

STATE OF ILLINOIS
87th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

46th Legislative Day

May 8, 1991

Speaker Keane: "House will come to order. Members please be in your seats. The Chaplain for today is Reverend Robert Snider of the First Methodist Church in Shelbyville, Illinois. Reverend Snider is the guest of Representative Noland. Our guests in the balcony may wish to rise for the Invocation."

Reverend Robert Snider: "Let us be in an attitude of prayer. Almighty God, creator of all things, giver of every good and perfect gift. Hear us this day as we ask Your blessing upon the deliberations and decisions made in this chamber. We acknowledge here in Your presence, though perhaps reluctantly, our pride, our smugness, our shortcomings, our self-centeredness and our selfishness. Forgive each of us as individuals and all of us as a Body, when our faults and flaws circumvent the causes of liberty and justice for all. And when our shortsightedness stands in the way of making this good state and great nation a better place in which to live and to die. Create within us clean hearts and renew right thinking in our minds, that we may do and be better. Forgive us our forgetfulness of the needs of those we serve and represent. Do not let us be content with things as they are. Hear our prayer for all those in places of influence and authority, that they may do what is right and honorable. Guide those who lead us. Touch their spirits with Your Holy Spirit's truth. Revive their faith. Renew their hope, give them an enlarged vision of today that is clear and of tomorrow that is challenging. Encourage them to stand for their convictions and principles, rather than for private interest, when they debate and decide. We believe with Your help all things are possible. God forbid that anything done here will ever become a part of the problem. Give each one here the resolve and the wisdom to

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become a part of the solution. So help us, God, for the sake of Jesus Christ and for the sake of all of us, who call this time and place home. Amen."

Speaker Keane: "We will be led in the Pledge of Allegiance by Representative Hartke."

Hartke: "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 Keane: "Roll Call for Attendance. Representative Matijevec for excused absences."

Matijevec: "Speaker on this side of the aisle, Representative Monroe Flinn is still absent due to his injuries. Excused absence."

Speaker Keane: "Representative Kubik, excused absences."

Kubik: "Thank you, Mr. Speaker, let the record reflect that Representative Barnes is excused today due to illness."

Speaker Keane: "Quorum being present, Clerk, take the Roll. Representative Brunsvold in the chair."

Brunsvold: "Thank you, Mr. Speaker. I'd like to thank Speaker Mike Madigan for allowing us to make this presentation this morning. As vice-chairman of the Governor's Council on Health and Physical Fitness, I'd like to introduce Jeff Sunderland, the executive director on my right over here, who is here today with Dr. Robert Kohler who is president of the Illinois Association of Health, Physical Education, Recreation and Dance, who would like to say a few words and then make 5 year presentation awards to Legislators for their Legislative Fitness Day. So with that, Dr. Robert Kohler."

Kohler: "Mr. Speaker...Ladies and Gentlemen. I want to thank you for the honor and privilege to come before the House to recognize the participants in Legislative Fitness Day.

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These individuals have recognized that lifestyle is related to longer life. The National Summit on Youth Fitness, May 2, the Illinois Association for Health, Physical Education, Recreation and Dance and Research, reenforce the fact that quality programs and quality lifestyle leads to longer life. It is known that just to lose weight to reduce cholesterol and to stop smoking will add at least 3 years to your life...This morning at 10:00, 53,000 Illinois children participated in exercise simultaneously with 5 million children around the United States and 40 countries internationally. This is to reenforce the concept that quality living and quality lifestyle is indeed important. We had a list of Representatives, who have participated in Legislative Fitness Day to the point that they are interested in adding years to their life and life to their years. These individuals, if they will please come forward and receive their letter and pin from Barb Tasen, we would deeply appreciate it. Representative Al Ronan. Representative Gordon Ropp. Representative Wyvetter Younge. Representative Frank Giglio. Representative Arthur Turner. Representative Ron Waite. Representative Joe Brunsvold. Representative Thomas Ewing. Representative John Kirkland. Representative Bruce Richmond. Representative Todd Sieben, and Representative Grace Mary Stern. Thank you very much."

Brunsvold: "Young Lady Barbara Tasen is right up here in front with the envelopes and pins for those Representative receiving awards...I'd like to see everybody here next year at the Legislative Fitness Day which we hold in April...It's really, you can do whatever test you want to at that time and...we would like to get everybody in the House involved if we can. Thank you."

Speaker Keane: "Begin today on Second Readings on the Special

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Calendar. First Order of Business is State and Local Government, Second Reading. On that order is House Bill 17, Representative Lang. Out of the record. House Bill 391, Representative Wolf. Out of the record. Continuing on State and Local Government. Second Reading. House Bill 832, Representative Brunsvold. Out of the record. House Bill 1538, Representative Marinaro. Out of the record. House Bill 1587, Representative Lou Jones. Out of the record. House Bill 2045, Representative Steczo. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2045, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Keane: "Third Reading. House Bill 2186, Representative Trotter. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2186, a Bill for an Act to amend an Act to create the Local Government Health Care Fund. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Keane: "Has a fiscal note been filed?"

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

Speaker Keane: "The Bill remains on Second Reading. We will now go to Consent Calendar. Second Reading. That's on page 45 of the Regular Calendar "

Clerk O'Brien: "Consent Calendar. Third Reading. Second Day."

Speaker Keane: "Mr. Clerk, Second Reading."

Clerk O'Brien: "Consent Calendar. Third Reading. Second Day. House Bill 1085, a Bill for an Act in relation to taxation. Third Reading of the Bill. House Bill 1092, a Bill for an Act to amend the Housing Authority Act. Third Reading of the Bill."

Speaker Keane: "The question is, 'Shall these Bills pass?' All those in favor vote 'aye' all opposed vote 'no'. The

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voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On these Bills there are 114 voting 'aye', 0 voting 'no', 0 voting 'present' and these Bills having received the required Constitutional Majority are hereby declared passed. Representative Regan, for what purpose do you rise?"

Regan: "Yes, Mr. Speaker. It seems my button is working on the wall but it's not on my desk, and I don't want to have any further confusion for the rest of the Session, so if the electrician could get up here and plug in a bulb for me, okay?"

Speaker Keane: "We'll ask that the electrician do that. We're going back to the Special Calendar for today. On the Second Reading, Labor. House Bills 175, Representative McPike. Out of the record. House Bill 824, Representative Mautino. Out of the record. House Bill 2017, Representative Trotter. Out of the record. On page 2 of the Special Calendar...Human Services. Second Reading. House Bill 739, Representative White. Out of the record. Well go back to...Labor. Second Reading. House Bill 2017, Representative Trotter. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2017, a Bill for an Act to amend an Act in relationship to Child Labor. Second Reading of the Bill. There are no Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative DeJaegher. Representative Trotter what are your wishes?"

Trotter: "I've read the Amendment, and I have no problems with the Amendment being added to the Bill at this point."

Speaker Keane: "Representative Trotter will handle the Amendment. Would you explain the Amendment, Representative?"

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Trotter: "Yes, Amendment #1, which is being presented by Representative DeJaegher prohibits minors who are 16 or 17 and enrolled in high school from being gainfully employed after 11:00 on the weekdays and before 7:00 a.m. on a school day."

Speaker Keane: "Representative Trotter moves for the adoption of Amendment #1. Is there any discussion? There being none, the question is, 'Shall the House adopt Amendment #1?' All those in favor say 'aye' opposed 'no' the 'ayes' have it Amendment #1 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. Would ask that anyone...who's not...does not have a right to the floor, please leave the floor. All those who do not have the right to the floor please leave the floor. We'll now go back to...where on page 2 of today's Calendar, Human Services, Second Reading. House Bill 954, Representative Daniels. Out of the record. House Bill 1404, Representative Bugielski. Out of the record. House Bill 1565, Representative Hicks. Out of the record. House Bill 1940, out of the record. Representative McGann do you wish to handle House Bill 1940? It's on Second Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1940, a Bill for an Act to amend the Department of Mental Health and Developmental Disabilities. Second Reading of the Bill. There are no Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative McGann."

McGann: "Mr. Chairman...pardon me, Mr. Speaker and Members of the Assembly, I would ask that we could table Amendment #1."

Speaker Keane: "Gentlemen asks leave to table...to withdraw

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Amendment #1. Amendment #1 is withdrawn. Any further Amendments?"

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

Speaker Keane: "Representative McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I replaced Amendment #1 with Amendment #2 which deals more adequately to the provisions for the establishment of an advisory committee on geriatric services to advise the Department on matters pertaining to mental health needs of the elderly population within the state. I'd be happy to answer any questions. I'd ask your adoption of Amendment #2."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall the House adopt Amendment #2 to House Bill 1940?' All in favor say 'aye' opposed 'no'. The 'ayes' have it and Amendment #2 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. House Bill 2010, Representative Hicks. Out of the record. House Bill 2050, Representative Steczo. Representative Steczo. Out of the record. House Bill 2123, Representative McGuire. Out of the record. House Bill 2232, Representative Trotter. Out of the record. House Bill 2293, Representative White. Out of the record. House Bill 2400, Representative Pullen. Out of the record. House Bill 2469, Representative Capparelli. Out of the record. House Bill 2471, Representative Laurino. We're on Human Services, Second Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2471, a Bill for an Act relating to long term care. Second Reading of the Bill. There are no Committee or Floor Amendments."

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Speaker Keane: "Third Reading. House Bill 2510, Representative Currie. Out of the record. We'll now go to Constitutional Officers. Second Reading. House Bill 2, Representative Novak. Out of the record. House Bill 316, Representative Homer. Out of the record. House Bill 1309, Representative Curran. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1309, a Bill for an Act to amend the State Property Control Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, offered by Representative Curran, and Deuchler."

Speaker Keane: "Representative Curran."

Curran: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. Amendment #1 guts the Bill, makes it essentially a committee Bill. What we're doing here is we're adding the provisions of several Agreed Bills, all of which were agreed at least at the time of passage in committee to the shell of House Bill 1309. The first of those Bills that is added is House Bill 363, Representative Weller's Bill, creating drug free schools and communities. The second is House Bill 438, Representative Munizzi's Bill, amending the Illinois Purchasing Act. The third is House Bill 510, Representative Hartke's Bill, creates the Descriptive Video Service Act. The fourth is Representative Mautino's Bill, House Bill 591 amends the State Employees Group Insurance Act of 1971. Next is Representative Walsh's Bill, House Bill 865, which creates the Ethanol Fuel Act. Next, Representative Wyvetter Younge's, Bill House Bill 905, amending the State Property Control Act. Next is Representative Tenhouse's Bill House Bill 1050 amends the Public Water District Act. Next is Representative Balthis Bill, House Bill 1726 enables the Department of Central

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Management Services to provide telecommunications services for private colleges. Next is Representative Doederlein's Bill, House Bill 1786 allows the Department of Conservation and Historic Preservation the power to establish a program to allow persons not employed by the state to operate state facilities. Next is Representative Homer's Bill, House Bill 2107, amends the Deposit of State Moneys Act to eliminate the requirement of a duplicate daily balance. And the next is House Bill 2176, Representative Parcels Bill, amends the State Printing Contracts Act. Next is House Bill 2179, Representative Balthis and Deuchler's Bill to amend the State Finance Act and House Bill 2257, Representative Dunn's Bill amends the Voluntary Payroll Deductions Act. This is an Agreed Amendment. We have worked very long and hard on this. There will be some other Amendments that may affect this, but I'd be glad to answer any questions and ask for a favorable Roll Call. Move the adoption of the Amendment."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall House adopt Amendment #1?' All those in favor say 'aye', all opposed 'no' the 'ayes' have it, and Amendment #1 is adopted. Any further Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Robert Olson."

Speaker Keane: "Representative Olson."

Olson: "Thank you, Mr. Speaker. House Bill 710 deals with the lottery using less-creative advertising. This Bill passed the sub-committee, was moved to the full committee, I went to the hearing room prior to the start of that committee meeting, checked with the clerk, he told me my Bill was before the full committee and would be on the Agreed Bills. Later that day, excuse me, the next day I called the Clerk to see what the Bill number was that my Bill would be on the Agreed Bill, and he told me it was on 1309. Checking

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further, I found it was not on 1309. Some place in the sub-committee Agreed Bill list there was an oversight. My Amendment simply asked that House Bill 710 be put back on this Bill as Agreed at the time of committee. Answer any questions."

Speaker Keane: "Representative Curran"

Curran: "Thank you, Mr. Speaker. The Gentleman is correct in the sense that this Bill was communicated to him at one time that House Bill 710 would be on the Agreed Bill list. However, and I think he's making a very valid point, however, I disagree with the contents of House Bill 710, and it was never my intention, personally, to have this to be part of the Agreed Bill list. I attempted to communicate that to staff but that message, from my own inadvertence, did not get to Representative Olson. So I would like to leave it to the House (A) Representative Olson is correct; he was left with the impression that this would be an Agreed Bill. (B) I do not agree to this Bill; I do not think it is good public policy. The...I think the lottery people came to my office...came to meet me in the hall and didn't want this legislation. While Representative Olson is 100% accurate that this Bill was Agreed and that was...a communicated to him...I disagree with the contents, and I think other Members probably disagree with the contents and I think maybe we'd like to hear the explanation of House Bill 710 before they add it to this Bill."

Speaker Keane: "Representative Olson to close."

Olson: "Yes. Thank you, Representative Curran. Before I explain the Bill in more detail, let me revert back to the process that we operated under in committees this year. Sub-committee hearings passed out of the sub-committee goes before the full committee, full committee hearings, passes

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out. I don't believe it lies within the power of the Chairman of that committee to overrule after the fact. I don't believe that is the intent, I don't believe it is fair. Now, to the Amendment. I am disturbed that Lottery has expensive TV advertisement, which quite, often seems directed to those who can least afford to pay and play the lottery. I can recall seeing one such commercial were a group of working men were standing around a barrel in a winter time, heating their hands a fire in that barrel. They were talking, I would say somewhat tongue-in-cheek, about their different investments because you could tell by their manner and their clothing that they did not have investments, and someone said he had bonds; another, stock; and one individual reached in his pocket and pulled out a lottery ticket and he said, 'I have the best investment of all: one dollar and I'm going to have millions.' I play the lottery every week whether I can afford to or not is on my judgment but I believe so much of the lottery TV advertisement brings those people in to buy tickets who cannot really afford. They could better could spend that dollar or five dollars back home on the needs of their family. I think this is a good Bill. The committee, the sub-committee thought it was a good Bill, the committee thought it was a good Bill, but for error or decision of the Chairman or whatever be, it did not follow through on the process. There was almost an individual decision to say that this Bill shall not be part of the Committee Bill, when the process did put it at that point, and I ask for a favorable Roll Call on this Amendment."

