Number one, if you are..."

Piel: "Is it in the Bill?"

Steczo: "Pardon?"

Piel: "Is it in the Bill?"

Steczo: "The bill says no licensure. The Bill just simply says there would be no license required."

Piel: "Right, so if it's not under licensure, Terry, it's not under..."

Steczo: "But common practice would dictate that if there are financial transactions that are going on that are outside the province of the law, that the Department of Financial Institutions, in fact, could step in and look into that, or in fact, the Attorney General."

Piel: "Is... but that is good... in... but in practicality, Terry, what you have is a situation to where you have these different people set up around the state. Ninety-nine and

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nine-tenths percent of them are legitimate, but it's that one percent that I'm worried about that are not in a posture of being regulated on a regular basis. I mean, this person could go on doing this illicit business for the period of two or three years and then get caught and say, 'Okay, fine. If that's the case, then I will shut down.' And he's made a profit. Over here is John Jones or Joe Doakes over here who is doing a legitimate business as a currency exchange where, right now, businesses can cash checks. You go in, you have your Jewel card, you have your National card or whatever card you have, and you can cash checks. They can cash them right now, and what was brought up in Committee was you say, all this would do is clarify what they can do now. I think this is a little bit more than clarifying what they can do now. I think this is giving an expanded service to an area that doesn't technically need the expanded service because they can do it now, but you're giving expanded service with the potentiality of fraud down the line without any... if you had a situation where you had an overseeing agency, I could definitely see where we could clear up this problem, but Terry, there is no overseeing agency in the Bill. You're saying the Attorney General, I mean, you know, that doesn't really clarify the problem. For the Attorney General to step in, he's got to have a complaint. Madam Speaker, to the Bill. Ladies and Gentlemen, I think that we've definitely, and we've tried discussing this in Committee and we tried bringing out these problems in Committee. I hope you've been listening to the dialogue between Terry and I, because it is a situation to where we are possibly opening up a Pandora's box with this type of legislation. We have a situation here where there is no regulatory agency overseeing this type of a practice. Right now,

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Jewel, Osco, all of them have check cashing privileges. What we... What they wanted to do was clarify that they could do this. Well, they can do this. I mean, they've been doing it. It's not a situation to where you have to have clarifying language, but what this does open up, it does open up to where a person could go out, buy 50 loaves of bread, set themselves up into a storefront with the main purpose, he could say he's a bread salesman with the main purpose of having check cashing privileges and one thing and another, without having any regulatory oversight or overview of that specific business, and I think when we start doing that, you start opening up a lot of problems in the State of Illinois, and before you cast a vote on 513, I would give it some serious consideration."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from McHenry, Representative Klemm."

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

Speaker Braun: "Yes."

Klemm: "In my area, Representative, most of the major food stores offer check cashing privileges. Is that true in your area also?"

Steczo: "That's correct."

Klemm: "So, they probably, being as large as they are, probably... what... absorbed the cost, whereas a small business person down in central Illinois or some place has difficulty carrying that extra cost. Is that the difference between why not all businesses are doing that?"

Steczo: "Representative Klemm, that's correct, and if you can imagine that a store the size of the Jewel or National or what have you, even they, even though they're going to keep part of the cost, charge a quarter, in my area, to cash a

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check for 25 dollars or to cash a check for 600 or 700 dollars."

Klemm: "So, in other words, what you're trying to do is really expand what's really being a common practice in Illinois, and in other words, allowing small business men and women in Illinois to at least have the opportunity to cash checks for consumers, particularly on weekends and holidays and days when they find the banks are closed, to at least really, spur on the economy. I think it's an excellent Bill myself. Is that right?"

Steczo: "Thank you, Representative Klemm. I would agree with you. It's an excellent Bill, and I would also just give you, by way of example, the fact that many, many local businesses downstate as a courtesy to their constituencies or their residents will, on Friday evenings or on Saturday evenings or on Sundays, cash payroll checks and other types of checks. Many times, the cash flow of these particular small businesses don't, in any way, come close to the actual cash flow, so sometimes the owners of a small business, in order to cash courtesy checks for their customer and receive a 25 cent fee, may have to go to the bank and borrow 10,000, 15, 20,000 dollars just to meet that demand on a weekend."

Klemm: "So, this is really not really going to put banks or people like that out of business. Do you see that?"

Steczo: "Not in the least."

Klemm: "I think it's a fine Bill, Madam Speaker, and I think we should support it."

Speaker Braun: "Is there further discussion? The Gentleman from Macon, Representative Dunn."

Dunn: "I move the previous question."

Speaker Braun: "We're ahead of you, Representative. Representative Steczo to close."

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Steczo: "Thank you, Madam Speaker, Members of the House. To briefly close, presently, as Representative Klemm so graciously mentioned, merchants will charge now a limited fee of 25 percent to cash a check. There are many that cannot provide this service on days when banks and currency exchanges are normally closed in order to provide that convenience for their customers. This Bill is limited in its nature. It does not provide a threat. It's been agreed to or has made... rendered most parties neutral on the Bill, and I think we'd be doing a great service for those people who have really come to depend on being able to cash their checks on off-time hours, weekends, holidays, et cetera, and I would move for a... for the passage of House Bill 513."

Speaker Braun: "The Gentleman has moved the passage of House Bill 513. All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 105 voting 'aye', 7 voting 'no', and House Bill 513, having received the Constitutional Majority, is hereby declared passed. Representative Flinn."

Flinn: "Madam Speaker, about an hour ago, Representative Kulas reminded us that we were wasting a lot of time on the Bills, and I agree totally with him. We spend 15 or 20 minutes on a Bill and it passes with over 100 votes. I don't think we ought to talk ourselves to death on a Bill that's not going to have that much opposition."

Speaker Braun: "The Chair agrees, Representative Flinn. In keeping with Representative Flinn's admonition, we are going to use the timer for debate so that we can move through these issues. We have a lot of Bills on the Calendar that we'd like to clear up as many as possible.

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House Bill 540, Representative Hicks. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 540, a Bill for an Act to amend an Act to prohibit local governments from regulating hunting and fishing. Third Reading of the Bill."

Speaker Braun: "Representative Hicks."

Hicks: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 540 is a Bill that amends the Fish Code of 1971. The Bill does a couple of things. It prohibits units of local government from establishing rules and regulations of taking of aquatic life and wildlife more stricter than... or stricter, should I say, than the state itself provides. It also allows local units to petition to the Department of Conservation to establish any type of special local prohibitions they may need. Be happy to try to answer any questions anyone may have."

Speaker Braun: "Representative Tate."

Tate: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 540, as Representative Hicks has already articulated, basically is in a response to a situation that has arisen in about 40 different municipalities in the state. Currently, we have some municipalities in the state that regulate their own lakes. They determine bass limits or crappie limits. Basically, what we're talking about in this Bill is, we think professional biologists should be in a posture of determining whether there's a six inch crappie limit or an 18 inch bass limit or a 12 inch northern limit. In addition to that, we had a situation in the northern part of the state three years ago where we had one municipality that arbitrarily decided that they were going to enforce a gun ordinance and went out a mile and a half. I will close by saying that this Bill is supported by all the major sportsmen groups in the state, the National Rifle

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Association, the Illinois State Rifle Association, all the major fish groups in the state, and I move for its adoption and approval."

Speaker Braun: "The Gentleman has moved the passage of House Bill 548 (sic - 540). And on that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, inquiry of the Chair. How many votes does this take for passage?"

Speaker Braun: "The Parliamentarian advises that while this is a preemption of home rule, it only requires 60 votes for passage of the Bill."

Cullerton: "Could we just state for the record, I know that there are circumstances when that's the case. I just wondered if you could state for the record what they are and why that's the case in this Bill. And then, I have a question about the Bill."

Speaker Braun: "It takes 60 votes to be called on line... line 29 of the Bill. It is... the preemption is pursuant to Subsections h and i of Section 6 of Article VII."

Cullerton: "On page two of the Bill?"

Speaker Braun: "Yes."

Cullerton: "Yes. So, Madam Speaker, was this Bill drafted by the Legislative Reference Bureau or by the House Republican Staff?"

Speaker Braun: "The Reference Bureau."

Cullerton: "And you're saying this was properly drafted so as to preempt home rule and only require 60 votes?"

Speaker Braun: "I make no ruling as to the... as to the adequacy of the drafting of this Bill. That's for the courts to determine."

Cullerton: "Can I ask a question of the Sponsor?"

Speaker Braun: "You may."

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Cullerton: "I better... I better ask the question of Representative Hicks. Representative Hicks, your Cosponsor, Representative Tate, just made some references to the Morton Grove Ordinance. Now, as I understand this Bill, this amends the Fish Code and the Wildlife Code. Is that correct? Those are the two Acts to this Amendment."

Hicks: "That's correct, Representative."

Cullerton: "So, in your... it's your intent, clearly, I take it, that this should not, in any way, preempt the Morton Grove firearm owners' ban..."

Hicks: "Representative Cullerton, being that I'm not from Morton Grove, it's a little difficult for me to address the laws in Morton Grove, but it is my understanding that if those rulings of local municipalities do, in any way, alter the ability to take up wildlife, then it would apply. If it doesn't alter their ability to take wildlife, then it might not apply, but speaking to Morton Grove, I'm not that familiar with the issue of Morton Grove, and I can't answer."

Cullerton: "Well, let me pursue that, then. If there is a Morton Grove Ordinance that, I believe, says that homeowners, I guess, or anyone who lives in the village cannot possess certain types of weapons. I don't believe it covers all weapons. It might just be certain types of weapons. Are you saying that there's a possibility that since they are limiting the use of a weapon that could be used somewhere outside of Morton Grove to go hunting that, in that respect, that that ordinance would be declared unconstitutional or be prohibited?"

Hicks: "Well certainly, I believe, Representative Cullerton, if... I'll use an example, maybe. If I'm driving through Morton Grove and I'm going to go goose hunting and I am arrested for having my shotgun and it's my intent to go

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goose hunting, then I would think that the law in Morton Grove possibly would not apply."

Cullerton: "Okay, then. On another matter, then, could you just briefly tell me once again why it's a good idea not to have the locals draft their own ordinances that deal with the Wildlife or the Fish Code?"

Hicks: "Well certainly, in Illinois, we spend a lot of our state dollars with the Department of Conservation year in and year out, and we do so in an attempt to try to set a standard throughout the state and have those biologists and those people who are very highly qualified to establish those rules and regulations by which the taking of game and aquatic life is in the State of Illinois. I don't think those local municipalities really have the ability financially, nor do they have the expertise in which to try to establish the rules in which taking, let's say, of the size of bass in a lake or the... we wouldn't want to see them regulating goose hunting, let's say, in their area. So, that would be the type of thing I would suggest to you."

Cullerton: "Thank you very much."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Bowman."

Bowman: "May I also ask a couple of questions of Representative Hicks?"

Speaker Braun: "He indicates he'll yield."

Bowman: "Would this prevent the City of Chicago from regulating smelt fishing?"

Hicks: "Is that in the Chicago River, or where's that at, Representative?"

Bowman: "No, it's in Lake Michigan... Lake Michigan. It's an annual event."

Hicks: "I'm not familiar with the smelt fishing industry in the

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Chicagoland area. That's a little difficult. I can't really answer that. Truthfully, I don't know."

Bowman: "Well okay, let me shift gears and kind of pick up on one of the threads begun by Representative Cullerton. Mt. Vernon is in your district, is it not?"

Hicks: "I believe that's the town I'm from."

Bowman: "Okay. Well, I just... Let's just use that as a hypothetical. Would this Bill preclude Mt. Vernon from adopting an ordinance that would ban the ownership of fishing rods - private ownership of fishing rods? Could Mt. Vernon do that if it wanted to, if this Bill passes?"

Hicks: "Again, Representative, I... I don't think... "

Bowman: "You're waffling."