Speaker Keane: "The Gentleman has asked...Representative Wennlund."

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

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Speaker Keane: "Representative Wennlund, would you mind explaining your vote because...Representative Olson has closed. The question is, 'Shall this Amendment be adopted?' All those in favor vote 'aye', all opposed 'no'. The voting is open. Representative Wennlund, explain your vote."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To hamstring the State Lottery which is generating dollars into the common school fund in Illinois and prevent them from advertising in a way that promotes the lottery and promotes sales of the lottery sends a real wrong message...particularly at this point in time when state government's in its budget crunch. The lottery needs the option and the ability to be able to promote lottery sales and develop new lottery sales and expand because, as you and I know, that every dollar that goes into that common school fund from the lottery is one dollar less that goes in from GRF. This is the wrong time to do it. I understand what the Sponsor is trying to do, but this is the wrong thing to do and the wrong time to do it."

Speaker Keane: "Representative Ropp. You have one minute to explain your vote."

Ropp: "Thank you, Mr. Speaker. I am supporting this for two reasons. First of all, it seems like the process was a bit violated and secondly, this is an attempt where a Legislator is attempting to represent the people that he represents by offering this Amendment. The opposition comes from the bureaucracy within the system that is not wanting to be tampered with, and I think we as Legislators need to occasionally stand up and say. 'This is what our people want.' It's not what the bureaucracy wants to do because too often this situation bureaucracy is running government and that's not what the people back home want."

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Speaker Keane: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I would rise to explain my vote and urge that everyone vote green on this, not particularly on the merits of the Bill, but for the sanctity of the committee process. The Gentleman was told by Democrat staff that this Bill would be on the agreed Bill list. It's further my understanding that it passed the sub-committee by a favorable vote. He was then told not to come back, that it would be on the Agreed Bill list. Now the Sponsor of the underlying Bill here is a man of integrity, and if the process has been violated, I would expect him to take the Bill out of the record and get this ironed out. I don't care what the Bill says. This goes to the heart of the process here. The Gentleman was told his Bill was on the Agreed list. Now if that's not the case, then take this Bill out of the record and get it worked out. If you don't, then nobody's Bill is safe in here. Nobody's Bill is safe. For crying out loud, let's save the integrity of the process if nothing else."

Speaker Keane: "Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker, to explain my vote. I believe Representative Black said it as well as anyone could. The issue here is not perhaps the substance of the Amendment, but the issue here is the process, and if we, as Members of this Assembly, cannot count on one another's word when were in committee or sub-committee, then this entire way that we do business here in Springfield is simply going to break down. And particularly you Members of this Body who have served here in years past, know that as we approach the final weeks, the final days and the final hours of the Session that the handshake and one's word is absolutely essential to make the process work. That's what's at issue here, not Floor Amendment #2 and not the substance of it,

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but our word and the...fact that we rely on one another's word in this process. Urge some green votes."

Speaker Keane: "Representative Wolf. One minute to explain your vote."

Wolf: "Now, Mr. Speaker, I'd like for the Assembly to welcome the Parkview 6th Grade Class from Granite City in the upper right gallery. Thank you, Mr. Speaker."

Speaker Keane: "Welcome to the Granite City people. Any further discussion? There being none, this...the Amendment is...there are 54 voting 'aye', 52 voting 'no', and the Amendment is adopted. Any further Amendments?"

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

Speaker Keane: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #3 is an Amendment which would remove what was formerly House Bill 2257 out of this Bill. This House Bill 2257 was a controversial Bill that was not agreed to by the United Way in Illinois. I think this matter is very close to some compromise and some negotiation, but those negotiations are not yet completed, and I would appreciate it if this could be taken out of the record until that matter is resolved."

Speaker Keane: "Representative Curran."

Curran: "I agree with Representative Leitch's Amendment."

Speaker Keane: "The question is, 'Shall the House adopt Amendment #3?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

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

Speaker Keane: "Representative John Dunn. Mr. Curran, what's your wish?"

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Curran: "Move to table Amendment #4."

Speaker Keane: "Representative Curran moves to table Amendment #4. All those in favor say 'aye', opposed 'no'. The 'ayes' have it and the Amendment is tabled. Any further Amendments?"

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

Speaker Keane: "Representative Walsh."

Walsh: "Mr. Speaker and Members of the Assembly...this Amendment merely merely...deletes the fact that the original Bill, which is 865, is stressing that ethanol-blended fuel be used in all motor vehicles owned or leased by any state department, institution or agency, including state colleges and universities. And this actually amends out other than motor vehicles using diesel fuel. That's the context of the Amendment."

Speaker Keane: "Any discussion? There being none, the question is, 'Shall the House adopt Amendment #5?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it, and Amendment #5 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. House Bill 1515, Representative Curran. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1515, a Bill for an Act creating the Financial Consumers Association. Second Reading of the Bill. Amendments #1, 2 and 3 were adopted previously. Amendment #4 lost. Next Amendment is Floor Amendment #5, being offered by Representative Black."

Speaker Keane: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Amendment #5 to House Bill 1515 deletes the provisions that enable the Financial Consumer Association to mail informational enclosures in state agency mailings. I think if you'll all think about

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that...we've done this on one occasion and I'm not sure we've made anybody particularly happy with that provision, and that's all the Amendment does. It says that the...they cannot mail their association materials in state agency mailings, those are mailings that are paid for by the taxpayer, and I would ask your favorable consideration for Amendment #5."

Speaker Keane: "Is there any discussion on Amendment #...Representative Curran."

Curran: "This Amendment is structive to the Bill. It's an exact copy of the one we defeated a couple weeks ago...we've been through this, we don't need this...we should vote this down."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall this Amendment be adopted?' All those in favor say 'aye', all opposed 'no'. The 'nos' have it, and the Amendment fails. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. House Bill 1592, Representative Williams. House Bill 2110, Representative McAfee. House Bill 2112, Representative Saltsman. Out of the record. House Bill 2118, Representative Lou Jones. Out of the record. We will go back to Human Services, Second Reading, to pick up House Bill 2293, Representative White. House Bill 2293. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2293, a Bill for an Act to create the Podiatrists Scholarship and Residency Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Keane: "Has the request for fiscal note been filed?"

Clerk Leone: "There is no fiscal note on file."

Speaker Keane: "Representative White moves that there is no fiscal impact and therefore, the fiscal note Act does not apply. And so moves. On that is there any discussion?"

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There being none, the question is, 'Shall the Gentlemens motion stand?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it and the fiscal note has been waived. Third Reading. Representative White, do you want to take House Bill 739? It's a Committee Bill. Representative White on House Bill 739."

Clerk Leone: "House Bill 739, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendments #1 and 2 were adopted previously."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Keane: "Fiscal note has been requested? Fiscal note has been requested. Take the Bill out of the record. Keep it on Second. We will now go to Agriculture and Environment on page 3 of the...today's Special Calendar. On that Order is House Bill 97, Representative Kulas. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 97, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendments # 1 was adopted previously."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Kulas."

Kulas: "Thank you Mr. Speaker....Amendment #2 just clarifies the language that whenever feasible the school board shall be the one that shall determine the purchase of the recycled paper and products. That the agreement of the school boards, and I would move for the adoption of Amendment #2."

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Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and Amendment #2 is adopted. Any further Amendments?"

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

Speaker Keane: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker. Amendment #3, at the request of the State Board of Education, provides that the State Board of Education, in coordination with the Department of Central Management Services and Energy and Natural Resources, may adopt the rules and regulations necessary to carry out and enforce this Act. I move for the adoption of Amendment #3."

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

Black: "Thank you very much, Mr. Speaker. Just a quick question of the Sponsor."

Speaker Keane: "He indicates he will yield."

Black: "Thank you. Representative, I think these two Amendments are outstanding, but let me just make sure we understand what #3 is. Number 3 makes this Bill permissive rather than mandatory, correct?"

Kulas: "That's correct."

Black: "An outstanding Amendment. Thank you."

Speaker Keane: "The question is, 'Shall the House adopt Amendment #3?' All in favor say 'aye', all opposed 'no'. The 'ayes' have it, and Amendment #3 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. House Bill 204, Representative Hoffman. Out of the record. House Bill 345, Representative Richmond. House Bill 345. Out of the record. House Bill 580, Representative Schakowsky. Mr.

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Clerk, read the Bill."

Clerk Leone: "House Bill 580, a Bill for an Act to create the Residential Weatherization Programs. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Keane: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Giorgi."

Giorgi: "Mr. Speaker, this Bill...this Amendment had to do with a prevailing wage, and she incorporated in Amendment #3, so I am tabling Amendment #2. Withdraw Amendment #2."

Speaker Keane: "Gentleman asks Amendment #2 be withdrawn. Withdraw Amendment #2. Any further Amendments?"

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

Speaker Keane: "Representative Ropp."

Ropp: "This...Mr. Speaker, this particular Amendment, because of the amount of time required for dealing with regulations, this Amendment extends that period of time more than the, I think, 60 days that the current Bill establish. In fairness to the people who draft regulations...this Amendment is important in order to make sure they have ample time to deal with the preparation of the guidelines, and I move for its adoption."

Speaker Keane: "On that, Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker, Members of the House. I would oppose Amendment #3. The Bill does not set any specific time when the loans and grants have to be implemented, and I would say that it unnecessarily delays the legislation from taking effect and the benefits that we would gain from having this weatherization program."

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Speaker Keane: "The question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', all opposed say 'no'. The 'nos' have it, and the Amendment fails. Any further Amendments?"

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

Speaker Keane: "Representative Ropp, on Amendment #4."

Ropp: "Thank you, Mr. Speaker and Members of the House. Amendment #4...allows this program to deal only with people who are welfare recipients rather than to allow everyone in the state to be a participant. It just seems like what we're attempting to do with this Bill is to do all things to all people and there are many people who actually don't...may not need the program because they have sufficient dollars to take care of it, and we are saying that the seriousness of it...should be left to those people who are in...real need, those people who are already in welfare programs...as a cost savings measure and this also establish that the Department of Commerce and Community Affairs would establish the rules and guidelines for determining whether or not you are a welfare recipient. It just seems to me much more practical and an attempt to, in times when we have short dollars, to allow this program to go to only those people who are welfare recipients rather than to open it up to every citizen in the State of Illinois, and I move for its adoption."

Speaker Keane: "Representative Schakowsky."

Schakowsky: "In response to Representative Ropp's legitimate concern that funds not be given to people who can well afford it on their own, Amendment #5 which I have offered, which I will offer, prohibits any grants to people who have under 150% of poverty level income, and prohibits any below prime interest rate loan to go to people that are below 150% of poverty, so I feel that the Amendment that I am about to offer addresses that concern adequately. And I

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would urge that you oppose Amendment #4."

Speaker Keane: "Representative Black."

Black: "Thank you very much, Mr. Speaker. By the previous speaker's own admission, Amendment #4 is needed on the Bill, and she's asking that we not pass that because it's going to be included in Amendment #5. Well, Amendment #5 hasn't been...considered yet. I would think that you should put Amendment #4 on here otherwise everybody in the state qualifies for weatherization. Everybody. And if Amendment #5 doesn't get on the Bill, then everybody's eligible for weatherization. I would think a safe vote here, and I would request a Roll Call, is that you adopt Amendment #4, if Amendment #5 then passes, they can take it out of the record and work that language out among staff. There's no problem here."

Speaker Keane: "Representative Curran."

Curran: "Thank you, Mr. Speaker, there's several reasons for rejecting Amendment #4, but let me just share two of them with you. First, there is a lot of good that comes from residential weatherization...in terms of saving energy, and the fact that we may include by Amendment #5 a slightly larger group of people, still people who have very, very low incomes. The fact that we may be able to include those people in the provisions of this Act allows us therefore to save more energy. The other part of this Bill that I think is very attractive is that it is...economically significant. There is a large amount of labor that goes into weatherization. About 60% of the weatherization dollars is labor intensive, and what that means is that if we're including a few hundred thousand more people in this state, but people with very low incomes by Amendment #5, we will allow the benefits for economic development and the benefits for saving energy resources to be added to this

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legislation, but not to have it be so stringent as Amendment #4 would indicate. Amendment #4 is a wrong concept. Amendment #5 is better for energy savings and better for economic development."

Speaker Keane: "The question is, 'Shall the House adopt Amendment #4?' All those in favor vote 'aye' all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Me. Clerk, take the record. On this issue there are 45 voting 'aye', 63 voting 'no' and the Amendment fails. Any further Amendments?"

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

Speaker Keane: "Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #5 addresses all the concerns that were raised in committee about the Bill. First of all, the issue of the availability of loans and grants to...people of higher income. As I said before, only people who have incomes of 150% or below poverty will be eligible for grants or below interest loans. The Amendment also requires that an energy audit must be done before any weatherization grant or loan is made. It also drastically reduces the amount of dollars that utilities must expend on this program. From 3% of revenues to .5% of revenue the first year, raising .5 the subsequent years to a maximum of 2% of revenues and finally requires that the prevailing wage will apply for weatherization work. I urge your support of Amendment #5."

Speaker Keane: "Representative Black"

Black: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I hope you pay attention to this one. How many calls did all of you get on the 15¢ a month surcharge

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to extend telephone service to the poor? How many telephone calls and letters did you get on a 15¢ a month surcharge to make telephone service universally accessible? Well, listen to what this Amendment does. The cost of weatherization programs is going to be added to your utility bill. Oh, I'm sure that will go over just really well with all of your constituents who are already mad about the cost of utility bills. Now if you think the 15¢ a month surcharge for telephone service raised a lot of the devil, wait until you pass this one. I would suggest to you, you may want to give this some very serious consideration to a 'no' vote on this Amendment because if you don't, what we'll attempt to do is to make sure that this item appears on the utility bill, that whatever it costs is going to be on there for weatherization, so the rate payer knows what he or she is paying. Now, if you want that on the Bill go ahead and vote for the Amendment. I would suggest to you I don't think you should."

Speaker Keane: "Representative Ackerman."

Ackerman: "Will the Lady yield for a question?"

Speaker Keane: "She indicates she will."

Ackerman: "Representative Schakowsky, do you know what 2% of the budget of all the utilities in the state this would affect...would amount to?"

Schakowsky: "I do know that Illinois utilities spend less than any other State on weatherization programs...I...can't..."

Ackerman: "That wasn't the question. Mr. Speaker, to the Bill. Two percent of the budget of all the utilities in the state this would affect would amount to over two hundred million a year which is more than even the surtax is. This is a ridiculous amount to be setting aside, and I would certainly oppose this Bill."

Speaker Keane: "Representative Laurino in the

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Chair...Representative Ewing."

Ewing: "Mr. Speaker, would the Sponsor yield?"

Speaker Laurino: "Yes."

Ewing: "This will be added automatically to our utility bill?
Our Commonwealth Edison bill?"

Schakowsky: "A good deal of the revenues are in loans which will
be repaid to the utility company. So in figuring out the
revenues that will be directed toward this program, it is
inappropriate to think that it will be simply added and
lost on our utility bill."

Ewing: "It will simply be what?"

Schakowsky: "It will not be simply added and then paid in our
utility bills a good deal of it will be in loans that will
be repaid."

Ewing: "But, when they get the money to make the loans that'll
have to be added to their rate base, is that correct?"

Schakowsky: "The notion of this Bill is to lower utility bills by
increasing energy efficiency."

Ewing: "Do you know what utility company, electric utility
company in this state, has the highest rate? One of the
highest in the nation?"

Schakowsky: "The electric utility company, Commonwealth Edison,
yes."

Ewing: "So, you want to add to that. I think this is ridiculous.
Mr. Speaker, we must have a Roll Call vote on this."

Speaker Laurino: "Further discussion? Representative Sieben."

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

Speaker Laurino: "She indicates she will."

Sieben: "Yes. Representative Schakowsky, you indicated that you
answered all concerns that were raised in the committee.
Would you explain a little bit more your provision in the
Amendment to take. 5 1/10% up to 2% of the revenue, that

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portion of your Amendment? Would you explain that a little more in detail?"

Schakowsky: "I would. The original Bill asked the utility companies to put 3% of their revenue from the first year forward into the weatherization program. This would phase in starting at 5% to a lower level than the original Bill had, 2% of revenue."

Sieben: "So the 2% would be the maximum once you got to that point."

Schakowsky: "That's correct."

Sieben: "Second question. You indicate that your Amendment now changes the eligibility. The eligibility for the program now says that a participant in this program cannot have an income higher than 150% of the poverty level, is that correct?"

Schakowsky: "Those who want to receive a grant cannot have an income over 150%. Those who want a loan can receive at prime interest rates a loan even if they have an income over 150% but nothing below prime, unless they're lower income."

Sieben: "So, if I am a utility rate payer in my area, and I want to do some weatherization of a home that I own and let's say my income is \$75,000 I have an annual income of \$75,000. I can qualify for an interest for a loan from the utility company at prime rate at the national stated prime rate, to do a weatherization project on my home following an energy audit?"

Schakowsky: "That is correct, and the intention of that, of course, is to reduce our energy usage by making more efficient our homes, plugging the leaks in our windows and doors and the dollars that are going up into thin air. Yes."

Sieben: "Okay, let me ask you one final question. What

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provisions do you have in your Amendment to provide for the collection, the collection process of these loans? Let's say the loans are made at prime or made at 2% below prime or whatever, how is the utility company supposed to go through a collection process? How do you propose that the utility company get into the banking business and collect an unpaid loan?"

Schakowsky: "Quite frankly, Representative, I'm not sure of the mechanism, but I know that most other states have engaged in this kind of loan program, many other utility companies have done this, and I would assure you that the utility companies will be able to figure out a mechanism to collect those loans."

Sieben: "Thank you. Just to the Bill or to the Amendment, Mr. Speaker...I commend the Sponsor on her energy...her efforts for energy weatherization. I believe, without a doubt, that weatherization needs to be part of any type of energy program and policy. I think the flaw here is the mechanism for funding the weatherization, to take this from the utility rate payers and ask the utility rate payers to subsidize a weatherization program with no guarantees that those loan moneys would be paid back, and I would oppose the Amendment and the Bill."

Speaker Laurino: "Further discussion? Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To clarify an answer to Representative Ewing's question. Page 2 of the Amendment, and I ask the Members of the House to listen carefully to this, page 2 of the Amendment starting on line 11 'costs associated with this program shall be included as part of the energy charge portion of customers' bills'. Now that is exactly the 15¢ a line charge problem that every Member of this House got heat for just a few months ago. Even if there are a

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portion of this program on loans, when these loans are not paid back there going on every utility customer's bill in this state. Everyone in this House should oppose this Amendment because, let me tell you, you will hear from your constituents again with regard to that line charge or this charge for weatherization. The people of Illinois made all of us aware that they do not like this. They made everyone aware in all the polls and it was overwhelming. Over 90% of the people objected to the fact that that charge was there. And I reiterate the request for a Roll Call Vote, Mr. Speaker."

Speaker Laurino: "Further discussion? Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I think were into smoke and mirrors this morning. I think many people have spoken against this Amendment as if this Amendment were the Bill. In fact it's not, it's only an Amendment, and if you will look at the Amendment you will conclude that if there is any impact on the rate base under the provisions of House Bill 580, that impact is decreased, is lessened by the adoption of Amendment #5, rather than increased. So if you want to make sure that this Bill has little, if any, impact on the rates that your constituents will pay, the proper vote on the Amendment, however you feel about the underlying Bill, is a 'yes' vote. The provision in this Amendment would strike the 3% of revenue for this program, phase in a much lower amount of total revenues of the utility companies that would be devoted to the loan and grant program that is the underlying point of House Bill 580. So you're talking out of a peculiar side of your mouth when you suggest that the Amendment itself would increase rates. The Amendment itself would decrease any rate impact that the provisions of this Bill might have. So if your concern is for your constituents' rates

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it seems to me the only sensible vote is a 'yes' one. Otherwise, you're voting to require a full 3% of utility revenues to be devoted to this program rather than the much smaller proportions that are proposed in Amendment 5."

Speaker Laurino: "Further discussion. Seeing none...Seeing none, Representative Schakowsky moves for the adoption of House Amendment #5 to House Bill 580. Representative Homer."

Homer: "Will the Sponsor yield?"

Speaker Laurino: "She indicates she will."

Homer: "Representative Schakowsky, I think Members have been perhaps, confused by the debate I know I have. Let me just ask you about this Amendment. One thing that the Amendment does is decrease the percentage of revenues that a utility has to budget. The Bill says 3% and the Amendment says it shall be half of 1% for the first year and graduate up to 2%."

Schakowsky: "That is correct. The Amendment reduces the amount of revenues that utilities will expend on this program."

Homer: "Okay, now the second question is, 'Does the Amendment also trigger a funding mechanism by adding new authority or mandating that the utility include these costs in its customer energy charges?'"

Schakowsky: "Whatever cost there might be would be added on the customer energy charge however, the intention is to lower the overall cost of utilities by reducing our usage."

Homer: "But the Bill did not have a funding mechanism...the Bill without the Amendment had no provision for..."

Schakowsky: "The Amendment doesn't change the funding mechanism."

Homer: "Is the funding mechanism in the underlying Bill?"

Schakowsky: "Yes. It simply says where the charge will appear."

Homer: "Okay...on page 2 of the Amendment, lines 11 thru 13, Representative Wennlund read it to us...so...well...but it suggests there's a provision being added to the Bill that

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says costs associated with the program should be included as part of the energy charge. Are you saying that that is already in the Bill?"

Schakowsky: "Representative Homer, the charge would be in the Bill. This only specifies where that charge will be on the Bill. It will not...it doesn't change..."

Homer: "Oh, I see, in other words, the Bill allows or provides for the cost to be included in the rate base but this specifies where in the Bill that the cost shall be specified."

Schakowsky: "Exactly."

Homer: "Well then, Mr. Speaker, to the Bill I...to the Amendment...the Lady has satisfied me that...you know, if you're against the Bill or whether you're for the Bill, it would seem to me that...you would want to vote 'yes' on this Amendment...all that the Amendment substantively does is reduce the amount that the utility would have to budget from its revenues...for this program so...I presume if you vote against that that you're in favor of having the utilities budget more of their revenue...for this program because that's what the Bill would do without the Amendment. So, I would turn the table on you and say that if you vote 'no', then you should be prepared to explain to your constituents why it is that you want...this Bill to be in the form that there would be a larger set aside by the utility, so I would be wary of casting a no vote on this Amendment. I'm going to vote 'yes'."

Speaker Laurino: "Representative Schakowsky moves for the adoption of Amendment #5 to House Bill 580. All those in favor will indicate by voting 'aye', those opposed vote 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Announcing Joseph LaPaille in the Chair. Have all voted who wish? Have all voted who wish?"

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Take the record, Mr. Clerk. This Amendment having received 34 'ayes', 63 'nay', 14 voting 'present' fails. Further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Third Reading. Representative Black, for what reason do you arise? House Bill 742, Representative Granberg. Representative Granberg in the chambers? Out of the record. House Bill 1199. Out of the record. House Bill 1449, Representative Peterson, Bill Peterson. House Bill 1449, Representative Peterson. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1449, a Bill for an Act to amend the Illinois Nuclear Safety Preparedness Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Laurino: "Third Reading. House Bill 1741, Representative Hicks. Representative Hicks in the chamber. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1741, a Bill for an Act to amend the Gasoline Storage Act. Second Reading of the Bill."

Speaker Laurino: "Hold on a second, Mr. Clerk. Representative Peterson, for what reason do you arise?"

Peterson: "Mr. Speaker, a point of information, was 1449 put on Third Reading? I didn't hear the Chair state that."

Speaker Laurino: "Yes, it was."

Peterson: "Thank you."

Speaker Laurino: "Proceed Mr. Clerk, are there any Motions or Floor Amendments?"

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

Speaker Laurino: "Third Reading. House Bill 1850, Representative Hicks. Out of the record. House Bill 2022, Representative Hensel. Out of the record. House Bill 2253, Representative Kulas. Out of the record. House Bill 2254, Representative Kulas. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "House Bill 2254, a Bill for an Act to amend the Solid Waste Planning and Recycling Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Laurino: "Third Reading. House Bill 2451, Representative Morrow. Representative Morrow in the chambers? Out of the record. House Bill 1488, on Banking, Representative Capparelli. Out of the record. Chair will proceed to page 6 on the Calendar. Under Consumer Protection, Second Reading. House Bill 208, Schakowsky. Out of the record. House Bill 1858, Representative Farley. Out of the record. House Bill 1981, Representative Hartke. Out of the record. House Bill 2576, Representative Giglio. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2576, a Bill for an Act relating to restaurant food disclosure. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Third Reading. Proceed to page 13 on the Calendar Economic Development. House Bill 812, Representative McNamara. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 812, a Bill for an Act to ensure equity in restroom facilities. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any Floor Amendments?"

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

Speaker Laurino: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker. What Amendment #1 does is actually reduces the amount of facilities that are required, based on the experience of building the White Sox ball park; therefore, I urge for the adoption of Amendment #1."

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Speaker Laurino: "Any discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. First, may I make an inquiry of the Chair? We're confused as to the call. The...this Bill is the Equitable Restroom Act and it's on the call of Economic Development, is that what you said?"

Speaker Laurino: "That's what I said."

Black: "Well, that answers that. The equitable restrooms on the call of Economic Development. Okay. Now, if I might, let me ask the Sponsor a question."

Speaker Laurino: "He indicates he will answer."

Black: "Thank you, Representative, on your Amendment there is some question as to whether or not the existing state plumbing code...would really handle...if the law was being enforced, would really address what you're attempting to do because it's my understanding that new construction, there is in the state...the new state plumbing code...clearly stated how many lavatories commodes et cetera, must be in public accommodations. Does that code not go far enough or doesn't address what you're trying to address here?"

McNamara: "This is a Bill that had been around for, as you know, probably 3 or 4 years...what I did in the Amendment, and the reason the Amendment was presented, is because after discussion with the builders of White Sox stadium it was their suggestion that this is a language that be put in and as we all know they have been equitable at that ball park. So, what we were looking for was something that was fair and equitable. Precicely as far as the plumbers go, I do not know how that relates directly to the existing plumbers' code, except that I feel that perhaps that...when they made that suggestion to me...that...it is, in fact, their Amendment, when they made that suggestion to me that they were going with the existing plumbing code."

Black: "I appreciate that and just to make it...perfectly clear

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here this has no retrofit provision in it whatsoever. It's only for new construction, or substantially more than 50% renovation?"

McNamara: "That's correct. And one other point I wanted to bring up is, to why it's under Economic Development is that it does promote the sale of paper products quite a bit."

Black: "Ha, ha. Thank you very much."

Speaker Laurino: "Further discussions? Seeing none, Representative McNamara moves for the adoption of Amendment #1 to House Bill 812. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it the Amendment is adopted. Further Amendments Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Representative McNamara, this Bill will remain on Second Reading. There's been a fiscal note asked for, and you have to answer it, Sir. House Bill 882, Representative Wyvetter Younger. Out of the record. House Bill 1021, John Dunn. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1021, a Bill for an Act to amend the Civil Administrative Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Laurino: "Representative Dunn, there is a fiscal note required. The Bill will remain on Second Reading. House Bill 1571, Representative Younger, Wyvetter Younger. Out of the record. House Bill 1624, Representative Homer. Out of the record. House Bill 1876, Representative Morrow. Out of the record. House Bill 2507, Representative McPike. Out of the record. Proceeding to page 5 on the Calendar, Education and Finance. House Bill 19, Representative Lang. Representative Lang in the chamber? Out of the record. Proceed to page 23, Housing. House Bill 2003, Representative Monique Davis. Out of the record. Page 6 on the Calendar, Government Operations. House Bill 2042,

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Representative Obrzut. Representative Obrzut in the chamber? Out of the record. House Bill 721, Representative Deering. Out of the record. House Bill 841, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 841, a Bill for an Act to amend the Illinois State Agency Historic Resource Preservation Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Laurino: "Third Reading. House Bill 1186, Representative Ewing. 1186. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1186, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Laurino: "Third Reading. House Bill 1297, Representative Hicks. Representative Hicks? Out of the record. House Bill 1497, Representative Edley. Representative Edley? House Bill 1497. Out of the record. House Bill 1949, Representative Keane. Out of the record. Representative Hensel. House Bill 1956. Out of the record. House Bill 2032, Representative Currie. Out of the record. House Bill 2048, Representative Giorgi. 2048, Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2048, a Bill for an Act to amend the Illinois Purchasing Act. Second Reading of the Bill."