Hicks: "No, Sir, I don't think I am. I think that if you'll ask your question a little more directly, I'll be happy to try to answer it."

Bowman: "I asked you a very direct question, Sir. I said, would this Bill preclude Mt. Vernon from passing an ordinance barring individuals from owning fishing rods? And you know where I'm leading with my question. If you don't, I'll ask another question."

Hicks: "Are you saying fishing rods or fishing licenses?"

Bowman: "Fishing rods."

Hicks: "Rods."

Bowman: "Yeah. If, for some reason, Mt. Vernon wanted to ban fishing rods, could they do it, if your Bill passed?"

Hicks: "I would say, the answer would be 'yes'."

Bowman: "They could. Okay. So then, may I conclude that they could also, if they chose to pass an ordinance banning firearms, private possession of firearms. Is that correct?"

Hicks: "If your intent is to use that firearm or that fishing rod in the procurement of wildlife, aquatic life, then I would

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say your answer is 'yes'."

Bowman: "So they could, then, even if your Bill passed. Okay... that's interesting. Then, may I also conclude that even if your intent wasn't that, if it was just to own it and to stroke it occasionally and pat it and... that they could also pass such an ordinance that would ban ownership?"

Hicks: "Well maybe, Representative Bowman, you stroke yours and pat it, but I don't. So, I would suggest to you that if it's your intent to stroke it and pat it, that possibly, then, it might not apply, but in my case, it probably would apply."

Bowman: "Actually, this is a very serious question, Representative Hicks."

Hicks: "Representative Bowman, I'm being as serious with you as I can possibly be."

Bowman: "Well, we all know how possible that is. Not very."

Speaker Braun: "Gentlemen, please. Gentlemen. Gentlemen. Gentlemen."

Bowman: "Yes. The point is that there are home rule communities in the state that do have such ordinances that prohibit the private ownership of firearms. Now, you gave me an answer that said that a home rule community, if this Bill passed, could ban fishing rods, private ownership of fishing rods. So, I wanted to make sure that I can reasonably conclude that they could ban any other kind of instrument that is... that might conceivably be used in hunting or fishing, such as a firearm, and I just wanted to make sure that that is the case, that they could do that, and this would not infringe upon their right to do that. What do you say?"

Hicks: "Is that a question to me, Representative Bowman?"

Bowman: "Yes, does it infringe upon their right to do that?"

Hicks: "Representative Bowman, I really don't think it does."

Bowman: "Okay, thank you."

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Speaker Braun: "Is there further discussion? The Gentleman from Lake, Representative Matijevich."

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

Speaker Braun: "He indicates he will."

Matijevich: "Representative Hicks, by reading your Bill, I see that local governments would be prohibited from regulating taking of aquatic life or wildlife. In other words, the way I read that, for example, that a local unit of government could be prohibited from regulating hunting within a municipal boundary. Am I reading that properly?"

Hicks: "I believe, Representative, your answer is 'yes'. You are reading it correctly."

Matijevich: "Well, the reason I asked the question, for example, in my home town many years ago, the outskirts of town were sort of rural, and there was some good pheasant hunting on the outskirts of my home town, and then homes started to build up, and so the city ordinances had to be drafted to prohibit hunting in my home town. And I think that made sense. I think we ought to be careful when we pass laws around here that we're passing laws for the whole State of Illinois. All of Illinois is not rural. Much of Illinois is urbanized. And I think we ought to allow units of local government to draft ordinances to fit their locale. I think this is a bad Bill. It's a good Sponsor, but a bad Bill, so I would urge the Membership to be careful about what they're doing when they pass this type of Bill. Don't pass a Bill for or against because of the Sponsor. Look at what you're doing with the Bill that is before you. It is a bad Bill."

Hicks: "Representative, I believe you raised a question, and I would like to try to answer that question, if I may."

Speaker Braun: "You will have an opportunity to close, Representative. Is there further discussion? The Chair

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recognizes the Gentleman from Cook, Representative Kulas."

Kulas: "I move the previous question."

Speaker Braun: "The Gentleman has moved the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye', opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The previous question is put. The Chair recognizes the Gentleman from Jefferson, Representative Hicks, to close."

Hicks: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. To answer the question Representative Matijevich raised, I don't believe, in any way, this Bill does preclude a local municipality from saying that you cannot discharge a weapon in a community and stopping that from happening. Thusly, you are not stopping the municipality from actually banning the hunting of... fishing in a community. Likewise, they also, if they have specific requirements that are needed in an area, they can go back to the Department of Conservation - the people with the expertise - have petitioned that Department, have them come in and help them in their ability to regulate the wildlife in the community and to be able to help in that situation. I would urge you to vote 'yes' on this Bill. It's a good Bill. It's not a bad Bill, as has been suggested by some of the Members, and I hope you vote 'aye'."

Speaker Braun: "The Gentleman moves the passage of House Bill 540. All in favor vote 'aye', opposed vote 'no'. The voting is open. Representative McNamara to explain his vote."

McNamara: "Thank you, Madam Chairman. It's important to realize that this does preempt home rule. That affects some of the areas in this way, also. Oak Lawn, for example, has a fishing derby every year. They would now have to go to the

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Department of Conservation in order to get a permit for that fishing derby. This is the exact same issue that happened last year, and not only that, that if they stock any of their ponds for the kids for the programs that they have, all of a sudden, all of your park districts across the State of Illinois would have to go to get the special permission in order to have those types of events. Secondly, it also destroys not just the park districts, but also villages which have programs for senior citizens, adults and kids. I think ... is a very bad concept to preempt home rule in this way, and it will create a tremendous burden on all of the citizenry. I urge your 'no' vote."

Speaker Braun: "Is there further discussion? Representative Curran, one minute to explain your vote."

Curran: "Thank you, Madam Speaker. Madam Speaker, I was hoping that the Sponsor, who is a friend of mine, would answer Representative Matijeich's question about hunting in the City of Waukegan. According to the Bill, it says, 'prohibits units of local government from regulating... taking of aquatic life.' The Sponsor seems to be saying exactly the opposite. It says that if this Bill were to be in effect, that would not be prohibited in Waukegan. I'd like to support the Gentleman, but I can see what would happen. For example, we couldn't pass a law that says you couldn't hunt squirrels in Washington Park. We couldn't pass a law here in Springfield that says, 'regulates the taking of fish from Lake Springfield.' So, with all due respect, I think there's a little confusion about what this Bill can and cannot do, and until that confusion is cleared up, I'm going to have to vote 'no'."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Macon, Representative Dunn."

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Dunn: "Well, Madam Speaker, Ladies and Gentlemen of the House, in the community which I represent, we have a little pond in one of our parks. It's been kind of a traditional thing for young children to fish. There have been special regulations and restrictions with regard to adults, and I don't know if sweeping statewide legislation would impact adversely upon what is called 'Dreamland Pond' in Fairview Park in Decatur, Illinois, but until there's a better explanation, I don't want to take a chance on that, and so I can't vote for this Bill and recommend that we, once again, grind to a halt and see if we can't work out the problems and take care of everybody's concerns."

Speaker Braun: "Is there further discussion? The Gentleman from Champaign, Representative Johnson."

Johnson: "'Balkanization' is a good term for what will happen if we don't take the philosophical position that there are certain things that ought to be regulated by the state and certain things that can't be regulated in a piecemeal basis by local government, and if there was ever something that's appropriate by way of subject matter and by way of the philosophy of what home rules really ought to be about, this is it. We don't want to have every municipality that's a home rule unit passing their own rules and regulations in this area. This is something that ought to be an exclusive exercise of state power if we're going to have any reasonable conservation practices, and if the intermixture between state and local government in our Constitution are going to mean anything. Geez, I better shut up. I think this is a good Bill, supported by all the sportsmen's groups, and it's something that ought to pass."

Speaker Braun: "Is there further discussion? The Gentleman from Warren, Representative Hultgren."

Hultgren: "Thank you, Madam Speaker. I rise in support of the

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Bill and have cast an affirmative vote. I think there is a need for uniformity in our sporting rules throughout the state. At the same time, I think there are some problems with this. I would encourage the Sponsors, when this Bill is in the Senate, to work with the Senators to perhaps eliminate some of the problems in terms of the local municipality being able to regulate hunting and trapping in urban areas where children might be hurt by the traps or where a stray bullet might injure someone, and I think that the Bill can be improved, and I hope the Sponsors will do so."

Speaker Braun: "Is there further discussion? The Gentleman from Macon, Representative Tate."

Tate: "Thank you, Madam Speaker. I'd just like to clarify some misunderstandings. First of all, this Bill doesn't affect any, quote, 'gun ordinances'... (tape malfunction) in all municipalities that prohibit discharging guns. The real issue here is whether we're going to preserve our wildlife, whether we care about the rabbits, whether we care about pheasants, whether we care about quail, whether we care about the quality of fish for our grandchildren and our children. If you care about those kind of things, you'll let a biologist, not a politician, determining whether you take squirrel, whether you take a six inch crappie or whether you take a 12 inch bass. That's the real issue, here. All we want to do is have uniform professionals regulating those... our wildlife so we have something in this state to be proud of for the future of this state. A good vote..."

Speaker Braun: "Have all voted? The Clerk will take the record. On this question, there are 69 voting 'aye', 41 voting 'no', and House Bill 540, having received the Constitutional Majority, is hereby declared passed. House

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Bill 541, Representative Sutker. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 541, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practices Act. Third Reading of the Bill."

Speaker Braun: "The Gentleman from Cook, Representative Sutker."

Sutker: "Madam Speaker, Ladies and Gentlemen. This Bill is an attempt to establish as an unlawful practice the sale of advertising to be published in a telephone directory without certain specific disclosure. It is a disclosure Bill. The disclosure relates to four distinct points. The first point is that the publisher indicate the previous number of additions previously published on this telephone directory. The second disclosure is the geographical area to which the directory will be sent. The third disclosure is the name of the publisher of the directory, and the fourth disclosure is the relationship of that publisher to any telecommunication carrier. Ladies and Gentlemen of the House, this is a problem which is becoming more and more rampant. It is a problem which has been accentuated by the recent disengagement of telephone companies from each other, and I think at this time, we must say forcefully that we want this unfair practice to cease. I ask the support of all of you for this Bill. I'm available for any questions."

Speaker Braun: "The Gentleman has moved the passage of House Bill 541, and on that, is there any discussion? The Chair recognizes the Lady from Cook, Representative Pullen."

Pullen: "I'd like to ask the Gentleman a question or two, please."

Speaker Braun: "He indicates he will yield."

Pullen: "Thank you. I am in sympathy with the basic idea, but I wonder whether you could describe to us what the

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enforcement is of this Bill."

Sutker: "There will be several methods of enforcement. One will be from the Attorney General's office, seeking at first voluntary compliance, wherever possible. But in the event that is not possible, to proceed... proceed in a... in the appropriate court of law, either for damages or for an injunction. There is other relief if persons have been damaged as a result of the failure to provide for disclosure, which an individual may pursue. My own hope would be that voluntary compliance, which is part of the statute now, would be emphasized and as I understand it, with respect to the other unfair practices, voluntary compliance is very effective."

Pullen: "Is there any criminal penalty attached to this?"

Sutker: "There is a criminal penalty attached if voluntary compliance fails. Now there is a provision in the law which states that voluntary compliance can be pursued by the Attorney General's office and agreement can be made pursuant to a negotiations between the parties. If, in the event the party fails to comply with the agreement with the Attorney General's office, that failure can be used as prima facie evidence in a lawsuit which could lead to injunctive relief, which could lead to a revocation and suspension of licenses, and as a matter of fact, could lead to money damages."

Pullen: "License for what?"

Speaker Braun: "Excuse me, Representative. Excuse me just one second. Apparently there are lobbyists on the House floor. Will you please remove yourselves from the House floor. Continue."

Sutker: "The present law provides for a vast array of actions on the part of the Attorney General's office. For example..."