Speaker Laurino: "Any Motions or Amendments?"

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

Speaker Laurino: "Third Reading. House Bill 2078, Representative Churchill. Out of the record. House Bill 2512, Representative Harris. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2512. A Bill for an Act to amend the Military Care of Illinois Act. Second reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Harris."

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Speaker Laurino: "Representative Harris."

Harris: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #1 to House Bill 2512 makes a change in the Military Code to allow a rated Air Force Air Crew Officer to serve as the Assistant Adjutant General. Right now; that person must be a pilot. Well, if you have a two-seat aircraft, you could have a person who has as many flying hours as a pilot, he's just not a pilot. He might be a navigator. This makes a slight change to allow a rated Air Force Air Crew Officer to be the Assistant Adjutant General for air. I ask your support of the Bill...the Amendment."

Speaker Laurino: "Further discussion? Seeing none, Representative Harris moves for the adoption of Amendment #1 to House Bill 2512. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. We're back to, and pick up House Bill 242, Representative Obrzut. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 242. A Bill for an Act to amend certain acts in relation to payments on termination of state employment. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any Floor Amendments?"

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

Speaker Laurino: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Please withdraw Floor Amendment #1."

Speaker Laurino: "Withdraw Amendment #1. Further Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Floor Amendment #2 becomes the Bill. Although it does not change the underlying purpose of the Bill, it does provide the language as...look...in my opinion, a little bit better language than was originally provided in the Bill, maintaining the 30-day prohibition and also, a prohibition on agreements for the purpose of reemployment. I'd be happy to answer any questions."

Speaker Laurino: "Any discussions? Seeing none, Representative Ryder moves for the adoption of Amendment #2 to House Bill 242. All those in favor indicate by saying 'aye'. 'Nays'. 'Ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. Proceed to page 5. Insurance. House Bill 133, Representative Stern. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 133. A Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. Amendments #1 and #2 were adopted in committee."

Speaker Laurino: "Further Amendments?"

Clerk O'Brien: "No Motions. No Floor Amendments. And the fiscal note has now been filed."

Speaker Laurino: "Bill will stay on Second Reading, Representative It...It's been filed?"

Clerk O'Brien: "Filed."

Speaker Laurino: "Fiscal note has been filed. Third Reading. Page 16 of the Calendar. House Bill 1141, Representative Santiago. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1141. A Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. No

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Committee or Floor Amendments."

Speaker Laurino: "Third Reading. House Bill 1692, Representative Black. Is Representative Black...read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1692. A Bill for an Act to amend an Act relating to Local Government Health Insurance Reserve Fund. Second Reading of the Bill."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Third Reading. Page 8 of the Calendar, Municipal, County and Conservation Law. Second Reading. House Bill 408, Representative Bill Peterson. Representative Peterson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 408. A Bill for an Act to amend the township law. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Any Motions, Floor Amendments?"

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

Speaker Laurino: "Representative Peterson, on Amendment #2 to House Bill 408."

Peterson: "Thank you, Mr. Speaker. Amendment #2 reduces the amount of years from 20 to five that the township can purchase real estate. I ask for approval of Amendment #2."

Speaker Laurino: "Any discussions? Seeing none, Representative Peterson moves for the adoption of Amendment #2 to House Bill 408. All those in favor will indicate by saying 'aye', 'nos'. The 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "The Chair recognizes Representative Pullen."

Pullen: "Thank you, Mr. Speaker. For a brief announcement, that I think will be of interest to all. About 800

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Homeschoolers have come to Illinois today, to the Capitol today, from around Illinois to greet us and to introduce their children to the Legislature and they have brought, for the Members of the House, cherry pies, and those cherry pies are now available for House Members to go get a piece in the Speaker's Conference Room. So, the Homeschoolers are inviting you to have a piece of cherry pie on them. Thank you."

Speaker Laurino: "Thank you, Representative Pullen, for that information. For the hungry Members of the House, they appreciate it. House Bill 528, Representative Brunsvold. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 528. A Bill for an Act to amend the Boat Registration and Safety Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Amendment #2 simply clarifies the language of the Committee Amendment which had a few mistakes in it. So, I'd move for the adoption of Amendment #2."

Speaker Laurino: "Representative Brunsvold moves for the adoption of Amendment #2 to House Bill 528. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. House Bill 762, Representative Lang. Out of the record. House Bill 794, Representative White. Proceed down to House Bill 867, Representative Noland. Out of the record. Representative Brunsvold,

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would you come to the podium, please. To the Clerk, we'll get back to House Bill 794, Representative Brunsvold. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 794. A Bill for an Act to amend the Downstate Forest Preserve District Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Laurino: "Third Reading. House Bill 795, Representative Brunsvold. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 795. A Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "No Motions or Floor Amendments?"

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

Speaker Laurino: "Representative Doederlein."

Doederlein: "I withdraw the Amendment."

Speaker Laurino: "The Lady withdraws the Amendment. Further Amendments, Mr. Clerk."

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

Speaker Laurino: "Representative Leitch."

Leitch: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 would cure a problem which is occurring in the City of Peoria and perhaps in your communities with zoning boards of appeals. Present state law permits the practice of commissioners coming in after the hearing is over, reading a transcript and then voting on a measure. We've had the unfortunate circumstance in our community where people would leave a meeting after a vote. The public would go away thinking a decision had been taken and then there would be lobbying occur and members who were not present would come by later, vote and upset the previous decision. So, what this Bill would do,

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would be to make it permissive for home rule units to take away the power of a ZBA to make these decisions after having read a transcript, and I move for its favorable approval."

Speaker Laurino: "Further discussion? Seeing none, Representative Leitch moves the adoption of Amendment #2 of House Bill 795. All those in favor indicate by saying 'aye', opposed, 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. House Bill 796, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 796. A Bill for an Act to amend the Park District Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Third Reading. House Bill 797, Representative Brunsvold. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 797. A Bill for an Act to amend the Wildlife Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Third Reading. House Bill 833, Representative Brunsvold. Out of the record. House Bill 921, Representative Flinn. In his absence, Representative Brunsvold will handle the Bill. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 921. A Bill for an Act to amend the Wildlife Code. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

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Brunsvold."

Speaker Laurino: "Representative Brunsvold. Amendment #1 to House Bill 921."

Brunsvold: "Yes, Mr. Speaker. Amendment #1 would address some, or have some language addressing handicap hunting that was presented in Committee and I would ask for the adoption of Amendment #1."

Speaker Laurino: "Further discussion? Seeing none, Representative Brunsvold moves the adoption of Amendment #1 to House Bill 921. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative Mautino."

Clerk O'Brien: "Replaces the word 'conventional' with 'convictional'."

Speaker Laurino: "Technical Amendment. Representative Mautino."

Mautino: "Amendment #2 is technical; it was requested by the staff and all it does is make a grammatical change. I move for its adoption."

Speaker Laurino: "Representative Mautino moves for the adoption of Amendment #2 of House Bill 921. All those in favor indicate by saying 'aye', opposed. 'Ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. House Bill 942, Representative Keane. Out of the record. House Bill 1173, Representative Giorgi. Out of the record. House Bill 1188, Representative Giglio. Representative Giglio in the chamber? Out of the record. House Bill 1304, Representative Sieben. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1304, a Bill for an Act to amend the

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Boat Registration and Safety Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Laurino: "Third Reading. House Bill 1316, Representative Sieben. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1369, a Bill for an Act to amend an Act in relation to Boat Registration and Safety. Second Reading of the Bill. No Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Representative Sieben."

Sieben: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to House Bill 1369 is merely a technical change requested by the state police in the reporting of stolen water craft which relates to the underlying Bill. I move for the adoption of Amendment #1."

Speaker Laurino: "Representative Sieben moves to the adoption of Amendment #1 to House Bill 1369. Any discussion? Seeing none, all those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. House Bill 1383, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1383. A Bill for an Act to amend the Clerks of Courts Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Laurino: "Third Reading. House Bill 1431, Representative Sieben. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1431. A Bill for an Act to amend the Boat Registration and Safety Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Any Motions or Floor Amendments."

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

Speaker Laurino: "Representative Churchill."

Clerk O'Brien: "And, Ryder."

Speaker Laurino: "Representative Ryder will handle the Amendment."

Ryder: "Thank you, Mr. Speaker. Floor Amendment #2 proposes some changes in definitions. It doesn't change the underlying purpose of the Bill. However, it does use some language the Department of Conservation has refined, in order to define: a personal water craft, a speciality prop craft, to establish life jacket requirements for personal water craft operators, a land-your-cutoff switch on personal watercraft; it includes personal watercraft and restrictions on reckless operation, establishes boating safety certificate requirement for personal watercraft operations, and prohibits the operation of personal watercraft by persons under the age of 12 and rentals of personal watercraft to children under the age of 12. Be glad to answer any questions on this Amendment."

Speaker Laurino: "Further discussion. Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. I just stand in support of the Amendment. We talked about this Bill; this was a Bill in Municipal Conservation Law, and it was going to be added to an Administrative Bill, and I support the Amendment."

Speaker Laurino: "Representative Ryder moves for the adoption of the Amendment #2 to House Bill 1431. All those in favor indicate by saying 'aye'...opposed 'nay'..."

Ryder: "Aye."

Speaker Laurino: "'Ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No Further Amendments."

Speaker Laurino: "Third Reading. House Bill 1433, Representative

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Brunsvold. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1433, a Bill for an Act to amend the Wildlife Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Any Amendments or Motions filed?"

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

Speaker Laurino: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Amendment #2 is actually two proposals. One is the Department of Conservation's request in their budget to...meet the budgetary guidelines this year, decided to close two of the several controlled pheasant hunt areas in the State of Illinois. And, after several meetings with the Department of Conservation and the Governor's Office, we've come out with this proposal to raise the fees in the controlled pheasant hunt areas in the State of Illinois from the present \$10 to \$15 for the daily hunts. The second part of this Amendment is the Mulcahey Bill that was presented in committee to protect the roaming moose in northern Illinois from being killed by hunters. I'd ask for your support for this Amendment."

Speaker Laurino: "Further discussion? Seeing none, Representative Hartke moves for the adoption of Amendment #2 to House Bill 1433. All those in favor indicate by saying 'aye', opposed 'nay.' The 'ayes' have it, the Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. House Bill 1478, Representative Steczo. Out of the record. House 1537, Representative Marinaro. Out of the record, Mr. Clerk. House Bill 1572, Representative Wyvetter Younge. Out of the record. House Bill 1661, Representative Anthony Young. Read the Bill,

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Mr. Clerk."

Clerk O'Brien: "House Bill 1661, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Anthony Young."

Speaker Laurino: "Representative Anthony Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The underlying Bill allows the sanitary district to create an apprenticeship program and it includes, it in civil service. What the Amendment does is it says that the graduates of such program shall be given additional points in regards to their civil service exam. I move for its adoption."

Speaker Laurino: "Representative Young moves for the adoption of Amendment #1. Is there any discussion? Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. A question of the Sponsor."

Speaker Laurino: "He indicates he'll answer."

Black: "Thank you. Representative, I'm not sure, when you say 'entry into the apprenticeship program will be by lottery'...how's that going to work" I mean, are we opening ourselves up to all kinds of objections, or, how are we going to make sure it's done fairly?"

Young: "Representative, I'm not sure exactly how they intend the lottery to work. I do know right now that they want to expand the program. This was the basis of this Bill, and the Amendment or the basis, I guess it's called a Motion that was passed by the Metropolitan Sanitary District Board. It incorporates the program right now, that right now, I guess, is more out-of-house and they're trying to bring their program in-house, and I think 'by lottery' is just in case they have more graduates in the program than

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they have slots to fill at that time."

Black: "Alright, then, you're comfortable with allowing the Metropolitan Water District to exclude apprentices from civil service?"

Young: "No, right now most of the Sanitary District employees are civil service. There is one series of exclusions. Right now, apprenticeship is part of the exclusion. The underlying Bill brings it back into civil service."

Black: "Representative, you may want to take this out of the record and have stagg meet. We think, in all due respect to you, we think that you're doing just the opposite, that you're excluding these apprentices from the classified civil service, and knowing your views and positions on fairness and equity, I really don't think that that's what you want to do at all."

Young: "Are you looking at the Bill or the Amendment?"

Black: "The Amendment."

Young: "I think if you look at the Bill at the same time you look at the Amendment, the section of the Bill that the Amendment deals with, it starts out, 'the following offices and places of employment, insofar as they may be in sections of Sanitary Districts, shall not be included within the Classified Civil Service'. And so, what we're doing is we're deleting the in-terms in the apprenticeship program from those that shall not be included. I guess, it's really a double negative."

Black: "Well, I see that on line 20 through 22, but then, if you look at the Amendment, you're adding language that says, 'further, apprentices in a Sanitary District apprenticeship program of the trades shall not included within a classified civil service.' That's on line 8 of Amendment #1."

Young: "You're right. Let me take this out of the record."

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Black: "Thank you."

Speaker Laurino: "Out of the record. House Bill 1920, Representative Giorgi. Representative Giorgi. On House Bill 1920. Would you put Representative Giorgi's mike on? He doesn't understand sign language."

Giorgi: "Thank you for the privilege, Mr. Speaker. I want to call 1920 but Representative Lang has an Amendment, and he's not on the floor. I want the Bill out of the record, temporarily, to come back to. Is that alright with you, Major Domo? You need sign language? What do you need?"

Speaker Laurino: "Out of the record, temporarily. House Bill 2149, Representative McGann. Out of the record. House Bill 2463, Representative Walsh...to the House and go back to...House Bill 1478, Representative Steczo."

Clerk Leone: "House Bill 1478, a Bill for an Act to amend the Park District Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Laurino: "Third Reading. House Bill 1479. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1479, a Bill for an Act to amend the Park District Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Laurino: "Third Reading. House Bill 2463, Representative Walsh. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2463, a Bill for an Act in relation to issuing hunting and fishing licenses. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Laurino: "Floor Amendments?"