Pullen: "Excuse me. The question that I asked you was, you

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mentioned the possibility of revocation of license."

Sutker: "Yes, it has to be... "

Pullen: "How are these people licensed?"

Sutker: "These people may be licensed to do business in the State of Illinois. They may be acting under a corporate charter. They may be licensed in a particular pursuit. The statute itself, the underlying statute itself, refers to any license, charter, franchise or certificate of doing business. So those... those items might be revoked or suspended in the event there's... in the event of continual non-compliance with this or... with this statute."

Pullen: "You indicated that there could be criminal penalties attached to failure to disclose such matters as the number of directories distributed in the previous edition. What is the extent of those criminal penalties?"

Sutker: "The maximum criminal penalty has not been changed by my House Bill. It's still part of what the law was, and that's \$50,000.00. That is part of the statute which has been in effect for years."

Pullen: "What does this add, then?"

Sutker: "It adds another unlawful practice, one that has been more and more rampant throughout the State of Illinois. It adds... "

Pullen: "So what it does is, it creates a criminal penalty of up to \$50,000.00..."

Sutker: "No, that penalty..."

Pullen: "... for not disclosing the number of directories distributed in the previous edition or geographic area of distribution."

Sutker: "No, Representative, that... this Act has been in place for a long time. The House Bill merely adds an unlawful practice to the score of unlawful practices now on record, and now part of the law. I've not changed..."

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Pullen: "But if it's not now against the law to not disclose the number of directories distributed... is that right?"

Sutker: "That's correct. That's correct."

Pullen: "So you are adding a criminal penalty to the law for doing that, by including this under what already has a criminal penalty."

Sutker: "No. We're... we're changing the law and providing for another unlawful practice. The criminal penalty has not been changed as it relates to any of the other previous unlawful practices. This just adds an additional one."

Pullen: "I'm not suggesting that it has, Sir, I'm just trying to get you to clarify that for failing to disclose how many directories were distributed in a previous edition, someone could now be fined up to \$50,000.00."

Sutker: "For failure under any of the unlawful practices, one, yes, can be fined up to \$50,000.00. My hope would be that the provision in the statute providing for voluntary compliance would be the first act of the Attorney General."

Pullen: "But this Act... this Bill..."

Sutker: "That's correct."

Pullen: "... goes on to provide all sorts of heavy penalties, not just voluntary compliance."

Sutker: "That's correct."

Pullen: "Thank you."

Sutker: "This Act has a series of penalties."

Pullen: "Is there further discussion? The Chair recognizes the Gentleman from DuPage, Representative Hoffman."

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

Speaker Braun: "He indicates he will."

Hoffman: "Who are we trying to get at? Are we trying to get at the vendors, or are we trying to get at the people who distribute the phone books? Who are we trying to get?"

Sutker: "We are trying to stop the practice of sales by telephone

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generally to persons in the community who use the yellow pages for the purposes of promoting a... the sale of advertising in their own telephone directory, which may or may not be delivered, may or may not be printed, may or may not be acted upon. It is a very serious and growing problem in the State of Illinois."

Hoffman: "You mean... let me see if I understand you correctly. Someone calls Joe ... on the telephone and says, 'we will put you in our phone book, a quarter of a page for your business, for \$500.00'. And he says, 'okay, I'll do it'. And he sends the \$500.00 in and the phone book comes out and it... and they only do a thousand copies of the phone book."

Sutker: "The phone book may or may not come out. You're correct."

Hoffman: "The phone book may or may not come out."

Sutker: "And the practice has been, Representative..."

Hoffman: "How is... how is putting the... Alright. How is putting the number of previously distributed phone books going to effect the telephone sales?"

Sutker: "Well, let me say this. If I call you and tell you that you have previously advertised in the yellow pages and we have a new directory which will include your advertising which was in the yellow pages, I have to tell you we've never before had a previous edition. I have to tell you that I don't intend to pass it out in any geographical area. I have to tell you the name of my publisher. I have to tell you whether I have a relationship with the telecommunication carrier. The major carriers are all supportive of this... this type of Bill."

Hoffman: "Alright, then. Then it's not a matter of... of... of putting something on the directory. What you're saying is, if you make a telephone solicitation for 'yellow pages',

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quote, unquote, you have to tell them how many times you've issued the directory? How many copies of it goes out? How many people are going to receive it, or the geographical area that it's going to cover, and whether you're associated with a telecommunications company."

Sutker: "Well, it doesn't go quite that far, because all you have to do, really, is say how many editions went out in your last previous edition, if any. What geographical area you're going to send the directory to, at this time, and the name of your publisher, and whether or not you have a relationship with a telecommunication carrier. It's only four basic items of information, and it's meant to disclose to the person with whom you're talking the nature of what he's buying. And it seems to me it's not an excessive burden. And it seems to me it's an attempt at this time to reduce the fraud and misrepresentation and the boy room tactics which are taking place currently."

Hoffman: "Are there that many suckers out there?"

Sutker: "Apparently there are."

Hoffman: "Well, I think... I understand what the Representative is doing. I think it is just another illustration of where this... where we're going as a group of human beings, and that is that we don't want to accept any responsibility and, for God's sake, don't give me any risk."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Macon, Representative Dunn."

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

Speaker Braun: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All in favor say 'aye', opposed say 'no'. In the opinion of the Chair the 'ayes' have it. And the previous question is put. Representative Sutker to close."

Sutker: "Madam Speaker and Ladies and Gentlemen. In the best of

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all possible worlds this would not be necessary. I would agree with Representative Hoffman. But the fact is, I think we have a responsibility, especially in these times when there is so much confusion about telephone directories, especially in these times when we have international companies, national companies and local companies and a proliferation of directories. And the confusion is part of the problem. It seems to me we ought to help those in the confusion of the disengagement of companies from each other to discern where the legitimate businesses are, where the legitimate directories are, and I solicit your vote."

Speaker Braun: "The Gentleman has moved the passage of House Bill 541. All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. To explain his vote, Representative Churchill."

Churchill: "Thank you, Madam Speaker. I rise in opposition to this. I think this is an absolutely ridiculous Bill. Today we're going to tell people what they have to tell... what you have to notify people about when you go to put advertising in a book. Tomorrow we're going to come back and say okay, when you sell ball point pens, you got to tell us this, you got to tell us that. Why are we doing this. This is absolutely stupid. It's monopolistic. It's anti-competitive and the whole Bill is unenforceable. I think it's a good 'no' vote."

Speaker Braun: "Is there further discussion? The Lady from Cook, Representative Parcels, one minute to explain your vote."

Parcels: "Thank you, Madam Speaker. This is the biggest case of overkill I've seen yet this Session. I had a perfectly fine Bill which they said, that'll clog the courts. Here is visitation for non-custodial parents, and we're afraid that will clog the courts. But instead we're going to clog

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the courts because people that should be responsible have to be given information that they can then go to court and fight about with the State's Attorney and take up that time. This is a terrible Bill."

Speaker Braun: "Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 76 voting 'aye', 38 voting 'no' and House Bill 541, having received the Constitutional Majority, is hereby declared passed. House Bill 692, Representative Countryman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 692, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill."

Speaker Braun: "The Chair recognizes Representative Countryman, the Gentleman from DeKalb."

Countryman: "Thank you, Madam Speaker, it's DeKalb. Ladies and Gentlemen of the House, this Bill makes a simple change in the Code of Civil Procedure. Under the Code of Civil Procedure venue is granted in... normally in any case, in the county in which the defendant resides, or in which the transaction or some part thereof, out of which the cause of action arose, occurred. However, there is a difference for public corporations. All this Bill does is to change that difference and add the language 'or in the county in which the transaction or some part thereof occurred out of which the cause of action arose.' In essence it brings uniformity in the Code of Civil Procedure. Over the years there have been a number of cases which have gone to the Appellate Court. One of those cases was a case where Fulton County had to go to Cook County to enforce some of the ordinances and laws of Fulton County because they were against the public corporation whose principal office was in Cook County. There are other cases where units of government go over the county lines and one might be in

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DuPage County and Cook County with the principal office in Cook County. A suit in DuPage County has been overturned on appeal as a result of being in the wrong venue. I think this corrects an anomaly in the law and would ask for your favorable vote and be happy to answer any questions."

Speaker Braun: "The Gentleman has moved the passage of House Bill 692, and on that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Let me give you a hypothetical. Will the Sponsor yield for a question?"

Countryman: "Sure."

Speaker Braun: "He indicates he will."

Cullerton: "Traffic accident would occur in DuPage County involving a Cook County resident. Would this allow for... a Cook County employee. Would this allow for that cause of action to be brought by the Plaintiff in DuPage... strike that... in Cook County, and have a Cook County jury decide how much the DuPage County Defendant is going to either be liable for, if at all, or, and how much, if they're to be liable?"

Countryman: "Well, you said it was a Cook County based governmental unit?"

Cullerton: "Right."

Countryman: "Well, it would allow for venue to be in either one of two places. Either where the principal office was located, which is the law right now, or where some part of the transaction occurred. So under the hypothetical you gave, the only place where venue could have been under the existing law, is Cook County. Now it could be DuPage County."

Cullerton: "Okay. Let me ask you, then, about the effective date? Do you want this to apply to cases in which the

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cause of action arises after the effective date of the law, which is immediate, or do you want it to have an impact upon causes of action currently pending?"

Countryman: "I want it to, now that you've raised the point, that's a good point, and I think it ought to apply to causes of action occurring after the effective date of the law, but I think we could probably get an Amendment on in the Senate."

Speaker Braun: "Is there further?"

Cullerton: "One more question. Getting back to my hypothetical one more time, just so I can understand it. Let's say DuPage County forest preserve vehicle crosses over into Cook County and is involved in an accident. Under current law, the Plaintiff has to bring the lawsuit in Wheaton, in DuPage County. Correct?"

Countryman: "Wherever the principal office of the governmental unit is. Yes."

Cullerton: "Which would be Wheaton, in the case of my hypothetical in DuPage County."

Countryman: "Right."

Cullerton: "But under your Bill he could sue in Cook County since the transaction, a portion of the transaction, occurred in Cook County."

Countryman: "That's absolutely correct. But let me give you another example. Say a vehicle from Cook County went to Sangamon County and had an accident in Sangamon County. One of the reasons for bring a lawsuit in the county where the transaction, or the cause of action accrued, is that the witnesses are there."

Cullerton: "No. I understand. I just wanted to find out if I understood exactly what the ramifications were. One of the ramifications are that a jury in a... in one county, the county where the lawsuit is now going to be brought, will

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determine how much money potentially could be spent by the losing county employee. Isn't that correct?"

Countryman: "By losing a county employee?"

Cullerton: "Well, let's say you got a lawsuit. You sue in this new county, that your law is going to allow to sue, a county other than the county which the principal office is of the Defendant, and another jury in another county is going to rule on first liability and if they find liability they're going to rule on the issue of damages, which are going to have to be paid for by a county other than the county in which the jury is located."

Countryman: "That could happen. The... it's the same situation, by the way. I mean, it's the same venue as it exists for a private individual or private corporation."

Cullerton: "Right. Right. I agree. The only difference being that this is taxpayers money that would have to be... the judgment should be satisfied by taxpayers money."

Countryman: "Well, if they aren't insured."

Cullerton: "Thank you."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. I am not sure if this is good or not. I... I'm trying to figure out exactly what the... what the impact is. Venue is primarily stated in terms of where actions can be brought against defendants. The case where apparently some inequity took... took... took... place, Fulton County versus Prairie Plan Project, involved a public plaintiff seeking to bring a cause of action against a public defendant, and the public plaintiff had to travel to Cook County even though the cause of action or some part thereof arose in its own county. I suspect the reason that municipal corporations or

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governmental corporations should be tried at their principal office is because that's where their jurisdiction is. I can see in the case of a public plaintiff some hardship being imposed, and I suppose a private plaintiff may argue some hardship that he has to go to some county other than where the cause of action arose. I'm just... I'm just not certain that there isn't a good reason for the distinction between private and public corporations in our Civil Venue Law, and I wonder, other than treating them as if they were not different, what is the justification for making the change? I mean, they are different, aren't they? Will the Sponsor yield?"