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

Speaker Laurino: "Representative Wojcik."

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Wojcik: "Yes, Mr. Speaker and Members of the House. Amendment #2 changes from December 31, 1991, to September 1, 1992, the date by which the zebra muscle taskforce must submit recommendation to the Governor. It also deletes the provision amending the Fish Code in relation to zebra muscle removal and dispersal. It inserts the immediate effective date."

Speaker Laurino: "Further discussion. Representative Weaver."

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

Speaker Laurino: "Indicates she will."

Weaver: "Representative, does this remove the bounty on zebras?"

Wojcik: "I refuse to answer on grounds it's going to incriminate me."

Weaver: "What are we making illegal here? zebras, or muscles, or..."

Wojcik: "It's actual...they're a mollusks that attach themselves to boats and they're transported from Lake Michigan into our Chain of Lakes."

Weaver: "Are they very small zebras?"

Wojcik: "They're itty, bitty."

Weaver: "Itty, bitty, zebras?"

Wojcik: "Yes, itty, bitty, little zebras."

Weaver: "Thank you very much."

Wojcik: "You are most welcome."

Speaker Laurino: "Further discussion? Seeing none, Representative Wojcik moves for the adoption of Amendment #2 to House Bill 2463. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, the Amendment is adopted. Are there any further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Third Reading. Go to page 14, Public

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Utilities. House Bill 990, Representative Deering. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 990, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill."

Speaker Laurino: "Any Motions or Floor Amendments?"

Clerk Leone: "There are no Committee Amendments. Floor Amendment #1, being offered by Representative Currie."

Speaker Laurino: "Representative Currie."

Currie: "Withdraw."

Speaker Laurino: "Withdraw Amendment #1. Further Amendments, Mr. Clerk."

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

Speaker Laurino: "Representative Curran."

Curran: "Withdraw Amendment #2."

Speaker Laurino: "Withdraw Amendment #2. Further Amendments, Mr. Clerk."

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

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

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

Speaker Laurino: "Representative Curran on Amendment #4. Currie...Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This Amendment would provide for the opportunity for people who are telephone customers to voluntarily add to their Bills in order to provide support for low-income people thus accessing federal dollars. This is a way to provide some help to people who can't meet monthly telephone bills without mandating that anybody in the State of Illinois participate in that program. We have the example of

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Northern Illinois Gas Company which offers a voluntary checkoff program at this point and, the adoption of this Amendment would be an adoption that says that those people who would like, out of their own pockets, to help make sure that low-income people can participate in the federal linkup to program, would be able to do so. I'd appreciate your support and be happy to answer any questions."

Speaker Laurino: "Representative Currie moves for the adoption of Amendment #4 to House Bill 990. Any further discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor of the Amendment yield?"

Speaker Laurino: "Indicates she will."

Black: "Representative if Amendment #4 is added, Amendment #4 becomes the Bill, correct?"

Currie: "Yes."

Black: "I...I assume that Representative Deering and you are in agreement that your Amendment now becomes his Bill? I don't want to cause any inter-party squabbles here, but I'd just like to know whether he's accepting your Amendment?"

Speaker Laurino: "Representative Deering asks that the Bill be taken out of the record. Page 18, House Bill 1392, Representative McNamara. Out of the record. House Bill 1405, Representative Wennlund. Out of the record. Representative Wennlund? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1405, a Bill for an Act to amend the Illinois Underground Utility Facilities Damage Prevention Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Third Reading. House Bill 1526, Representative Curran. Out of the record. House Bill 1812,

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Representative Deering. Representative Deering, on House Bill 1812. Out of the record. House Bill 2056, Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2056, a Bill for an Act to amend an Act in relationship to public utilities. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Laurino: "Third Reading. House Bill 2057. Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2057, a Bill for an Act to amend an act in relation to public utilities. Second Reading of the Bill. There are no Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Representative Lang. Out of the record. House Bill 2552, Representative Matijevich."

Clerk Leone: "House Bill 2552, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill Amendment #1 to House Bill to 2552. The Bill is a disclosure Bill and the Amendment would provide that they would not have to disclose utility employees solely engaged in internal administrative, clerical or research support services. I move the adoption of Amendment #1 to House Bill 2552."

Speaker Laurino: "Representative Matijevich moves for the adoption of Amendment #1 to House Bill 2552. Any discussion? Representative Black."

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

Speaker Laurino: "He indicates he will."

Black: "Thank you. John, I guess the only question the Amendment brings to mind, and we understand what you're attempting to do here, but if you exempt these in-house people, such as an attorney or not...they're not specifically mentioned...but I guess what I'm trying to say is, if you exempt internal employees then what would prevent that internal employee from writing any necessary checks or covering necessary expenditures and the lobbyist could then say truthfully, 'I didn't spend anything'."

Matijevich: "Well, I offer the Amendment because in committee, after discussing with the lobbyists for the utilities and the lobbyists for the Citizens Utility Board, we thought this was generally a good Amendment because they didn't think that they could even, administratively find out. You know, it would be such a nightmare for them to determine these small things that the employees do. So, administratively, they couldn't handle it. So, we offer this as an Amendment."

Black: "I can certainly understand that, and...I guess I would be more inclined to ask, the..."

Matijevich: "If you're saying, can anybody get around something, you're right. You can get around anything. We know that."

Black: "I...I think that's where I'm headed, John, is that, obviously, it creates a rather large loophole, and I would question you on the genesis of the Bill, except I know you have a package in, and I think you're sincere, but I have no objection to your Amendment but I do think it probably renders what you're attempting to do somewhat useless, but..."

Matijevich: "We'll talking about that on Third Reading, Bill."

Black: "Alright, thank you."

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Speaker Laurino: "Further discussion. Seeing none, Representative Matijevich moves for the adoption of Amendment #1 to House Bill 2552. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, and the Amendment's adopted. Any further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Third Reading of the Bill. Move to page 21 on the Calendar, House Bill 1920, Representative Giorgi, on Municipality and Conservation Law. Second Reading. Mr. Clerk, read the Bill. We previously took this out for a temporary out of the record and now we're just returning to it. Representative Giorgi."

Clerk Leone: "House Bill 1920, a Bill for an Act to amend the North Shore Sanitary District Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Laurino: "Any Floor Amendments?"

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

Speaker Laurino: "Representative Lang. Withdraw Amendment #1. Further Amendments, Mr. Clerk."

Clerk Leone: "There are no further Amendments."

Speaker Laurino: "Third Reading. Page 39 of the Calendar. Public Utilities. Third Reading. Representative Kulas. Gentleman asks leave of the House to move this Bill back to Second Reading. All those in favor, indicate by saying 'aye'. Leave for the Attendance Roll Call. Leave being granted, the Bill will be moved back to Second Reading. Representative Kulas. 1696. House Bill 1696."

Clerk Leone: "House Bill 1696, on the Order of Second Reading. Amendment #2 is being offered by Representative Hicks, Phelps, et al."

Speaker Laurino: "Representative Hicks, Phelps, et al."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of

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the House. Amendment #2 would deposit into the Co-Technological Development Assistance Fund the 10% of the gross revenue derived from the output sold at the municipal wholesale rate. This would be added to the section of the Bill and would work towards the promotion of co-technology here in Illinois. I would be happy to answer any questions."

Speaker Laurino: "Further discussion. Representative Hicks moves for the adoption of Amendment #2. Representative Kulas. Do you wish to respond?"

Kulas: "No, this is an Agreed-to Amendment. I'd move for its adoption."

Speaker Laurino: "Representative Hicks moves for the adoption of Amendment #2 to House Bill 1696. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

Speaker Laurino: "Third Reading. Proceed to page 14. Real Estate Law. Second Reading. House Bill 909. Representative Turner. Out of the record. House Bill 910, Representative Williams. Read the Bill, Mr. Clerk. 910. Representative Williams."

Clerk Leone: "House Bill 910, a Bill for an Act to amend the Mechanics Lien Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Laurino: "Any Motions or Floor Amendments?"

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

Speaker Laurino: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to 910 is really...simply a technical Amendment that provides for a second place in

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the Bill where it was supposed to be amended and was not done. This simply puts in the same...in both places in the Bill, the same language."

Speaker Laurino: "Representative Hicks moves for the adoption of Amendment #1 to House Bill 910. Any discussions? Seeing none...Representative Williams."

Williams: "I just wanted to say that I am in total agreement with Representative Hicks, and this is an Agreed Amendment."

Speaker Laurino: "All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk Leone: "There are no further Amendments."

Speaker Laurino: "Third Reading. House Bill 1196. Representative Matijevecich. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1196, a Bill for an Act to amend the Responsible Property Transfer Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Laurino: "Representative Homer."

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

Homer: "Thank you, Mr. Speaker and I would advise the Clerk that I submitted a form whereby I am now the Chief Sponsor of the Bill signed by Representative Matijevecich, the former Sponsor. The Amendment becomes the Bill. House Amendment #1 would repeal the current 12-year statute of repose for latent diseases, such as asbestosis. The current statute of repose has a provision that the exposed worker must contract the disease within 12 years from the last exposure in order to seek a right of recovery from the manufacturer of the asbestos. The problem is, is that virtually in all cases of asbestosis, that the median latent period is 20 years or longer. And, therefore, because the statute required the reporting within 12 years, and the discovery

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and diagnosis of the disease does not occur until 20 or more years, that the diseased worker is barred from any recovery. The Bill would, the Amendment would change the law to provide that the worker would have two years after discovering the asbestosis, to bring the cause of action. This would be a reasonable period of time, tied to the time that the worker actually gained knowledge of having the disease. And, while the 12 year limit makes sense with many industrial diseases, with such a latent disease as asbestosis, it makes no sense and in fact, works a grave injustice on those who contract that disease in the work place. So, the Bill is, the Amendment is designed to provide a reasonable period of time, being two years after the diagnosis of the disease, two years being the normal statute of limitations for the bringing of a personal injury action. So, I would answer questions, and would urge the support of the Amendment which now is the Bill."

Speaker Laurino: "Representative Giglio in the Chair."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker. An inquiry of the Chair?"

Speaker Giglio: "Proceed."

Black: "The Gentleman's Amendment becomes the Bill; it's a very complicated piece of legislation. We're not sure his Amendment is germane to the underlying title of the Bill. Question of 'germaneness', if you will, Mr. Speaker."

Speaker Giglio: "Representative Black, the Parliamentarian informs the Chair that the Amendment is germane. The Bill deals in real estate and so does the Amendment."

Black: "Okay, and I can count, so I don't think I'll appeal the Chair, but thank you for your kindness."

Speaker Giglio: "You're welcome. Further discussion? The Gentleman from Lake, Representative Matijevich."

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Matijevich: "Yes, I didn't know if Representative Black was in opposition, but if there is opposition, I would remind the Real Estate Law Committee that I have passed this Bill out of committee, with the promise to the Realtors that it was a responsible property transfer Bill, and I would uphold it and work out something probably by next year. I knew that there would be vehicles to do that, and then when Tom Homer came to me and said that this looked like the best vehicle for what I think is a very good law, I turned the Bill over to him. Having come from Waukegan, and believe me, the first time I ever campaigned for office I went to Manville and you could not breathe in that place and that alone was tough enough, but then after those people who worked there, years later, and I mean years later, found out they had asbestosis, we have to change this because it is a latent disease. This is a good Amendment and not only that, it's a good Bill that we ought to support on Third Reading. Thank you."

Speaker Giglio: "Is there any discussion? The Gentleman from Cook, Representative Kubik."

Kubik: "Mr. Speaker, I just wanted to rise and point out that Representative Kirkland would like to make some remarks to the Bill, but cannot his light is not working so, if we could have an electrician come up and take a look at his switch."

Kirkland: "He can turn it on but I can't, I believe. That's the way it's been the last few days."

Kubik: "Thank you."

Kirkland: "Will the Sponsor yield? There just seems to be a few more things to the Bill, Tom, and I just want to ask about 'em. I take it, the Bill, if I read on page 5, what's exempted, in a sense, it looks like all kinds of residential property...basically, except that with

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underground storage tanks, is that correct?"

Kubik: "Would you repeat your question?"

Kirkland: "On page 5 of the Bill. It would appear from that language that the real problem...that this Bill would not affect any kind of residential property. It lists various kinds of residential property and I'm trying to figure out what kind of residential property might be included that isn't listed in your list. Page 5 of the Bill, line 26, of the Amendment. I'm sorry, of the Amendment, which becomes the Bill."

Homer: "Representative Kirkland, I'm looking at that part of the Amendment, and what that part of the Amendment pertains to is the definition of real property, which is...in current law...the definition excludes residential property from the reporting requirements. What this part of the Amendment does, is continue to carry on those exceptions, and then in Section 4.1 it specifically identifies public and commercial buildings as being subject to the...subject to the disclosure requirements. So, if your question is, whether we would be including residential buildings, the answer is 'no'. The Amendment clearly limits it to public and commercial buildings."

Kirkland: "Alright. Let me take you over to paragraph...to page 7, starting with line 20, the new language that calls for an audit report. That seems to be something entirely new, at least from what I've seen. Could you describe to the Body and to me a little bit of what that might involve and do you have any estimates of what those kind of audit reports cost?"

Homer: "Mr. Speaker, let me do this, while we're discussing...his question and another, let me ask you to take the Bill out of the record, momentarily. Could we do that?"

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

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Clerk. We're going to go back to a Bill we took out of the record some time back under Human Services, House Bill 2160, Representative DeLeo. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2160, a Bill for an Act to amend the Nursing Home Care Act. Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Are there any further Amendments?"

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

Speaker Giglio: "Representative DeLeo."

DeLeo: "Thank you, Mr. Speaker. As I explained this Amendment yesterday, and it wasn't printed and distributed, this Amendment restores the training requirements for nurses aides in licensed sheltered care facilities. Because of concern of quality care of nursing home residents, and the safety of both patients and aides, the City of Chicagos Department of Aging, believes this training requirement should be reinstated. I've cleared this with Representative Black, and I'd ask for favorable adoption of Amendment #2."

Speaker Giglio: "Any discussions? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. The opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. On the Order of Real Estate Law. That's the Special Order of Business, on Second Reading, appears House Bill 1312. Representative Shirley Jones. Representative Shirley Jones in the chamber? Out of the record. 1379, Representative Weaver. Representative Weaver, Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 1379, a Bill for an Act to amend the Rental Purchase Agreement Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Gentleman from Coles, Representative Weaver."