Countryman: "Yes, but will you restate your question, I... I'm not sure it makes any sense."

McCracken: "I... I'm just wondering what the public policy consideration is in doing this. Is it merely that private corporations are treated this way so public corporations should as well be treated this way?"

Countryman: "Well, that's... that's one, but let's assume that the Sangamon County sends a vehicle to DuPage County and they happen to strike your vehicle, and a litigation arises as a result of that. Should you, as a plaintiff, have to come to Sangamon County when they came to DuPage County, and they were traveling in DuPage County carrying about the business within the State, and shouldn't the venue provisions be the same, generally across the board, for all types of entities."

McCracken: "Okay, at the time of Fulton County, there was no intrastate forum non-convenience. Do you think this would have an ameliorating effect on your example?"

Countryman: "No. The City of DeKalb litigated with Northern Illinois University, which is a part of the Board of Regents, and all the lawyers in the City and all the

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witnesses had to travel to Sangamon County because the principal office of the Board of Regents is here in Sangamon County and those arguments didn't hold up in that case, which was a year or so ago."

McCracken: "So those were made under the new intrastate law and they were denied on that... on... or they were denied."

Countryman: "Right. This is pretty clear."

McCracken: "Okay. Thank you."

Speaker Braun: "Is there further discussion? The Gentleman from Macon, Representative Dunn. Representative Dunn?"

Dunn: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I've great respect for the Sponsor, but I rise in opposition to this legislation because we've had a lot of debate about what might happen in an automobile collision, but what happens if a supplier, a vendor, to a county is in one end of the state and your county is in the other, and a dispute arises about whether there was an overcharge and the county takes the position that they shouldn't pay the bill or shouldn't pay all the bill. The county gets sued. I think in that set of circumstances, you'd sure want your local government to be sued on its own home turf, and not clear at the other end of the state and I don't think any of us want news stories back home about county cars being forced to travel to the other end of the state to defend a lawsuit at county expense or extra county legal expense, and I think these are the kinds of things that will crop up and will happen if this Bill becomes law. There may be other ways to solve the Sponsor's problem, but I think this legislation will create many more problems than it will solve and I would urge, particularly downstaters, be cautious about voting for this Bill and, in fact, would urge a 'no' vote."

Speaker Braun: "Is there further discussion? The Gentleman from

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Champaign, Representative Johnson."

Johnson: "I... you know, I guess everybody thinks that their Bill that they're interested in is one that we ought to stop and listen to. I guess this probably isn't any different, except that I really think people ought to understand what this Bill does and what we're talking about here. For people who oppose this Bill, means that you simply have to take the position that the King can do no wrong. There is no other reason that you'd want to have a special differential treatment for units of local government or units of government than you would in any other situation. I just want to give you a hypothetical situation and tell you exactly how unfair the existing law is, and how unfair it would work towards people that get hurt or families that survive somebody who gets killed. You have a vehicle, a truck, delivery truck for the City of Arlington Heights, who is going to make a delivery down in southern Illinois, and the driver is drunk or somehow unsafe, runs a red light, hits someone and either kills the people in the car or paralyzes the driver. So then you go to trial so that the family can be supported or the person who is paralyzed can get some reasonable compensation for the drunk driver who ran the red light. So what you have to do, what you have to do under current law, is that you have to bring all the doctors, and all the rehabilitation experts from Mt. Vernon, or wherever it may be, to Arlington Heights. That costs thousands and thousands of dollars. It costs enough to get a doctor as an expert, let alone transport him that far. You have to get all the experts if it's a products liability case to travel 200 miles to Arlington Heights. You have to get rehabilitation experts, the employer, the family of the victim, the eye witnesses, all of them, to travel all the way across the State of Illinois simply

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because we take the position that the King can do no wrong. If there's an accident that happens in Jefferson County, the experts are there, the witnesses are there, and the vehicle that works for the City of Arlington Heights was traveling there on its business, it seems to me to be totally unreasonable to expect people to travel 250 miles, to make a trial unrealistic to conduct, just because we want to pay homage to the theory that the King can do no wrong. It's just silly. This Bill, and the change in the law that it represents, is something that is overdue. It's modest, and people who oppose it just don't realize how the court system works."

Speaker Braun: "Representative Giglio in the Chair."

Speaker Giglio: "Further discussion? Hearing none, Representative Countryman to close. Representative Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Just to give you a few points about what was said. The argument that a transaction could occur in any part of the state and have to go somewhere to litigate that, those sorts of things are going to occur. As a matter of fact, if they happen out of the State of Illinois, the jurisdictional mount is met. They could go to a Federal Court in another state to have to litigate it. That's the nature of litigation. The real question is, as Representative Johnson put it, what is fair is fair. What is equitable is equitable. If you are struck as a pedestrian in the street by a vehicle in Sangamon County, you should have a right to have a jury trial in Sangamon County. It doesn't matter who was driving the vehicle. It doesn't matter whether it was the King's vehicle or ... vehicle, and that's what's right. All this bill does is to take the same language that exists for the privates and put

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it with the publics. And the question of whether or not fairness exists, I happen to believe in the jury system. I've worked with many of you and will work with you on additional Bills to attempt to make a fair and equitable jury system in this state. I think any unit of government can get a fair trial in any county in this state, and that's why I believe in this Bill and I'd ask you to vote for it. Thank you."

Speaker Giglio: "The question is, 'Shall House Bill 692 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Representative Preston, one minute to explain your vote."

Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I don't think my explanation is going to be necessary, but I just wanted to restate the very eloquent comments of Representative Countryman and Representative Johnson. Where an injury takes place is the place that you ought to be able to go and litigate your damages so that the injured party need not travel throughout the state to the far corners of the state when he or she was injured somewhere else. It's unfair. It requires an undue hardship and burden to be placed upon someone who has already been injured, and it looks like my brilliant words have done it. Thank you."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 102 voting 'yes', 11 voting 'no', 2 voting 'present'. House Bill 692, having received the Constitutional Majority, is hereby declared passed. The next Order of Business will be on page 24 of the Calendar. House Bills, Second Reading, Education. Representative Satterthwaite. House Bill 681. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 681, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendments #3 and 4 were adopted in Committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "Amendment 5 was withdrawn previously. Floor Amendment #6, offered by Representative Anthony Young."

Speaker Giglio: "Representative Young on Amendment #6 to House Bill 681. Representative Young, Anthony Young."

Young: "Withdraw Amendment #6."

Speaker Giglio: "The Chair has leave to withdraw Amendment #6. Amendment is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 795, Representative Flowers? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 795, a Bill for an Act to amend an Act relating to certain school taxes. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 915, Representative Mulcahey. Representative Mulcahey? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 915, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Wennlund on Amendment #1 to House Bill 915. Withdrawn. Withdraw. Amendment #1 withdrawn. Further Amendments?"

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

Speaker Giglio: "Representative Regan. Withdraw Amendment #2. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Regan and McCracken."

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

Clerk O'Brien: "Floor Amendment #4, offered by Hasara, Hultgren and McCracken."

Speaker Giglio: "Withdraw Amendment #4. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Tuerk, Black and McCracken."

Speaker Giglio: "Out of the record. Withdraw. Withdraw. Withdraw all the Amendments, Mr. Clerk."

Clerk O'Brien: "Amendments 6..."

Speaker Giglio: "... 6. Withdraw."

Clerk O'Brien: "... Tuerk. 7, Goforth; 8, Goforth; and Amendment #9, Mulcahey."

Speaker Giglio: "The Gentleman asks to withdraw Floor Amendments #... Amendments 1 through 8 are withdrawn. Further Amendments?"

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

Speaker Giglio: "Representative Mulcahey on Amendment #9 to House Bill 915."

Mulcahey: "Thank you, Mr. Speaker, Members of the House. Amendment #9 simply repeals the repealer of the August 1, 1987 deadline for the school aid formula and I move for the adoption."

Speaker Giglio: "The Gentleman moves for the adoption of Amendment #9 to House Bill 915. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of

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the Chair, the 'ayes' have it and Amendment #9 is adopted.

Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 916, Representative McPike, House Bill 916. Read the Amendment... I mean read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 916, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Wennlund on Amendment #1 to House Bill 916. Withdraw. Withdraw. Withdraw Amendment #1. Further Amendments?"

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

Speaker Giglio: "Representative Goforth. Withdraw Amendment #2. Further Amendments?"

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

Speaker Giglio: "Representative Hasara. Withdraw Amendment #3. Mr. Clerk."

Clerk O'Brien: "Amendment #4, offered by Representative Tuerk, Black and McCracken."

Speaker Giglio: "Withdraw Amendment #4, 5 and 6."

Clerk O'Brien: "5 by Tuerk and 6 by Goforth, are withdrawn."

Speaker Giglio: "Further Amendments?"

Clerk O'Brien: "Amendment #7, offered by Representative Preston."

Speaker Giglio: "Amendment #7 to House Bill 916, Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #7 becomes the Bill. What it does is it

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authorizes the State Board of Education to extend scholarships, not only as they are permitted now where there is a teacher shortage, but also permits them to extend scholarships to persons pursuing undergraduate and graduate studies in early childhood education programs. This came out of the deliberations of the Select Committee on Children and testimony that we received, where there is a great need for people to be trained in the early childhood education field so that they can be more expert in how best to teach young children. I'd ask for your 'aye' vote."

Speaker Giglio: "The Gentleman asks for adoption of Amendment 27 to House Bill 916, and on that question, the Gentleman from DuPage, Representative Hoffman."

Hoffman: "Well, as... will the Sponsor yield at a question?"

Speaker Giglio: "He indicates he will."

Hoffman: "I have not had an opportunity to see the Amendment. Does it extend the coverage from K through 12 to something broader than that?"

Preston: "Yes, it does, Representative. It extends that coverage to include not only teachers who are involved in the field of teaching K through 12, but to people who would be involved in earlier childhood education, pre-K."

Hoffman: "Does this have the same provisions that they will, in fact, be teaching and, if they don't complete the program, they be required to reimburse the state?"

Preston: "Yes, it does, Representative."

Hoffman: "Alright. I'm sorry, I did not have an opportunity to review this in greater detail, but go on and put the Amendment on and we'll see where we go."

Preston: "Thank you."

Speaker Giglio: "Further discussion? Representative Preston to close."

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Preston: "I... there's no closing necessary. I just ask for your 'aye' vote on this good Bill."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor signify by saying 'aye', vote? All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question 111 voting 'yes', 2 voting 'no' and none voting 'present', and the House does adopt Amendment #7 to House Bill 916. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. 925, out of the record. 935, Representative Currie? Representative Currie on 925, 35. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 935, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative McAuliffe on Amendment #1 to House Bill 935. Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker. Amendment... Amendment #1, in effect, authorizes the Chicago Board of Education to issue bonds for the purpose of undertaking and completing asbestos abatement corrective actions. The difficulty with this particular Amendment at this particular time is that we're involved in the discussions of how we are going to deal with legislation that we passed last Session. Until that's resolved, I think it's inappropriate to adopt this Amendment. We had hoped it would be done by this time, but it has not been accomplished, and for that reason, Mr. Speaker, I withdraw Amendment #1."

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Speaker Giglio: "Amendment #1 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative...
Speaker Madigan and Representative Currie."

Speaker Giglio: "Representative Currie on Amendment #2."