Weaver: "I'd like to withdraw Amendment #1, please."

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

Clerk Leone: "No further Amendments."

Speaker Giglio: "Gentleman indicates that another Amendment has been filed. Has it been distributed? While we're looking for the Amendment, Representative Weaver, will you inform Representative Petka and Representative Sieben that one of the Bills on your side of the aisle is being called. Representative Sieben and Representative Petka had some concern that your Bill and some other Bills probably wouldn't be called. I promised them this morning that if I got in the Chair I'd call their Bills. Amendment #2 has been distributed."

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

Speaker Giglio: "Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. The underlying Bill, 1379, does not deal with real estate. It deals, however, with 'rent-to-own'. And Amendment #2 simply makes some language changes that were suggested by the industry people. I'd be more than happy to answer any questions. I ask for your favorable vote on the Amendment."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the

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'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Woolard, on 1926. Out of the record. Representative Levin, 1926. Out of the Record. Representative Persico, 2174. Read the Bill, Mr. Clerk. Representative Sieben. Representative Persico has the Bill."

Clerk Leone: "House Bill 2174, a Bill for an Act in relationship to certain described lands. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Giglio: "Third Reading. Representative Flowers? 2266. Out of the record. How about 2267, '68, '69, '70. Out of the Record. Alright, on the order of Transportation. Second Reading. The following Members have Bills: Trotter, Lang, Santiago, Hicks, Obrzut and Lang. And on that Order, on page 5, appears House Bill 5, Representative Trotter. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 5, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 40, Representative Lang. House Bill 40. Representative Santiago. Miquel Santiago. Out of the record. Representative Hicks. Representative Hicks. Out of the record. Representative Obrzut. House Bill 1197. Out of the record. Representative Lang, 2191. Out of the record. On the Order of Second Reading, Veterans, appears House Bill 341. Representative McAfee. Read the Bill, Mr. Clerk."

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Clerk Leone: "House Bill 341, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative Black on Amendment #1 to House Bill 341."

Black: "Thank you very much, Mr. Speaker. The Sponsor of this Bill is trying to work out some agreements with various veterans' groups and the Secretary of State, and since he's kind enough to be doing that, I'd like to withdraw Amendment #1."

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

Clerk Leone: "Floor Amendment #2 offered by Representatives McNamara and Black."

Speaker Giglio: "Representative McNamara on Amendment #2."

McNamara: "Thank you, Mr. Speaker. What Amendment #2 does is it performs a different type of a plate for veterans' groups. This is a plate that will be brought about by putting stickers or decals, as to given the Secretary of State discretion, as to how to put that plate forward. We would urge the adoption of this Amendment."

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

Klemm: "Mr. Speaker, I was going to comment on the Amendment, but we don't seem to have it distributed over on this side, would you check?"

Speaker Giglio: "Mr. Clerk, has the Amendment been distributed? Mr. Lee, has the Amendment been distributed? Amendment #2. #2 has not. Take the Bill out of the record. Representative Walsh on House Bill 614? Out of the record."

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How about Representative J. Hoffman, 816? Representative Hoffman? Out of the record. Representative Burke. House Bill 847. Representative Burke. Representative Burke. 847. Out of the record. Alright, we're going to return to Second Reading, Transportation, appears House Bill 685, Representative Santiago. Mr. Clerk, read the Bill. House Bill 685."

Clerk Leone: "House Bill 685, a Bill for an Act to amend the Vehicle Code. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative Black, on Amendment #1 to House Bill 685."

Black: "Thank you very much, Mr. Speaker. I talked very briefly to the Sponsor of the Bill about this Amendment, yesterday. We may be trying to work out some agreed language on it. But, very briefly, I'll let him respond to that. It simply, Amendment #1 provides that the criminal background checks will be done as a condition of employment and simply says that the Chicago Board of Education should then pay for the background check. And that's Amendment #1. If the Gentleman would want me to withdraw it, I'll do so, because he did say, yesterday, we might be able to work out an Agreed Amendment."

Speaker Giglio: "Representative Santiago."

Santiago: "Mr. Speaker. I talked to Representative Black, yesterday, about trying to reach an agreement with this Bill. I would like to move the Bill. First of all, I would to table Amendment #1, move the Bill and then I'll bring it back to Second Reading, if we reach an agreement...if there's no problem with it."

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Speaker Giglio: "Gentleman indicates he wants to withdraw Amendment #1. Mr. Clerk, withdraw Amendment #1. Are there further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. The Clerk informs the Chair that we're going to pick up where we left off yesterday on Third Reading which makes it easier on the machine so it won't break next month when it's really rollin'. We're going to do Municipal County and Conservation Law, Third Reading. And on that Order on page 30 appears House Bill 410, Representative Rotello. Rotello, on Third Reading. Are you ready, Sir? Let me just go through the list. These are Third Readings. Rotello, Deering, Steczo, Brunsvold, Mulcahey, Keane, Steczo, Curran, Burzynski, Turner, McAfee, Matijeovich, Stern, Brunsvold, Rotello and Keane, again. Ladies and Gentlemen, these Bills are on this Order of Business and anyone that wants to hear their Bill, please be prepared. Rotello, out of the record. Representative Deering, 508. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 508, a Bill for an Act to amend the Wildlife Code. Third Reading of the Bill."

Speaker Giglio: "Representative Deering."

Deering: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 508 does two things: It reduces the period to which fur-bearing mammals may not be hunted, preceeding and following the racoon hunting season, from 20 days down to 10. It, also, clarifies the requirement for a non-resident to hunt in this state, during the time that...State...Illinois residents can hunt the same animal in their state. As far as I know, it's not controversial. I would entertain any questions."

Speaker Giglio: "Any discussion on the Gentleman's explanation of the Bill? This is final action. Hearing none, all those

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in favor signify by voting 'aye', opposed 'nay'. The voting's open. Have all voted who wish? Have all voted who wish. Mr. Clerk, take the record. On this question there are 114 voting 'yes', none voting 'no', and none voting 'present'. House Bill 508, having received the required Constitutional Majority, is hereby declared passed. On this Order, House Bill 410, Representative Rotello. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 410, a Bill for an Act to amend township law. Third Reading of the Bill."

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

Rotello: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We have a technical Amendment on this Bill, which, so I need to ask leave to move this back to Second Reading."

Speaker Giglio: "Can the Gentleman have leave to move the Bill back to the Order of Second Reading for the purpose of an Amendment? Hearing not, leave is granted by the Attendance Roll Call. The Bill is on the Order of Second Reading."

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

Rotello: "This amends House Bill 410 on page 1 and line 30 by changing 7 to 6. What that means is we would change...amend the Bill to allow the audits of townships to be filed within 6 months instead of 7. That would make it consistent with all of the other local governmental units, as well."

Speaker Giglio: "Is there any discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. The opinion of the Chair, the 'ayes' have it, the Amendment's adopted. Representative Black?"

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Black: "Inquiry of the Chair."

Speaker Giglio: "Proceed."

Black: "We're adopting Floor Amendment #2, wasn't Amendment #1 supposed to be tabled?"

Speaker Giglio: "Representative Rotello?"

Rotello: "Amendment #1 was put on a committee, I believe, so I don't know what the procedure would be."

Black: "Mr. Speaker, could we take this out of the record, for one minute, and I think the staff can work this out very quickly."

Rotello: "No problem."

Speaker Giglio: "Alright, take it out."

Black: "Go right back to it."

Speaker Giglio: "559, Representative Steczo. Gentleman asks leave to bring House Bill 559 back to the Order of Second Reading for the purpose of an Amendment. Hearing none, leave is granted by the Attendance Roll Call. Mr. Clerk, read the Bill. Steczo, we're on 559. 559. Is that the one you want the Amendment on? Pardon?"

Steczko: "I'm sorry, Mr. Speaker, it was an error. House Bill 517, actually, is the one that has the Amendment, not House Bill 559. And 517 is the one we should have gone to on the Order. But we'll take 559, right now, though, so I would, Mr. Speaker, request that the Bill be placed on the Order of Third Reading and heard immediately."

Black: "There is no Amendment to this Bill."

Speaker Giglio: "Mr. Clerk, are there any Amendments on 559? Bill 559?"

Clerk Leone: "There are no Amendments filed."

Speaker Giglio: "Third Reading. Gentleman asks leave for the immediate consideration of House Bill 559. Hearing none, leave is granted by the Attendance Roll Call. Mr. Clerk, read the Bill."

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Clerk Leone: "House Bill 559, a Bill for an Act to amend the Chicago Park District. Third Reading of the Bill."

Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 559 amends the statute as it relates to the Chicago Park District and authorizes the park district to acquire, by lease or a permit, the right to occupy and use certain real property for park and parkway purposes. Presently, the property may be acquired only from another municipal corporation or from the state or from some state agency. This is intended to give the park district better discretion and authority in terms of planning and financing future operations. I would answer any questions the Members might have, Mr. Speaker, otherwise we ask for an 'aye' vote."

Speaker Giglio: "Any discussion? Hearing none, all those in favor signify by voting 'aye', opposed 'nay'. The voting's open. This is final action. Have all voted who wish? Have all voted who wish? Take the record. On this question there are 115 voting 'yes', none voting 'no', none voting 'present'. And House Bill 559 having received the required Constitutional Majority is hereby declared passed. Alright, we'll go back to House Bill 410, Representative Rotello. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 410 has been brought back to Second Reading. Amendment #2 has been adopted. There's now a Motion..."

Speaker Giglio: "Representative Rotello."

Rotello: "I make a Motion to table Amendment #1 as requested by Representative Black."

Speaker Giglio: "Table Amendment #1. Are there further Amendments, Mr. Clerk? The Gentleman asks leave to table Amendment #1. Does the Gentleman have leave? Hearing

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none, the leave is granted. Amendment #1 is tabled. Are there further Amendments?"

Black: "Just to give you an example, my community was featured on nationwide television. We were the winter home of millions of crows, and in the past we have tried to contract with various people to convince the crows to go somewhere else, even to the point where one year I think they tried to shoot them. Is...is a crow covered under this Act at all?"

Brunsvold: "It's my view, Representative, this would not affect that situation."

Black: "Okay, that wouldn't bother..."

Brunsvold: "No."

Black: "...the trapping of raccoons by animal control officers or anything of that sort?"

Brunsvold: "It's not my understanding that that is the intent of this at all by the Department of Conservation."

Black: "Oh, okay. Thank you."

Speaker Giglio: "Further discussion. The Gentleman from Coles, Representative Weaver."

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

Speaker Giglio: "He indicates he will."

Weaver: "Joel, is this, does this set aside home rule? Does this override home rule?"

Brunsvold: "It would. Yes, it would override home rule in the fact that if you've got a, a city home, there's no counties that are home rule except for Cook, and that situation would, would overrule, would, yes..."

Weaver: "Would this not have an effect in...in say the city limits or municipality limits? My...my concern is...if...if the Bill as amended makes the state the sole licensing authority for hunting, and the state says, 'Okay now it's squirrel season. You can hunt squirrels,' all of

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a sudden we're going to have people shooting squirrels inside the city limits."

Brunsvold: "Well, we really are anyway. I mean, you know, the, the state has...has the authority to give hunting licenses, trapping licenses and control the game in the state. Now if you've got a...a inside of a city where there's an ordinance against shooting or taking game, that...this would not...this would not really interfere with that."

Weaver: "Okay, so this would not overrule local ordinances with respect to hunting if it's prohibited anyway."

Brunsvold: "It's not to my understanding it would."

Weaver: "Okay. Thank you."

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

Dunn: "Thank you, Mr. Speaker. If you could get the attention of the Parliamentarian, I'd like to know if this Amendment is in order, whether it's properly drafted or not. The Sponsor may want to take this Bill out of the record 'till we..."

Brunsvold: "Let's do that and clear up this, these, this matter."

Speaker Giglio: "Out of the record. Representative Mulcahey. Representative Mulcahey in the chamber? Representative Steczo, 705. Out of the record. Representative Keane, 746. Out of the record. Representative Steczo on 851. Representative Steczo, 851. Read the Bill, Mr. Clerk. 851."

Clerk Leone: "House Bill 851, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker. I'd ask leave to bring House Bill 851 back to the Order of Second Reading for the purposes of an Amendment."

Speaker Giglio: "Does the Gentleman have leave? Hearing none,

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leave is granted. Mr. Clerk, read the Bill."

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

Speaker Giglio: "Representative Steczko."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 851 attempts to correct a situation that we created last year as it relates to making public minutes of meetings, and we required last year the, that the village clerk take the minutes and have those minutes available for public inspection 24 hours before the next regularly scheduled meeting of the corporate authority. Unfortunately, we were made aware that having them available for public inspection is not the right thing to do because they have, they've not been seen by anybody so the original Bill provides, exempts, the clerks from special meeting notices which was something that they asked for, but Amendment #1 does two things: First of all, it, it says that the clerk shall deliver the minutes to the members of the corporate authority 24 hours prior to the next regularly scheduled board meeting. In addition to that, Mr. Speaker, it places into House Bill 851 the provisions of House Bill 995 which clarify that when there are utilities, taxes that are passed under a new ordinance, the collection begins on the first day of the month after passage and publication. That's a clarification only as to when that, that should happen. Mr. Speaker, I would ask...answer any questions, but ask for the adoption of Amendment #1."

Speaker Giglio: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor yield? Thank you. Terry, you're not doing anything that would restrict the public's access to minutes. Will, will

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they, I guess the language kind of threw me off. When they, when the minutes are adopted, would they then immediately or prior to the next meeting be available to the public?"

Steczo: "Representative Black, once the minutes of the...once the minutes are adopted by the...by the village board or whoever, they automatically become a member of public record. So the public is automatically entitled to them, either by...by the willingness of the...of the...of the village board or by the open...by the Public Records Act."

Black: "Okay. I...that...that I think you've answered the question, and with a little help over here from our friends we understand why the Amendment's being offered. Thank you."

Steczo: "Further discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Does the Gentleman have leave for immediate consideration? Hearing none, leave is granted by the Attendance Roll Call. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 851, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Giglio: "Representative Steczo."