Currie: "Thank you, Mr. Speaker and Members of the House.
Amendment 2 to House Bill 935 would create a pilot program
for local school autonomy in each district, each school
district, within the purview of the Chicago Board of
Education. The Amendment provides for the creation of a
district wide advisory committee on local school autonomy
and it provides for the creation of local school autonomy
projects in two of each of the districts within the Chicago
Board of Education territory. Those local districts would
have the opportunity to participate in decisions about
important curriculum goals in that school building, about
the budgeting process with respect to discretionary funds
available to the principal. I would welcome your questions
and I would appreciate your support for Amendment 2 to
House Bill 935."

Speaker Giglio: "The Lady asks for the adoption of Amendment #2
to House Bill 935 and on that question the Gentleman from
DuPage, Representative Hoffman."

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

Speaker Giglio: "She indicates she will."

Hoffman: "Is it my understanding that you are going to set up
pilot projects. You have a number of these projects, a
minimal number of these projects, in each of the districts,
you will prescribe a three year procedure... three year
program, in total, in other words, you put this in place
effective when?"

Currie: "I believe that it is next year that the Board of
Education creates the District-wide Advisory Committee, and
then in the following year that the local committees are

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appointed, and you are right, it is a three year pilot program operated in a limited number of school buildings throughout the City of Chicago."

Hoffman: "So, in effect, it will be a four year program just by the nature of when it starts because of the... by the time you get the Bill signed and everybody involved."

Currie: "That is correct."

Hoffman: "Now, is this an effort to pump life into the program that we passed in 1985 which didn't seem to take off and there wasn't enough participation?"

Currie: "You are absolutely right, Representative Hoffman. The testimony of the participants in the local school budget program activities that we adopted as part of the 1985 school reform program for the Chicago Board of Education, testimony from participants and testimony from the reports of the Chicago Board suggest that that program has not invited the full level of participation we in the Legislature hoped and that it also has invited a fair degree of frustration among those people who have chosen to participate, for their view is that they have very little say, very little voice in any final decisions made by the Board. So this is an effort to do a pilot demonstration project to give limited, but real authority, in a limited number of school buildings throughout the City of Chicago for a very limited period of time to see if we cannot improve citizen participation in the operation of the public school system in the City of Chicago."

Hoffman: "Is there anything... what, in this Bill, is going to effect the supervision of the school building by the existing modus operandi, meaning the State Board... or not the State Board, I mean the Chicago Board of Education, the principal, the building engineer, if you will. Is he still going to get to keep the key?"

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Currie: "That is not in this Bill. Any reference there is not in this Bill. What the... what the local council would do, in these limited number of school buildings, would first of all, do needs assessment and create a school improvement plan. During the second and third years of the plan, the local management council would be involved in establishing appropriate curricular objectives, textbooks, instructional materials, and so forth."

Hoffman: "Thank you very much for your explanation."

Speaker Giglio: "Further discussion? Hearing none, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

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

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

Currie: "Withdraw. Withdraw Amendment #3."

Speaker Giglio: "Withdraw Amendment #3. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. On the Order of Second Reading appears House Bill 1050, Representative Levin. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1050, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Amendment #2 to House Bill 1050."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 corrects a loophole in the current

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special education due process appeal procedure. Under the current law, you go through an administrative hearing and there is a review at the state level by a panel. It was pointed out to me by a hearing officer that, unlike any other administrative reviews, there is no time limit in the special education law for filing an appeal from the administrative decision with the court. And what this means is that you can go five years and at the end of the fifth year you could decide to file an appeal. Amendment #2 simply puts in a time limit by which you have to file an appeal to the courts from the administrative decision at the second level. And it sets that time limit at 120 days, recognizing that in many of these administrative proceedings there are no attorneys involved and that once the final determination is made, the parents have to go out and look for an attorney and this is consistent with law passed in New York, the feeling being that 120 days is more than adequate time to find an attorney."

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

McCracken: "Thank you. Unless I misunderstand the Amendment, it's a very wise Amendment, Representative Levin. You have surprised me very pleasantly."

Levin: "Thank you."

Speaker Giglio: "Further discussion? All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 1058, Representative Satterthwaite. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1058, a Bill for an Act to amend the Illinois Library System Act. Second Reading of the Bill."

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No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 1093, Representative Mulcahey. Representative Mulcahey? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1093, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Floor Amendment #1, out of the record. Withdraw the Amendment. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 1176, Representative Flowers. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1176, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Cullerton on Amendment #1 to House Bill 1176. Amendment #1, Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 makes the Bill consistent with the original legislation that was drafted by the law firm of Isham, Lincoln & Beale, and I would appreciate a favorable Roll Call, favorable vote."

Speaker Giglio: "Any discussion? Shall Amendment #1 pass? All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it."

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Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 1205, Representative Braun. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1205, a Bill for an Act creating the Board of Higher Education. Second Reading of the Bill. Amendment #2 was adopted in Committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. Representative... Representative McCracken."

McCracken: "I believe there was a fiscal note requested on this."

Speaker Giglio: "Fiscal note's been filed, Sir."

McCracken: "Oh, alright. Thank you."

Speaker Giglio: "Third Reading. House Bill 1355, Representative Didrickson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1355, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. The Lady from Cook, Representative Didrickson."

Didrickson: "Yes. Thank you, Mr. Speaker. I do want to move this on to Third, but I have another Bill that sits on Third, House Bill 486, that needs to be brought back for purposes of an Amendment. I was wondering if I could do that at this time?"

Speaker Giglio: "Alright. The Lady asks leave to bring House

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Bill 486 back to Second for purpose of an Amendment. Does she have leave? Hearing none, leave is granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 486. This Bill has been read a second time previously. Floor Amendment #1, offered by Representative Didrickson, Mulcahey and Bowman."

Speaker Giglio: "The Lady from Cook, Representative Didrickson, on Amendment #1 to House Bill 486."

Didrickson: "Withdraw Amendment #1, please."

Speaker Giglio: "Withdraw Amendment #1. Further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Didrickson, Mulcahey and Bowman."

Speaker Giglio: "Representative Didrickson on Amendment #2."

Didrickson: "Thank you, Mr. Speaker. Amendment #2 seeks to set up an extensive, but not a mandated, program with regard to gifted education. What we are looking to do over the next four years is to A. Ask that, in fact, we actually demand that, school districts by the year '88 - '89 shall have, according to the State Board of Education, a local plan that they have developed in conjunction with rules and regulations that the State Board of Education has first put together. It also seeks to then implement this plan that the locals have put together under the rules and regs by the State Board of Education on Gifted Education, by the year '91-'92, but it will not go into effect, and there will not be a formula for gifted education on state-wide plan unless the General Assembly and the Governor agree that there is funding, appropriate funding levels, for such an extensive program. We have hammered out an agreement on this Bill. We really are doing some long range planning over the next four years for that group of students with special needs, and it's the only group of students with such special needs in the State of Illinois, under our

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School Code, that those needs are not being met. I would be glad to answer any questions that anyone might have on this program."

Speaker Giglio: "Any discussion? Hearing none, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and Amendment #2 is adopted to House Bill 486. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 1355, the Lady from Cook, Representative Didrickson. We did. Oh, I'm sorry."

Didrickson: "We're going to Third on 1355."

Speaker Giglio: "House Bill 1355 is on Third."

Didrickson: "Thank you."

Speaker Giglio: "Alright. On page 24 of the Calendar appears House Bill 1365, Representative Turner. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1365, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative McCracken on Amendment #1. Withdraw Amendment #1. Mr. Clerk, further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 1446, Representative Giorgi. Representative Giorgi? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1446, a Bill for an Act to amend an Act concerning fees and salaries. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

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Speaker Giglio: "Representative Ropp on Amendment #1."

Ropp: "One moment, please. Thank you, Mr. Speaker. The current Bill says that, for Regional Superintendents, the salary would go up \$15,000.00. I am amending that down to only \$5,000.00 per year."

Speaker Giglio: "Further discussion? All those in favor of Amendment #1 to House Bill 1446 say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. On page 25 of the Calendar appears House Bill 1740, Representative Ropp. Okay, we're going to go back. The wind up here blew the page over. We're going to go back to 1583. Representative Hicks. House Bill 1583. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1583, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Ropp on Amendment #1 to House Bill 1583."

Ropp: "Thank you, Mr. Speaker. The intent of this legislation is that for those schools who are having vocation education, that the courses involving vocational math and vocational sciences will be included in those curriculums by the school year 1988-89."

Speaker Giglio: "Any discussion? All those in favor of Amendment #1 to House Bill 1583... Representative Hicks."

Hicks: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. With all due respect to the Sponsor of the Amendment, I would stand in opposition to the Amendment. The Bill, as

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it currently is, and with the technical Amendment that I would hope to place on on Amendment #2, is a series of three Bills that are all pretty well agreed Bills, worked out before hand, and I'd hate to see the intent of the current legislation changed."

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

Hoffman: "Yes, thank you. Thank you, Mr. Speaker. I realize that I can only address the question to the person who is proposing the Amendment, but let me ask a question of that person. I was going to ask you a question. Had you discussed this Amendment with the Sponsor of this legislation prior to today?"

Ropp: "I did talk to him about it. Yes, Sir."

Hoffman: "And did he agree at that particular time to accept this Amendment, or did you just... "

Ropp: "Well, he didn't jump up and down with glee, but he didn't say he was going to gigantically oppose it. He did not want it to interfere with his Bill, and I said that if at some point in time, if his Bill did not pass as a result of this being on it, I would certainly be willing to move the Bill back, take this off of his Bill, so that his Bill would fly through the House."

Hoffman: "Did you have this Amendment in the form of a Bill this Session?"

Ropp: "I think I did just like many other people in this chamber, and..."

Hoffman: "Did you... did you call that Bill?"

Ropp: "Absolutely. I received 12 votes on the Elementary Secondary Education Committee. At that time that was about three-fifths majority of those present. It needed two more votes. Had everyone been on the Committee, I'm sure the Bill would have passed without any problem."

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Hoffman: "I... alright, thank you. I understand both Representative Ropp's interest in this. I also understand Representative Hicks's interest in this, because I know that he's been working on this problem in terms of extraordinary special ed reimbursement, particularly where you have joint agreements. I would certainly be disappointed if we were not able to resolve that issue which we've been working on for a number of years, and I would be hopeful that this particular Amendment might be appearing somewhere else, because I think it is really unfortunate that it is appearing on this particular legislation."

Speaker Giglio: "Further discussion? The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. I would like to echo the remarks of the prior speaker. The Amendment... the contents of Amendment 21 were presented to the Elementary and Secondary Education Committee. It did not receive a sufficient number of votes to be recommended 'do pass'. There may be other education bills to which this language can be added as an Amendment that may be somewhat controversial themselves, or may not deal with what I regard as not only very sensitive, but a very critical issue, which is what Representative Hicks Bill deals with. With due respect to the Sponsor of this Amendment, but with due respect to the students who are being addressed in House Bill 1583, I would hope that... well, my prime hope would be that the Sponsor of the Amendment would withdraw the Amendment, but if he does not withdraw the Amendment, I reluctantly suggest that it should be defeated."

Speaker Giglio: "Further discussion? The Gentleman from Jefferson, Representative Hicks. Excuse me. Representative Ropp. Representative Ropp to close on

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Amendment #1."

Ropp: "Well, Members of the House and Mr. Speaker, Representative Hicks. I would be willing to withdraw this Amendment if you'd all be happy to support it on House Bill 1793. Was that a 'yes' Representative Hicks?"

Speaker Giglio: "All those in favor signify by saying 'aye', all those opposed 'nay'. In the opinion of the Chair the 'nays' have it. The Amendment is defeated. Further Amendments?"

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

Speaker Giglio: "Representative Hicks on Amendment #2."

Hicks: "Thank you, Mr. Speaker. House Amendment #2 is a technical Amendment. It simply cleans up the language that was in the Bill and trying to put it in proper form. I'd ask for its adoption."

Speaker Giglio: "Any discussion? Hearing none, all those in favor signify by saying 'aye' on Amendment #2, those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

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

Speaker Giglio: "Representative Hicks on Amendment #3. Amendment #3, Representative Hicks?"