Steczo: "Thank you, Mr. Speaker. I believe that the discussion that...that ensued during the Second Reading debate on the Amendment pretty much lets the Members know what this Bill does. It takes care of a problem we created last year when we provided for the...the...who mandated actually the...the municipal clerks to have minutes ready in an allotted

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amount of time, and secondly, it...it clarifies the question of when after an ordinance passes that utility tax would be collected. I would ask for the 'aye' votes of the Membership, Mr. Speaker, or would answer any questions if there are any."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 851 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted? Have all voted? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 106 voting 'yes', none voting 'no', and 3 voting 'present'. House Bill 851, having received the required Constitutional Majority, is hereby declared passed. Representative Curran on 857. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 857, a Bill for an Act to amend the Park District Code. Third Reading of the Bill."

Speaker Giglio: "Representative Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 857 passed out of the Municipal Conservation Committee 10 to nothing. It removes the provision that members of the park board district shall be police officers with the power to arrest. This came, became a, I became aware of it during the last park board election here in Springfield, and one of the members running for park board president noticed that if she were to win, and she did, that she would have the right to arrest people. She didn't think that the voters were voting for park board members to give them police powers. She suggested this to me. Her name is Leslie Sgro. She's now the President of...of the Springfield Park Board District. I don't think there's any controversy here. I'd be glad to answer any questions."

Speaker Giglio: "Any discussion on the Gentleman's Bill? The

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Gentleman from Will, Representative Wennlund."

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

Speaker Giglio: "He indicates he will."

Wennlund: "Representative Curran, the, this, the provisions of this Bill would apply to all of the smaller park districts in central and southern Illinois, that...that cannot afford to hire a separate police force for their facilities and...and their...because they simply don't have the money to be able to do it, and actually the park board members in...in central and southern Illinois and even in western Illinois would, would actually do police duty because they have no...on a volunteer basis because they cannot afford to have a police force."

Curran: "Well, if you say so, that's what I have to believe, but I, I'm from about as central Illinois a place as you can get, and our park board here found it strange and unusual that they would have police powers. It is the president of our park board who suggested this legislation."

Wennlund: "To the Bill. Ladies and Gentlemen of the House. There are small park districts in Illinois, in central and, and in southern Illinois. The City of Springfield, of course, has got about 120,000 people within this park district, but in other parts of the State of Illinois, and for all you downstaters and...and people from western Illinois, there are park districts who simply do not have money in the budget and don't have the authority to...to levy an amount sufficient to provide for a police force to monitor park district facilities in these small communities, and that's the only way they can get the job done. I know of no abuses in the Illinois Association of Park Districts which strongly opposes this legislation, knows of no abuses by park district officials on record of...of carrying weapons to patrol small park forces, park

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districts. Now, in Chicago, and in...and in Peoria and Joliet and Springfield, that's a different ball game. They have police force, a separate police force, that...in fact, enforce park district rules and regulations on park district property, and as many of you know, and in case you don't, the municipal authorities, the municipal police departments will not enforce park district ordinances on park district property. So that leaves the smaller park districts without the ability to carry out police powers on their own park property because nobody else will patrol it. The county sheriffs won't. They won't make arrests. The city police won't do it, and they won't make arrests because they're not in the business of enforcing park district ordinances that deal with the regulation of activities on park district property. Like closing hours, for instance. So, in those smaller park districts it's up to the board to enforce the provisions of park district ordinances. I think that you should take a strong look at that. The Illinois Association of Park Districts is violently opposed to this legislation because it restricts the ability of these smaller districts to be able to handle it, and I urge a 'no' vote."

Speaker Giglio: "Further discussion? The Gentleman from Sangamon, Representative Curran, to close."

Curran: "I think a reality check would be pretty good here. What this Bill says is that the park board members, those innocent people who, who try to help arrange for safe and secure parks in your community and mine, the park board members in this community say it is absurd that they should be carrying a gun; it is absurd that they should have the right to arrest people in the park. They don't want this responsibility. They thought that it would be good legislation to take this away. When you elect a park board

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member, you're not electing a cop, you're not electing somebody to go around carrying a gun and arresting somebody because they happen to be driving through the park...the park. This...I thought it would be very noncontroversial legislation. First I've heard of anybody opposing it. Passed 10 to nothing out of, out of the Committee. There was no opposition then. I don't think there should be any opposition now. We're not wanting park board members to be police officers carrying guns. That's the simple part of it. I ask for an 'aye' vote."

Speaker Giglio: "The question is, 'Shall House Bill 857 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 71 voting 'yes', 40 voting 'no', and 1 voting 'present', and House Bill 857, having received the required Constitutional Majority, is hereby declared passed. Representative Petka. Representative Burzynski is next. Representative Burzynski has a Bill. House Bill 864. Representative Burzynski, do you wish to have this Bill called? Out of the record. Representative Turner. Representative Steczo, 927. Representative Steczo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 927, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Third Reading of the Bill."

Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 927 is a Bill that amends the Metropolitan Water Reclamation District Act, and it excludes from the district's bond limit, bonds that are used to repay loans received by the district from the Water Pollution Control Revolving Loan Fund. The fact of the matter is that the

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district, right now, finances major capital improvements for seven waste treatment facilities by borrowing money at very low rates, about 3.7 percent, from this fund. So the district repays the loan by issuing 20 year bonds to the state. This cap, or the cap that's currently in the law, would restrict this ability, and so by asking for this exemption we allow that the district will be able to finance these water treatment facilities by continuing to be able to...to...to use the low rate that they currently get. It's passed out of the Executive Committee, Mr. Speaker, Members of the House, on the Agreed list, and I would ask for the support of the House in passing House Bill 927."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 927 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? The Gentleman from Will, Representative Wennlund. Have all voted who wish? Take the record, Mr. Clerk. On this question there are 110 voting 'yes', none voting 'no', and none voting 'present'. House Bill 927, having received the required Constitutional Majority, is hereby declared passed. House Bill 928, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 928, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Third Reading of the Bill."

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

Steczko: "Thank you, Mr. Speaker, Members of the House. This Bill, House Bill 928, is a Bill that would increase the salaries of the members of the civil service board created under the Metropolitan Water Reclamation District Act by about \$2,500 per year. Right now, the chairman of the

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board is compensated approximately 15...He's compensated \$15,000 annually. There's a vice chair who is compensated at \$12,500, and a secretary who's compensated at the same. The civil service board has a lot of responsibility and does a...a...is integral to the operation of the...of the...Metropolitan Water Reclamation District. These increases are fair. They've been requested, Mr. Speaker, Members of the House, by the District itself. The compensation has not changed since 1985. The Bill was, I believe agreed unanimously in the Executive Committee, and I would ask for your favorable vote."

Speaker Giglio: "Any discussion on the Gentleman's Motion? The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. To the Bill. The previous Bill that just passed out of here, House Bill 927, increased the General Obligation Bonding Authority of the Metropolitan Water Reclamation District because they're financially strapped, and we were not able to repay loans to the State of Illinois. Here we're going to take a Bill, and we're going to increase the salaries of members of that Civil Service Board of the Water Reclamation District from already a financially strapped agency in the City of Chicago and Cook County. They're going to pass those on in the form of real estate taxes. So all you Cook County residents have to realize that these added costs, the added general obligation bonds, are going to get passed on to the residents of Cook County and the Water Reclamation District because they don't have enough money to pay for them. So they're going to increase your real estate taxes. So if you vote for this, you're voting for increased real estate taxes for Cook County and the Metropolitan Water Reclamation District. At this time, when, the hue and cry from property tax owners about increased taxes, you should

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think real serious before you vote in favor of this one on top of the last one that just voted out of here. It's a pay raise. It's a pay raise the Metropolitan Water Reclamation District can't afford, and it's going to cause an increase in real estate taxes when everybody's crying for property tax reform. I urge you to take a serious look at this. It sets the wrong scene for this year when people are screaming and hollering for property tax and vote 'no' on this issue."

Speaker Giglio: "Further discussion. Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I can't...I can't believe what I'm hearing. I can't believe what I'm hearing on the other side of the aisle when a...the civil service board, and we in the General Assembly complain about abuse and abuses, especially of hiring practices in Cook County and in Chicago and with regional governments in the...in...in...in northeastern Cook County, and we establish a civil sService board that is supposed to make certain that everything is on the up and up, and we provide those people with real powers, and they take a lot of time to do the job properly, and there's three of them, only three, and we're going to deny them a \$2,500 a year increase, a \$700, \$7,500 total bill, \$7,500 total bill, out of a budget that's over 500 million dollars. A 500 million dollar budget for the Metro...for the Water Reclamation District. This Bill will cost them at their request \$7,500. Forget the talk about pay increases or real estate tax increases. This is not a drop in the bucket. These people do good work. They do keep things on the up and up. They do perform vital duties. There's only three of them, and I think, Mr. Speaker and Members of the House, out of fairness, we deserve to be able to compensate these people an adequate level for the...for the amount of time that

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they devote to their jobs. I would ask for an 'aye' vote."

Speaker Giglio: "Further discussion? Hearing none, the question is 'Shall House Bill 928 pass?' All those in favor vote 'aye', opposed '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 Steczo."

Steczko: "Mr. Speaker, just to, just to explain my vote. It's...it's a...it's not uncommon when we are here in the General Assembly for Members, especially on the other side of the aisle, to cast automatic 'no' votes for agencies like the Cook County Sheriff, for instance, or the City of Chicago or Cook County or the Cook County Forest Preserve or the Water Reclamation District. It's just an automatic because somehow there's some...some feeling on the other side of the aisle that...that nothing that those governments ever propose is...is worthwhile. Yet, when other downstate agencies...other downstate agencies seek the same things, we try to be cooperative and try to understand the problems. The fact is is that we have this civil service board. This is...this is not the board...this is not the board of the Metropolitan Sanitary District, or the Water Reclamation District. These are not the elected officials. These are people who volunteer or are appointed to do this task that we've asked them to do to keep things on the up and up. There's three of them. The...the board has recommended a \$2,500 increase for these three people. The total cost of this is going to be \$7,500 out of a \$500 million budget, and I would, I would ask, I would ask for your 'aye' votes."

Speaker Giglio: "Representative Steczo to close. Representative Black."

Black: "An inquiry of the Chair. How many...how many times does

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he get to close?"

Speaker Giglio: "Well, I had the timer on though, Representative Black."

Black: "Very good. Thank you very much. I think the Gentleman spoke in debate. He's eloquently explained the Bill. The board says it all. Take the record."

Speaker Giglio: "Representative Weaver, do you seek recognition? Representative Steczko, do you want to explain your vote again? No. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Woolard votes 'aye'. On this question there are 47 voting 'aye', and 59 voting 'no', and the Gentleman asks leave to put the Bill on Postponed Consideration. Postponed Consideration, Mr. Clerk. House Bill 965, Representative McAfee. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 965, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

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

McAfee: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill amends the Municipal Code. House Bill 965 allows more flexibility for municipalities to transfer amounts within their appropriations for any purposes or corporate purpose that they may have during the course of the fiscal year. The current law provides that such transfers can be made but only in the second half of the municipality's fiscal year. This still requires a two-thirds vote, but it does allow municipalities during the course of emergencies or unforeseen circumstances to transfer money. This Bill did pass out of committee 10-0 and is an initiative of the Illinois Municipal League and the DuPage Mayors and Managers Conference."

Speaker Giglio: "Any discussion? The question is, 'Shall House Bill 965 pass?' All those in favor vote 'aye', opposed

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'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 105 voting 'yes', 1 voting 'no', 1 voting 'present', and House Bill 965, having received the required Constitutional Majority, is hereby declared passed. House Bill 1251, Representative Matijevich. Representative Matijevich, 1251. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1251, a Bill for an Act concerning jurisdiction over certain lands. Third Reading of the Bill."

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

Matijevich: "Yes, Mr. Speaker, Members of the House. House Bill 1251 is a Bill that I'm handling with the other Lake County area Legislators. It's a Bill submitted for the Lake County Board and was asked to be introduced by the federal authorities at Great Lakes Naval Training Center. It would allow for a concurrent jurisdiction in civil and criminal matters much like they do or have had for some years at Fort Sheridan. What has happened has been that they...they have had cases of employee thefts and home invasions on the base at Great Lakes, and because the federal courts are inundated, they haven't been able to...in a expeditious manner handle those situations. This would provide for a concurrent jurisdiction. I...I know of no opposition to the Bill, and I appreciate your support."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 1251 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk take the record. On this question there are 110 voting 'yes', none voting 'no',

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and none voting 'present', and House Bill 1251, having received the required Constitutional Majority, is hereby declared passed. We're going to go to the Order of Second Reading and pick up one Bill. Representative Anthony Young on House Bill 12, or 1661. It's on the Order of Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1661, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "The Gentleman from Cook, Representative Anthony Young on Amendment #1."

Young: "Yes, Mr. Speaker and Ladies and Gentlemen of the House. The Amendment is in the way the people at the Sanitary District want it. In response to the earlier question, it does exclude the apprenticeship program from civil service because they want to be able to take in...okay. I move for its adoption."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, the question is, 'Shall the Amendment pass?' All those in favor vote 'aye', all those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Okay, now we'll return to the Order of House Bills Third Reading, Municipal, County, and Conservation Law, and on that Order appears House Bill 1556. The Lady from Lake, Representative Stern. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1556, a Bill for an Act to amend the State Mandates Act. Third Reading of the Bill."

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

Stern: "Mr. Speaker and Members of the House. If you have a municipality in your district, this is a Bill you will want to listen to and vote for. This amends the State Mandates Act to provide that failure of the General Assembly to appropriate adequate funds for reimbursement does not relieve the Department of Commerce and Community Affairs from its obligations under this Act. Now this was a Bill requested by the Northwest Municipal Conference on the basis that many of the municipalities of that organization had requested reimbursement for expenses. You remember the Mandate that required municipalities to pursue a certain course of action? When they sent their Bills to DCCA for reimbursement, they were informed that, in fact, they weren't processing any requests for reimbursement because they didn't have any money. Now, one of the things about the Mandates Act says that DCCA is required to meet the requirements of processing claims. Now if they haven't got the money, that's another question, but to say that they will not decide whether or not a particular expense is a mandate is really dodging the issue, and this is very important to the municipalities of the State of Illinois. We discovered in the course of this, by the way, that the department has, there are five members on the State's Mandate Board of Appeals whose terms were to expire in 1987. Ladies and Gentlemen, it is 1991, and those same members are still serving because their successors have not been appointed. I ask your 'aye' vote on this very important, symbolic, at least, Bill."