Hicks: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 simply clarifies the actual formula itself and the multiplier that's involved in this, stating very clearly that the first \$2,000.00 of the expenditure on the formula itself. I'd be happy to try to answer any questions and I'd ask for its adoption."

Speaker Giglio: "Any discussion on Amendment #3. Hearing none, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it."

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Amendment #3 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 1740, Representative Ropp. Mr. Clerk, read the Bill."

Clerk O'Brien: "House bill 1740, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Ropp on Amendment #1."

Ropp: "Thank you, Mr. Speaker. This is a technical Amendment. It removes a portion of the Bill that says 'funds that would be used for paying the liability and workman's comp. insurance would not come out of the money that is designated for the VIP program'. That that will come out of another area that we're dealing with later on."

Speaker Giglio: "Any discussion on Amendment #1? Hearing none, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Amendment #1 is adopted. Further Amendments?"

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

Speaker Giglio: "Representative Deuchler on Amendment #2."

Deuchler: "Permission to withdraw Amendment 2."

Speaker Giglio: "The Lady asks leave to withdraw Amendment #2. Withdraw is granted. Further Amendments?"

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

Speaker Giglio: "Representative Deuchler..."

Deuchler: "Withdraw."

Speaker Giglio: "... withdraws Amendment #3. Further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading, House Bill 1748, Representative Kirkland. Representative Kirkland? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1748, a Bill for an Act concerning programs available to adults through state agencies. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading, House Bill 1793, Representative Currie. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1793, a Bill for an Act to Amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Currie on Amendment #1."

Currie: "Thank you, Mr. Speaker and Members of the House. Amendment... the underlying Bill would provide the Chicago School Board with the authority to retain two taxes that currently are available only for purposes of satisfying the Board's responsibility to the Public Buildings Commission. One of the taxes authorizes the Board to pay rent, the other authorizes the Board to operate and maintain those school buildings. The provision that would extend the opportunity for the Board to levy taxes to pay rent, even as rentals disappear because the leases with the Public Building Commission expire, that provision is deleted by Amendment 1 to House Bill 1793. I would be happy to answer

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questions and I'd appreciate your support."

Speaker Giglio: "Any discussion? Hearing none, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Amendment #1 is adopted. Further Amendments?"

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

Speaker Giglio: "Representative Ropp on Amendment #2."

Ropp: "Thank you, Mr. Speaker. I must first apologize. I will admit that I did not check with the Sponsor of this Bill before introducing this, but knowing of her sincere interest in legislation that I introduce, I didn't feel I really had to on this particular issue. This is an attempt to place the program that deals with vocation education in all schools that states that by 1988-89 they will include a vocational and a science portion in those vocational programs that would be used for work opportunity preparation for those people going on beyond high school or going on into other work after they graduate from high school. I welcome any questions and urge your support of this Amendment."

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

Currie: "Thank you very much, Mr. Speaker and Members of the House. The Sponsor of the Amendment, indeed, did not talk to me, the Sponsor of the Bill, just as he had not talked with the Sponsor of an earlier Bill in this series when he tried to offer the Amendment to that proposal. The Sponsor of this Amendment did have a perfectly good School Code Bill of his own, House Bill 1740, which this House just considered. If this Amendment is so critical to its Sponsor, I would wonder why he doesn't offer it to the Bills that he himself controls. I would oppose this Amendment and I hope that the Members of the House will

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join me in opposition. This was a Bill that the Sponsor had every opportunity to have reported out of House Elementary and Secondary Education Committee. He failed in that endeavor. He does control School Code Bills. He is more than welcome to offer the Amendment to his own Bills. I hope the Members will help me keep my Bill in the shape it ought to be in when we hear 1793 on Third Reading."

Speaker Giglio: "Representative Ropp to close."

Ropp: "Thank you, Mr. Speaker and Members of the House. This really doesn't change anything in the current law. It just specifies a date that these... this curriculum should go into effect, which includes vocational math and a vocational science as part of any curriculum. We have that in our current law right now, but we really don't have a start up date. This Bill... this Amendment just says that that will begin in 1988-89 school year. Thank you."

Speaker Giglio: "All those in favor of Amendment #2 to House Bill 1793 vote 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 20 voting 'yes', 92 voting 'nay', none voting 'present'. The Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Curran on House Bill 1946. Representative Curran? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1946, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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Speaker Giglio: "Third Reading. House Bill 2190, Representative Braun. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2190, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Deuchler on Amendment #1."

Deuchler: "Permission to withdraw."

Speaker Giglio: "Withdraw Amendment #1. Further Amendments?"

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

Speaker Giglio: "Amendment #2."

Deuchler: "Mr. Speaker, Amendment 2 specifies that GED test fees will be increased from \$10.00 to \$15.00 after June 30 of 1988."

Speaker Giglio: "Any discussion? Any discussion on Amendment #2? All those... the Lady from Lake, Representative Stern."

Stern: "Yes. Mr. Speaker, will the Sponsor yield?"

Speaker Giglio: "She indicates she will."

Stern: "I just wondered what the motivation was for this rise in price. It seems to me if there is one thing we should be urging upon young people is to bone up for and take the GED test, and that extra \$5.00 might conceivably make the difference. I don't know."

Deuchler: "Well, Representative Stern, there is quite an extensive portion of the test that will be required after June of 1988. It's a written essay portion and panels will be required to grade the test, and it adds quite a lot more work. They just simply can't do it for the \$10.00."

Stern: "Okay, thank you."

Speaker Giglio: "Further discussion? All those in favor of

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Amendment #2 say 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 2298, Representative McCracken. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2298, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 2384, Representative Slater. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2384, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Slater on Amendment #1."

Slater: "Withdraw, Mr. Speaker."

Speaker Giglio: "Withdraws Amendment #1. Any further Amendments?"

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

Speaker Giglio: "Representative Slater on Amendment #2."

Slater: "Withdraw."

Speaker Giglio: "Withdraw Amendment #2, Mr. Clerk. Further Amendments?"

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

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

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

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House, Amendment #3 provides some tighter language than we had in the original bill. It also provides for a petition process to access the Regional Superintendent on the question of removal of school board members. I move its adoption."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of Amendment #3 say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "There's been a fiscal note requested on this Bill, Representative Slater. The Bill will remain on Second Reading. Representative Slater."

Slater: "Speaker, I move that the fiscal note is inapplicable."

Speaker Giglio: "The Gentleman moves that the fiscal note is inapplicable. Any discussion? All those in favor of the Gentleman's Motion signify by saying 'aye', voting 'aye'. All those in favor vote 'aye', all those opposed vote 'nay'. The voting is open. The vote is 94 voting 'aye', 18 voting 'yes' (sic - 'no') and the Gentleman's Motion that the fiscal request is inapplicable and the Motion carries. Further... Third Reading. House Bill 2512, Representative Hasara. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2512, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 2728, Representative McCracken. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2728, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

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Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. Alright, we... alright, we promised to go back to House Bill 2350 on page 16 in the Calendar. Representative Currie? Representative Currie on House Bill 2350. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2350, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. This Bill has been read a second time previously. Amendment #1 was adopted in Committee and Amendment #2 was withdrawn."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Wojcik on Amendment #3 to House Bill 2350."

Wojcik: "I wish to withdraw the Amendment."

Speaker Giglio: "The Lady asks leave to withdraw Amendment #3. The Amendment is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Turner."

Turner: "Thank you, Mr. Chairman. I just wanted the records to reflect that on House Bill 1415, which was heard earlier today, I wanted to be recorded 'no' on those Bills and I was recorded as voting 'yes', but I would like for the record to reflect that I voted 'no' on those Bills."

Speaker Giglio: "Let the record so reflect. On page 53 on the Calendar on Motions appears House Bill 911, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to take from the table House Bill 911. It was caught in Revenue. It was a problem with the telephone

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company. We think we worked out a solution to have some meetings this summer and see if we can work the problem. I've discussed this with Representative Wojcik on the Revenue Committee and the telephone company has talked to her and we think we have an agreement. We intend to move the Bill to Second Reading, strip the provisions of the Bill, make it a shell Bill, put it in position in the Senate so that in the fall we can... in the Veto Session, come to an agreement and put the agreement on to that Bill, and I would move..."

Speaker Giglio: "On that... on that question the Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Motion. Representative Brunsvold and I did speak. We are going to cut the Bill. It will go over to the Senate and they will settle on their differences at that time and go into Interim Study, I presume, for further reaction, I guess, in September and on into the Veto Session."

Speaker Giglio: "The Gentleman from DuPage, Representative McCracken. The Gentleman asks that House Bill 911 be taken from the table. All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Homer, 'aye'. Have all voted who wish? On this question there are 114 voting 'yes', none voting 'no', none voting 'present', and House Bill 911 has been taken from the table. Placed on the Order of Second Reading. First Legislative Day. Representative Parcells, are you seeking recognition? Alright, page 20 of the Calendar, subject matter Public Health, House Bill 2044, request for a fiscal note filed. Has the fiscal note been filed, Mr. Clerk?"

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Clerk O'Brien: "Fiscal note has been filed."

Speaker Giglio: "Any further Amendments?"

Clerk O'Brien: "Any new Amendments? No. 2044? No further Amendments."

Speaker Giglio: "Third Reading. Subject matter at this time, Criminal Code. Alright, page 22 of the Calendar, Ladies and Gentlemen, House Bills Second Reading, Criminal Law, 1154, Representative Petka. Representative Petka. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1154, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Young on Amendment #1 to House Bill 1154."

Young: "Withdraw Amendment #1."

Speaker Giglio: "The Gentleman asks to withdraw Amendment #1. Amendment #1 is withdrawn. Further Amendments?"

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

Speaker Giglio: "Representative Petka on Amendment #2."

Petka: "Thank you, Mr. Speaker and Members of the House. Amendment #2 is an attempt to constrict the Bill which initially came out of the Judiciary Committee. As the Bill was reported out of the Committee, it would apply to all felony trials. Amendment #2 provides that a jury trial shall be held in those cases involving first degree murder, Class X felony, criminal sexual assault, or felony violations of the Cannabis Control Act of the Illinois Controlled Substances Act. I would ask for its adoption."

Speaker Giglio: "The Gentleman asks leave to adopt Amendment #2"

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to House Bill 1154. Any discussion? Hearing none, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair the 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 1526, Representative McCracken. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1526, a Bill for an Act to amend the Bill of Rights for Victims and Witnesses of Violent Crimes. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative McCracken on Amendment #1."

McCracken: "Thank you, Mr. Speaker. This incorporates three other Bills filed, all having to do with victims rights and the Chairman of the Committee asked me to consolidate in this Bill those three other Bills and passed this Bill out for that purpose. It provides that victims are entitled to a written non-technical explanation of their rights. Victims have the right, on request, to be notified regarding plea negotiations, and to be notified of any hearing in the case, not only those at which they are required. I move its adoption."

Speaker Giglio: "Any discussion? All those... the Gentleman from Cook, Representative Young."

Young: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Young: "Are the State's Attorneys in favor of this Amendment?"

McCracken: "I talked to them and he wanted to have a format which did not unduly impede their negotiations. My intent was to merely make a notification requirement."

Young: "I don't usually try to protect the State's Attorneys

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interests here, because they are well taken care of, but isn't a written notification, couldn't that be somewhat burdensome, especially in all cases?"

McCracken: "It doesn't say 'written notification'. Just says 'to be notified'. And it's only upon the request by the victim or the victim's family."

Young: "Thank you."

Speaker Giglio: "Further discussion? Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Cullerton: "Does this add a provision requiring the State's Attorney to notify a victim prior to entering into plea bargaining negotiations?"

McCracken: "Yes, upon specific request by the victim to be notified by the State's Attorney's office before he makes any offer of a plea bargain."

Cullerton: "So the victim has to request it?"

McCracken: "Yes."

Cullerton: "Does anyone have to tell the victim he has the right to request it?"

McCracken: "Yes, because he'll be given a non-technical written explanation of his rights, and this will be one of them."

Cullerton: "When?"

McCracken: "Well, presumably that will be done before the plea negotiations start."

Cullerton: "Presumably, and does this apply only to felonies?"

McCracken: "Violent crimes."

Cullerton: "Oh, only violent crimes, so it could be drunk driving?"

McCracken: "Touche'. It could be reckless homicide."

Cullerton: "And... right, right. And now, let me ask you this, what happens... does it only require notification to the defendant?"

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McCracken: "Yes."

Cullerton: "First Class mail?"

McCracken: "Doesn't specify."

Cullerton: "Phone call could do it?"

McCracken: "Doesn't specify."

Cullerton: "Just notify?"

McCracken: "Yes."

Cullerton: "And they don't have to show up, do they? I mean, it doesn't require that they be present before plea negotiations go on?"

McCracken: "No. No."

Cullerton: "Now... that... the next question that I have concerns that part of the Amendment that deletes certain things. Your original Bill required the State's Attorney to notify victims of court proceedings where his presence is required, and you're changing that?"

McCracken: "They are to be notified of any hearing, not just those at which their presence is required."

Cullerton: "Oh, I see."

McCracken: "The language being deleted is restated later with the Amendment, with the new language."

Cullerton: "Right. Thank you."

Speaker Giglio: "Further discussion? All those in favor of Amendment #1 to House Bill 1526 say 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Petka, 1567. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1567, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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Clerk O'Brien: "No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Terzich. Is Representative Terzich in the chamber? Out of the record. House Bill 1715, Representative Laurino? Out of the record. All right. In an agreement with the Leadership, both sides of the aisle, during the Perfunct Session the Clerk will read into the record, will read a second time, all Bills on Second Reading and Special Order of Businesses for Government Administration, Farm Assistance and Development, Environment and Economic Development, State and Local Government, Revenue, State Regulation, Senior Citizens and the Disabled, Consumer Protection, Administration of Justice, Children, Small Business, Public Health, Criminal Law, Education, Coal Development, Higher Education, Government Initiatives, Labor, Conveyances, Local School District, Horse Racing and Vehicle Code, and hold the Bills on Second Reading, which will allow a Sponsor to amend a Bill and pass it on Third tomorrow, hopefully, with leave. Include Welfare Reform. Agreed Resolutions, Mr. Clerk."

Clerk O'Brien: "Senate Joint Resolution 51, offered by Representative Klemm and Wait; House Resolutions 421, Steczo; 422, Didrickson; 424, W. Peterson; 426, Slater and 427, Ronan."

Speaker Giglio: "Representative Matijevich moves the adoption of Agreed Resolutions, Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, I would ask leave that House Resolution 427, all Members be included. It's a congratulating Mike Howlett for 50 years of public service, and I think all of us would like to be a Sponsor of that. Leave for that, and with that, move the adoption of the Agreed Resolutions."

Speaker Giglio: "The Gentleman asks leave. Leave is granted."

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The Gentleman moves for the adoption of the Agreed Resolutions. All those in favor say 'aye', 'nay'. In the opinion of the Chair, the 'ayes' have it. The Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolutions 423, Williamson; House Resolutions 425, Deuchler."

Speaker Giglio: "Committee on Assignments. Death Resolutions."

Clerk O'Brien: "House Joint Resolution 73, offered by Representative Daley, with respect to the memory of Thomas J. Duffin."

Speaker Giglio: "Matijevich moves the adoption of the Death Resolution. All those in favor say 'aye', those opposed 'nay'. The Death Resolution is adopted. Allowing time for the Clerk to read the Bills into the record, Representative McPike now moves that the House stand adjourned until 9:00 a.m. Wednesday, tomorrow morning, May 20. All those in favor say 'aye', those opposed 'nay'. The 'ayes' have it. The House now stands adjourned."

Clerk O'Brien: "Senate Bills First Reading."

Speaker Giglio: "9:00 a.m. tomorrow morning."

Clerk O'Brien: "Check that. Messages from the Senate."

Speaker Giglio: "May I remind the Members that we have Senate Bills that need House Sponsors, so those of you that would like to Sponsor Senate Bills, please come to the well and talk to the Clerk for the Senate Bill Sponsorship."

Clerk O'Brien: "A message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following titles, and passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bills 48, 49, 237, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329,

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330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 363, 417, 580, 778, 783, 784, 785, 370, 371, 377, 380, 398, 400, 407, 418, 412, 421, 423, 426, 432, 443, 453, 469, 835, 836, 839, 1348, 470, 473, 480, 483 and 497, passed by the Senate May 18. Linda Hawker, Secretary. Introduction and First Reading of Senate Bills. Senate Bill 237, offered by Representative Keane, a Bill for an Act making appropriations to the Auditor General. First Reading of the Bill. Senate Bill 283, offered by Representative Hoffman, a Bill for an Act making appropriations for higher education. First Reading of the Bill. Senate Bill 284, offered by Representative Keane, a Bill for an Act making appropriations to the Board of Governors of state colleges and universities. First Reading of the Bill. House (sic - Senate) Bill 285, offered by Representative Weaver, a Bill for an Act making appropriation for the ordinary and contingent expenses of certain retirement systems. First Reading of the Bill. House (sic - Senate) Bill 287, offered by Representative Ropp, a Bill for an Act making appropriations to the Board of Regents. First Reading of the Bill. House (sic - Senate) Bill 288, offered by Representative Keane and Black, a Bill for an Act making appropriations to the Illinois Community College Board. First Reading of the Bill. House Bill... Senate Bill 289, offered by Representative Keane and Black, a Bill for an Act to amend Public Community College Act. First Reading of the Bill. Senate Bill 290, offered by Representative Satterthwaite, Johnson, Braun and Ewing, a Bill for an Act making certain appropriations to the Board of Trustees of the University of Illinois. First Reading of the Bill. Senate Bill 291, offered by Representative Richmond, a Bill for an Act to provide for the ordinary and contingent expenses of

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Southern Illinois University. First Reading of the Bill. Senate Bill 292, offered by Representative... Representative Bowman, a Bill for an Act making appropriations for the ordinary and contingent expenses of the State University Civil Service System. First Reading of the Bill. Senate Bill 315, offered by Representatives Mays, Daniels and Tate, a Bill for an Act to provide for the ordinary and contingent expenses of the Bureau of the Budget and Executive Office of Governor. First Reading of the Bill. Senate Bill 316, offered by Representatives Tate, Daniels and Mays, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Civil Service Commission. First Reading of the Bill. Senate Bill 317, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Conservation. First Reading of the Bill. Senate Bill 318, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the State Emergency Services and Disaster Agency. First Reading of the Bill. Senate Bill 319, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Environmental Protection Agency. First Reading of the Bill. Senate Bill 320, offered by Representative Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Financial Institutions. First Reading of the Bill. Senate Bill 321, offered by Representative Mays, Daniels and Tate, a Bill for an Act making appropriations to the office of State Fire Marshall. First Reading of the Bill. Senate Bill 322, offered by Representatives Mays, Daniels, Tate and Piel, a Bill for an

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Act to provide for the ordinary and contingent expenses of the Office of the Governor. First Reading of the Bill. Senate Bill 323, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Historic Preservation Agency. First Reading of the Bill. Senate Bill 324, offered by Representatives Tate, Daniels and Mays, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Human Rights. First Reading of the Bill. Senate Bill 325, offered by Representatives Tate, Daniels and Mays, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Human Rights Commission. First Reading of the Bill. Senate Bill 326, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Industrial Commission. First Reading of the Bill. Senate Bill 327, offered by Representative Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Insurance. First Reading of the Bill. Senate Bill 328, offered by Representative Daniels, a Bill for an Act making appropriations to the Judicial Inquiry Board. First Reading of the Bill. Senate Bill 329, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations to the Liquor Control Commission. First Reading of the Bill. Senate Bill 330, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Local Labor Relations Board. First Reading of the Bill. Senate Bill 331, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of

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the Military and Naval Department. First Reading of the Bill. Senate Bill 332, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Mines and Minerals. First Reading of the Bill. Senate Bill 333, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Pollution Control Board. First Reading of the Bill. Senate Bill 334, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Property Tax Appeals Board. First Reading of the Bill. Senate Bill 335, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Office of Public Council. First Reading of the Bill. Senate Bill 336, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Illinois Racing Board. First Reading of the Bill. Senate Bill 337, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Registration and Education. First Reading of the Bill. Senate Bill 338, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Revenue. First Reading of the Bill. Senate Bill 339, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Office of Commissioner of Savings and Loans. First Reading of the Bill. Senate Bill 340, offered by Representative Mays, Daniels and Tate, a

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Bill for an Act making appropriations for the ordinary and contingent expenses of the State Labor Relations Board. First Reading of the Bill. Senate bill 341, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Transportation. First Reading of the Bill. Senate Bill 342, offered by Representatives Tate, Daniels and Mays, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Illinois Arts Council. First Reading of the Bill. Senate Bill 343, offered by Representatives Tate, Daniels and Mays, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Alcoholism and Substance Abuse. First Reading of the Bill. Senate Bill 344, offered by Representative Tate, Daniels and Mays, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Children and Family Services. First Reading of the Bill. Senate Bill 345, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Illinois Educational Labor Relations Board. First Reading of the Bill. Senate Bill 346, offered by Representatives Tate, Daniels and Mays, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Medical Center Commission. First Reading of the Bill. Senate Bill 347, offered by Representatives Tate, Daniels and Mays, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Public Aid. First Reading of the Bill. Senate Bill 348, offered by Representatives Tate, Daniels and Mays, a Bill for an Act making appropriations to the Governor's Purchased Care Review Board. First Reading of

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the Bill. Senate Bill 349, offered by Representative Tate, Daniels and Mays, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Rehabilitation Services. First Reading of the Bill. Senate Bill 370, offered by Representative Matijevich, a Bill for an Act to amend the Liquor Control Act. First Reading of the Bill. Senate Bill 371, 371, offered by Representatives Ewing and Tate, a Bill for an Act to amend the Citizens Utility Board Act. First Reading of the Bill. Senate Bill 398, offered by Representative Jones, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 400, offered by Representative Davis, a Bill for an Act to... regarding credit and interest. First Reading of the Bill. Senate Bill 407, offered by Representative Black, a Bill for an Act to amend the Child Care Act. First Reading of the Bill. Senate Bill 417, offered by Representatives Mays, Daniels and Tate, a Bill for an Act making certain reappropriations to the Department of Transportation. First Reading of the Bill. Senate Bill 418, offered by Representative Cullerton, a Bill for an Act in relationship to pharmacies. First Reading of the Bill. Senate Bill 423, offered by Representative Countryman, a Bill for an Act to amend the Probate Act. First Reading of the Bill. Senate Bill 426, offered by Representative Hoffman, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 432, offered by Representative Weaver, a Bill for an Act to amend the Illinois Historic Preservation Act. First Reading of the Bill. Senate Bill 443, offered by Representative Keane, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 453, offered by Representative Mays, a Bill for an Act to amend an Act making certain appropriations. First Reading of the Bill.

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Senate Bill 469, offered by Representative Bugielski, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 470, offered by Representative Keane, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 480, offered by Representative Leverenz, a Bill for an Act to amend the Local Records Act. First Reading of the Act. Senate Bill 497, offered by Representative Greiman, a Bill for an Act in relationship to child support. Senate Bill 580, offered by Representative Leverenz, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Office of State Treasurer. First Reading of the Bill. Senate Bill 778, offered by Representative Hays, Barnes and Tate, a Bill for an Act relating to bond authorizations. First Reading of the Bill. Senate Bill 784, offered by Representative Braun, a Bill for an Act making appropriations to the Board of Higher Education. First Reading of the Bill. Senate Bill 785, offered by Representative Braun, a Bill for an Act making appropriations to the State Board of Education. First Reading of the Bill. Senate Bill 835, offered by Representative Tate, a Bill for an Act making appropriations to the Department of Public Health. First Reading of the Bill. Senate Bill 336, offered by Representative Hays, a Bill for an Act making appropriations to the Department of Corrections. First Reading of the Bill. Senate Bill 839, offered by Representative Hays, a Bill for an Act making appropriations to the Secretary of State. First Reading of the Bill. Senate Bill 38, offered by Representative McCracken, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. Senate Bill 47, offered by Representative McPike and Leverenz, a Bill for

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an Act to amend the General Obligation Bond Act. First Reading of the Bill. Senate Bill 87, offered by Representative Countryman, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 88, offered by Representative Countryman, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 126, offered by Representative Cullerton, a Bill for an Act to amend the Unified Code of Corrections, First Reading of the Bill. Senate Bill 129, offered by Representative Steczo and Johnson, a Bill for an Act to provide for the income tax refund check off for U. S. Olympic Committee. First Reading of the Bill. Senate Bill 146, offered by Representative Countryman, a Bill for an Act to amend an Act to revise the law in relationship to recorders. First Reading of the Bill. Senate Bill 159, offered by Representative Levin, a Bill for an Act to amend certain... amend certain Acts relating to the Department of Central Management Services. First Reading of the Bill. Senate Bill 262, offered by Representative Parke, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 280, offered by Representative Keane, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 295, offered by Representative Black, a Bill for an Act to amend the Land Trust Recordization and Transfer Tax Act. First Reading of the Bill. Senate Bill 345, offered by Representative Mays, a Bill for an Act to amend an Act to revise the law in relationship to clerks of the court. First Reading of the Bill. Special Order of Business. House Bills Second Reading. Government Administration. House Bill 80, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 815, a Bill for an Act to amend the Medical Practice Act. Second Reading of the

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Bill. House Bill 2763, a Bill for an Act to amend the Health Maintenance Organization Act. Second Reading of the Bill. House Bill 2862, a Bill for an Act to amend an Act in relationship to various aspects of welfare system in Illinois. Second Reading of the Bill. Under Farm Assistance and Development, House Bills Second Reading. Under Environment and Economic Development, House Bills Second Reading, House Bill 2095, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill. House Bill 2656, a Bill for an Act to create the Highway Corridor Transportation Improvement Act. Second Reading of the Bill. House Bill 2732, a Bill for an Act to amend the Cook County Forest Preserve District Act. Second Reading of the Bill. Under State and Local Government, House Bills Second Reading, House Bill 838, a Bill for an Act to amend an Act concerning the Illinois National Guard. Second Reading of the Bill. House Bill 1607, a Bill for an Act to amend an Act to revise the law in relationship to notices. Second Reading of the Bill. House Bill 1877, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. House Bill 2224, a Bill for an Act to amend the Personnel Code. Second Reading of the Bill. Under Revenue, House Bills Second Reading, House Bill 144, a Bill for an Act to amend the Illinois Lottery Law. Second Reading of the Bill. Under Senior Citizens and the Disabled, House Bills Second Reading, House Bill 664, a Bill for an Act to amend the Illinois Act on Aging. Second Reading of the Bill. House Bill 1014, a Bill for an Act to amend an Act in relationship to the rehabilitation of disabled persons. Second Reading of the Bill. House Bill 1848, a Bill for an Act to repeal an Act concerning compulsory retirements. Second Reading of the Bill. House Bill 1902, a Bill for an

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Act to amend the Illinois Living Will Act. Second Reading of the Bill. House Bill 1995, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 1996, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 2114, a Bill for an Act to amend the Hearing Aid Consumer Protection Act. Second Reading of the Bill. House Bill 2299, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 2301, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. Under Special Order of Business, House Bill Second Reading, Consumer Protection, House Bill... House Bill 2 has been read a Second Time previously. House Bill 1414, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. Under Special Orders of Business, Administrative of Justice, House Bills Second Reading, House Bill 270, a Bill for an Act to amend the General Not-For-Profit Corporation Act. Second Reading of the Bill. House Bill 440, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. House Bill 1343, a Bill for an Act in relationship to the creation of disputed... dispute resolution funds. Second Reading of the Bill. House Bill 1853, a Bill for an Act relative to the protection of trade secrets and remedies for the misappropriation. Second Reading of the Bill. Under Small Business, House Bills Second Reading, House Bill 1592, a Bill for an Act to amend the Illinois Insurance Code, Second Reading of the Bill. Under House Bills Second Reading, Public Health, House Bill 2682, a Bill for an Act in relationship to Hemophilia Advisory Committee. It's been read a Second Time previously. Under House Bills Second Reading, Criminal Law, House Bill 1596, a Bill for an Act to amend the Juvenile Court Acts. Second

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Reading of the Bill. House Bill 1632, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 1741, correction, House Bill 1715, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 1741, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. House Bill 1744, a Bill for an Act to amend an Act in relationship to domestic relations. Second Reading of the Bill. House Bill 1885, a Bill for an Act to amend an Act to prohibit municipalities from regulating firearms and firearm ammunition. Second Reading of the Bill. House Bill 1925, a Bill for an Act to amend the Housing Authorities Act. Second Reading of the Bill. House Bill 2106, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 2107, a Bill for an Act to amend an Act to repeal the Witness Protection Act. Second Reading of the Bill. House Bill 2116, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. House Bill 2157, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. House Bill 2238, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. House Bill 2275, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. Second Reading of the Bill. House Bill 2302, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 2584, a Bill for an Act in relationship to criminal identification and investigations. Second Reading of the Bill. House Bill 2585, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 2591, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. House Bill 2607, a Bill for an Act to amend the Unified Code of Corrections.

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Second Reading of the Bill. House Bill 2674, a Bill for an Act to define and punish the crimes of contributing to the delinquency and neglect of children. Second Reading of the Bill. House Bill 2721, a Bill for an Act in relationship to the offense of aggravated battery of a senior citizen. Under House Bills Second Reading, Order of Education, House Bill 925, a Bill for an Act to amend the School Code. Second Reading of the Bill. Second Reading, Welfare Reform, House Bill 968, a Bill for an Act in relationship to obtaining housing for homeless persons. Second Reading of the Bill. House Bill 1353, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 1794, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 1795, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 1814, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 1834, a Bill for an Act to provide for the community based programs among high risk youth. Second Reading of the Bill. House Bill 2560, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 2567, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 2580, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. Under House Bills Second Reading, on the Order of Government Initiatives, House Bill 494, a Bill for an Act to amend an Act concerning entrepreneurial training. Second Reading of the Bill. House Bill 514, a Bill for an Act to amend an Act to revise the law in relationship to clerks of the courts. Second Reading of the Bill. House Bill 871, a Bill for an Act in relationship to flag theft and defacement. Second Reading

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of the Bill. House Bill 971, a Bill for an Act to amend the Juvenile Court Act. Second Reading of the Bill. House Bill 998, a Bill for an Act to amend an Act to revise the law in relationship to counties. Second Reading of the Bill. House Bill 1003, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. House Bill 1021, a Bill for an Act to amend the Local Mass Transit District Act. Second Reading of the Bill. House Bill 1047, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 1055, a Bill for an Act to amend the Illinois Environmental Protection Act. Second Reading of the Bill. House Bill 1070, a Bill for an Act to amend the Municipal Codes. Second Reading of the Bill. House Bill 1071, a Bill for an Act to amend an Act relating to circuit courts. Second Reading of the Bill. House Bill 1105, a Bill for an Act to amend the law concerning judicial circuit of Cook County. Second Reading of the Bill. House Bill 1135, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. House Bill 1149, a Bill for an Act to amend an Act in relationship to qualified court interpreter. Second Reading of the Bill. House Bill 1228, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. House Bill 1301, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 1313, a Bill for an Act to amend the School Code. Second Reading of the Bill. House Bill 1326, a Bill for an Act to authorize the State Treasurer to administer low income housing tax credits allocated by the United States. Second Reading of the Bill. House Bill 1367, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 1489, a Bill for an Act to amend the Nursing Home Care Reform Act. Second Reading of the Bill. House

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Bill 1498, a Bill for an Act to amend the Juvenile Court Act. Second Reading of the Bill. House Bill 1501, a Bill for an Act to amend an Act relating to mortgages of real property. Second Reading of the bill. House Bill 1513, a Bill for an Act authorizing the conveyance of certain state property to the City of Jacksonville, Illinois. Second Reading of the Bill. House Bill 1556, a Bill for an Act to amend a Bill of Rights for Victims and Witnesses of Violent Crime Act. Second Reading of the Bill. House Bill 1572, a Bill for an Act to amend the Illinois Controlled Substances Act. Second Reading of the Bill. House Bill 1574, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. House Bill 1590, a Bill for an Act to amend an Act in relationship to the registration of underground storage tanks. Second Reading of the Bill. House Bill 1647, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill. House Bill 1677, a Bill for an Act to amend the Illinois Housing Development Act. Second Reading of the Bill. House Bill 1691, a Bill for an Act to amend the Election Code. Second Reading of the Bill. House Bill 1786, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. House Bill 2069, a Bill for an Act making appropriations for... to the Environmental Protection Agency. Second Reading of the Bill. House Bill 2165, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. House Bill 2193, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. House Bill 2206, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. House Bill 2366, a Bill for an Act to amend the Juvenile Court Act. Second Reading of the Bill. House Bill 2425, a Bill for an Act to amend

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the School Code. Second Reading of the Bill. House Bill 2480, a Bill for an Act to provide for the forfeiture of property in obscenity cases. Second Reading of the Bill. House Bill 2571, a Bill for an Act to amend an Act in relationship to eavesdropping. Second Reading of the Bill. House Bill 2722, a Bill for an Act in relationship to mentally retarded adults. Second Reading of the Bill. House Bill 2853, a Bill for an Act to amend an Act in relationship to public assistance. Second Reading of the Bill. Under the Order of Second Reading, Special Order Labor, House Bill 1006, a Bill for an Act in relationship to... on House 1006, a Bill for an Act in relationship to certain municipal and county employees. Second Reading of the Bill. House Bill 1035, a Bill for an Act to amend the wages of employees on public works acts. Second Reading of the Bill. House Bill 1779, a Bill for an Act to amend the Personnel Code. Second Reading of the Bill. Under Order of Second Reading, Special Order of Conveyances, House Bill 932, a Bill for an Act authorizing the conveyance of certain state properties. Second Reading of the Bill. House Bill 2322, a Bill for an Act to release easements and restore access rights to certain described lands in the State of Illinois. Second Reading of the Bill. Under the Order of Second Reading, Special Order of Local School Districts, House Bill 1177, a Bill for an Act to amend an Act to revise the Public School System in the City of Chicago. Second Reading of the Bill. House Bill 2719, a Bill for an Act to establish an elected Board of Education for school districts. Second Reading of the Bill. Under the Order of Second Reading, Special Order of Horse Racing, House Bill 569, a Bill for an Act to amend the Illinois Horse Racing Act. It's been read a Second Time previously. House Bill 880, a Bill for an Act to amend the Illinois

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Horse Racing Act. Second Reading of the Bill. House Bill 1692, a Bill for an Act to amend the Illinois Horse Racing Act. Second Reading of the Bill. Under the Order of Second Readings, Special Order of Vehicle Code, House Bill 1524, a Bill for an Act to amend an Act in relationship to traffic offenses. Second Reading of the Bill. House Bill 1537, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 1735, a Bill for an Act to authorize funding of rail safety programs. Second Reading of the Bill. House Bill 2327, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 2526, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 2636, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 2700, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 2701, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. House Bill 2702, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill."

Clerk O'Brien: "No further business. The House now stands adjourned."

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12:56

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