Speaker Giglio: "Any discussion? The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This week we considered a cost, an additional cost

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to the state of \$100,000 for this, \$35,000 for that, \$2-1/2 million for another project, at a time when we can't pay our medical providers \$660 million dollars in past-due bills for health care to the elderly and the poor and yet we want to turn around and try to force the Department of Commerce and Community Affairs to spend a quarter of a million dollars to hire the staff members that it would take to do this program. They estimate that it would take...we currently have one and one half staff members working on this project in the Department of Commerce and Community Affairs, we'd have to increase that to 35 members in order to accomplish what this Bill would require the Department to do. Illinois is just simply not in a financial condition to be able to hire 35 new staff in the Department at a cost of a quarter million dollars a year to be able to comply with this. Maybe the purpose of the Bill is a good purpose, but, here again, we're going to spend more money that we simply do not have. It's time to hold the line on spending in Illinois because nobody is willing to increase the revenues. I urge the Members of the General Assembly to consider the spending of another quarter of a million dollars merely to print this catalog which is really not needed at this point in time. I urge a 'no' vote."

Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. There was a Bill just a few minutes ago that sought to spend an extra \$7,500 for a \$500 million agency and the other side of the aisle got up and cried about property tax increases and the devastation that would happen in local government had that Bill passed. Well, if we're talking property taxes, let's talk real property taxes. I only wish that the synopsis in this Bill was a little bit more complete because what the

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job of the Department of Commerce and Community Affairs is is to take requests from local governments where we mandate programs and we don't provide the money to exempt those...those local governments from having to comply with those mandates. That's what the story is. That's what this agency's done. They've never done it. There's a board appointed that's supposed to report back to the General Assembly about the success of that program. They've never reported. So what they're doing is doing absolutely nothing as to the...the mandate we gave them or nothing for local governments, and to the...by the fact that they do not do what they're supposed to and relieve those local governments from those statutory mandates when we don't provide the money, costs, of course, more for those local governments and raises those property taxes, so I would encourage the Members of this House to just have DCCA do what they're supposed to, what we've mandated them to do, what we've told them they have to, and take...take the yoke off the backs of local governments and save them some money so they don't have to tax their own people to get it. I would encourage your 'yes' vote."

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

Balthis: "Mr. Speaker, Ladies and Gentlemen of the House. The first time I've risen on this floor to speak on a Bill other than one I had for myself. I strongly support Representative Stern's Bill. I think it's time that we got serious. We have a giant credit card that we're spending here, and the local communities are paying for it. I urge all of you to vote 'yes' on this Bill."

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

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

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Speaker Giglio: "She indicates she will."

Ropp: "Is the intent of this particular provision just to allow counties and municipalities to understand what they're supposed to do?"

Speaker Giglio: "Representative Stern."

Stern: "I...I'm sorry, was there a question? I was...or are you asking me to close?"

Speaker Giglio: "No, it's a question from Representative Ropp."

Ropp: "The question is, 'Is the intent of this Bill to provide a publication through which all the municipalities can see what is mandated by the Legislature?'"

Stern: "Well, my understanding of what this Bill intends to do is simply underscore the responsibilities that the mandate gave to DCCA which is to process the claims given to it by the municipalities who pursue the mandate."

Ropp: "I thought by reading our analysis, it said they were to come forth with a publication and that we needed 35 new people in order to put together a publication."

Stern: "I heard that referred to, also, Representative, and I've got to tell you, I don't know from the publication. That's new."

Ropp: "Well...my...I guess my question was...I didn't know why they necessarily needed a publication because it should already be in the...in the statutes as to what the responsibility was...and...and it does seem a little bit unnecessary to tell somebody now to print up a...a new book telling them what they are supposed to do when that's the result of the statutes or the laws that we pass and the Governor signs into law. It's a little bit...seemed like it's not necessarily needed although I support the idea that if we mandate something funds ought to come with it. However, many times that's kind of a cop out because every time that we mandate something it does not necessarily mean

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more dollars. It sometimes means to accept the responsibility that we expected either the municipality or the school board or whatever the case might be, the Legislature expected them to do. It does not always require dollars."

Stern: "Mr. Ropp, I find no reference to any publication in the Bill itself. That may be part of what the mandate originally was on DCCA, but I...I also would challenge the \$4 million or whatever that wildly imaginative figure was. This is...was simply a matter of processing some applications, and I think it is very important that we...This Bill is supported also by the West Central Municipal Conference, the South Suburban Mayors and Managers Association, and the DuPage Mayors and Managers Association, and it is, DuPage, D-U-P-A-G-E, and we, we urge your 'aye' vote."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. I...I guess my comments might be in line with some of the comments that have already been said. But let me tell everybody that before there was a Department of Commerce and Community Affairs, there was a Department of Local Government. That was the agency. The Department of Commerce and Community Affairs was added on to the local government responsibilities and, and if any of you don't like DCCA, let me tell you, you did it. It was done during the Ogilvie administration with nary a Democrat vote. Every, it...it...it voted, it carried with not one vote to spare. Every Dem...Republican voted for it, and, or Thompson...it was under Thompson, but we didn't vote for it. Now let me tell you, I...I...I thought it was under Ogilvie. I'm sorry. But...and it was engineered by the State Chamber of Commerce. But I want to talk about

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another issue. You know, some of us think that the best thing we did was this Fiscal Note Act and the Mandates Act. Really all we did with the Fiscal Note Act is give the bureaucracy more power because what they do, they come in with these inflated figures and then very often we appropriate at those inflated figures. Sometimes we don't appropriate at all, as this case might be. But...but what we've done, you know government is the only...only entity that does it that way. All of you know about private enterprise. Very often private enterprise takes on new responsibilities, and they don't say, 'Because we have those new responsibilities, all of a sudden we need 10 more personnel or 20.' Very often they are, they add new responsibilities without the dollars. Now, I've sat on many Appropriations Committee. Never yet did I ever hear in a committee that moneys that we...we had were going to go to a hotel in Belleville. Never did I hear that moneys that we were appropriating were going to save somebody's butt here at the Ramada Renaissance. Never did I see that done. But yet when we want to help local government for which the agency was originally established for, we're saying, 'No, we're going to turn back...our backs on them.' I think we ought to help local government. There's been enough problems that local government has had not getting moneys from Washington. It's about time we do help something, help these local communities, and I'm going to support this, and finally, I think all of us ought to take a hold of what the bureaucracy is doing to us because let me tell you they're not getting blamed for it. We are. We are getting blamed for what the bureaucracy is doing and they...they can laugh at us and spend 30 years, and what are people saying? Limit our terms. They don't say limit the terms of the bureaucracy. They say limit our terms.

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It's about time we look at what's making government what it is. Not us, but what they're doing to us."

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

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

Speaker Giglio: "She indicates she will."

Parke: "Thank you. Representative, is it my understanding that this is an unfunded mandate that will cost DCCA about \$150,000? Is that my understanding?"

Stern: "My understanding from over there was \$4 million which I thought was hilarious. I cannot tell you exactly, Representative. It is an...it is, the original mandate was unfunded."

Parke: "Yeah. So this really is going to cost the state at least some money if..."

Stern: "Look what it's costing the units of local government at this point, Sir. Every municipality that has complied with the so-called mandate of 19, whatever it was, is now stuck with the Bill."

Parke: "Is this...is this the best case scenario? Will the Department grow and they...will we have to hire more people eventually to expand to meet these needs?"

Stern: "I...I do not see the Department growing, Sir, to meet this need, no. I...I see this as fulfilling their obligation with their present staff."

Parke: "Thank you, Representative."

Stern: "You're welcome, Representative Parke."

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

Harris: "Thank you, Mr. Speaker. A question of the Sponsor."

Stern: "You bet."

Harris: "Representative, is..does this require the Department to spend any more money?"

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Stern: "They can do it with the staff they have now, in my opinion."

Harris: "Well...and it doesn't specifically say that the municipalities have to be reimbursed, does it?"

Stern: "It says that their applications should be processed and they should be notified."

Harris: "Well, the Bill simply says that failure for us, namely we here in the General Assembly, to appropriate the dollars, does not relieve DCCA of their obligation. Right?"

Stern: "Correct."

Harris: "So DCCA...if we don't appropriate the dollars, DCCA's not going to spend any more money or they're not going to send the municipalities any funds so really they...they're not spending anything under this Bill, it simply says, as I understand it, 'You still have the obligation.' Right?"

Stern: "Right."

Harris: "Heck of a fine Bill. Let's send it out of here with 112 votes."

Stern: "Thank you very much, Representative Harris."

Speaker Giglio: "Further discussion? The Lady from Lake, Representative Stern to close."

Stern: "I think the subject has been thoroughly aired. I think this is one occasion where we can do something for our units of local government. DCCA has not fulfilled its obligations. Let's point them out with a firm 118 'aye' votes. Thank you very much."

Speaker Giglio: "The question is, 'Shall House Bill 1556 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This will be final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative McGann. Have all voted who wish? Mr. Clerk, take the record. On this question

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there are 104 voting 'yes', 5 voting 'no', 3 voting 'present', and House Bill 1556, having received the required Constitutional Majority, is hereby declared passed. Representative Rotello. Representative Rotello in the chamber? Out of the record. Representative Brunsvold. 1912. Out of the record. Representative Keane. Out of the record. Representative McGann, do you want to call House Bill 2149 on the Order of Second Reading on Municipal, County and Conservation Law? Out of the record. Representative McGann."

McGann: "Mr. Speaker, Members of the Assembly. I stand in a point of personal privilege. I would like to announce that we have the St. Bede Grammar School, the seventh graders of St. Bede School, from the 29th District of the City of Chicago right up here in the balcony. Thank you."

Speaker Giglio: "...said Agreed Resolutions. No, no, no. We're now going to the Order of State and Local Government on Third Reading. We went through Second. Unless there are some Seconds that, anybody on Second, on State and Local Government? If not, we'll go to Third. On that Order of Business appears House Bill 276, Representative Matijevich. Out of the record. Representative Santiago. Out of the record. Representative Stern. 351. Lady from Lake, Representative Stern. State and Local Government. Third Reading. You have two Bills, 351 and 352. Out of the record. How about Representative Rice, 353, 354. Out of the record. Representative McAfee, 477. Out of the record. Representative Santiago. Out of the record. Representative Currie, 575. Out. Anthony Young, 594. Out of the record. Representative Balanoff, 760. Representative Balanoff on House Bill 760. Out of the record. Representative Bugielski on House Bill 890. He needs more time. Representative Lang, 973. Out of the

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record. House Bill 1699, Representative Santiago. Out of the record. Representative Curran, 1776. Out of the record. Representative Burke, 1849. Representative Burke. Out of the record. Representative Giorgi, 1871. Want to call this Bill, Representative Giorgi? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1871, a Bill for an Act to amend the Illinois Horse Racing Act. Third Reading of the Bill."

Speaker Giglio: "Representative Giorgi."

Giorgi: "Mr. Speaker, this is a Bill that's by request of the International Brotherhood of Electrical Workers who man the parimutuel counters at the tracks, and they find out because of the shortage of manual attendants that there a lot of shut-outs, and it's costing the state money because they're not getting their bets in, and they predict that they're losing up to \$100,000 to \$200,000 a year because of the use of machines instead of manned...manned attendants. So I urge the adoption of this Bill."

Speaker Giglio: "Any discussion? The Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Would the Sponsor yield for a question or two or three?"

Speaker Giglio: "He indicates he will."

Ryder: "Representative, you indicate that by this Bill we're going to be mandating the number of parimutuel clerks that any race track is required to have. I'm wondering, other than the clerks, of course, that would be the great beneficiaries of this Bill, if the Racing Board came to you and suggested that maybe this mandate might be a good idea?"

Giorgi: "Mr. Ryder, the, the local spoke with the Racing Board and pointed to the Racing Board of the proof of their statistics, but the Racing Board was indifferent to their

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pleas to have more manned people manning the parimutuel column. So, it's a case of...we're losing money for the state. You know, the state take from the tracks has lessened and lessened because of the breaks your party's been giving them."

Ryder: "I take that to mean that, no, the Racing Board doesn't recommend that which your Bill does."

Giorgi: "No, I, I..."

Ryder: "So let me ask you this, if the race track owners have asked you to do this?"

Giorgi: "I haven't spoken with the Racing Board."

Ryder: "Alright."

Giorgi: "They haven't spoken to me."

Ryder: "So you haven't talked to the Racing Board. How about the race track owners?"

Giorgi: "No, I haven't. I saw them last week at a task force meeting."

Ryder: "And they didn't tell you that this was high...high on their list either?"

Giorgi: "But I got this from the horse's mouth."

Ryder: "I see. Which end of the horse? Alright, the race track owners and the Racing Board don't like this, so I'm wondering, how about the horsemen? The horsemen, have they asked you if they..."

Giorgi: "Oh yes. The horsemen would be for this."

Ryder: "Oh, the horsemen are for this now?"

Giorgi: "It'd be...it'd be more money for the horsemen because there would be more money in the pot, more money for the purse."

Ryder: "And that's what the horsemen told you, Representative?"

Giorgi: "How's that?"

Ryder: "The Horsemen's Association have told you that?"

Giorgi: "I don't think they took a vote."

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Ryder: "Alright.

Giorgi: "But if you...vote for you."

Ryder: "I don't think...I don't think the horsemen particularly like to hire other folks that's going to then add to the cost that comes out of their...their break. So the race track owners don't like it, the Racing Board doesn't like it, the race, Horse Racing Association doesn't like it. I, who is that does like it other than the clerks that are having to be mandated to be hired?"

Giorgi: "It's the bettor that's shut out so he can't put his hot tip on the line."

Ryder: "The 'Betting Association' came to see you? Gamblers Anonymous? Who?"

Giorgi: "Have you ever operated one of these machines, Ryder? You sound like you've...you're a track touter."

Ryder: "No."

Giorgi: "Have you..."

Ryder: "What happened on this one is that the clerks who just signed a contract..."

Giorgi: "Right."

Ryder: "Now hustle down here and say we negotiated, we signed a contract, but now we want to do an end run and have the Legislature mandate how many of those clerks we have to hire. I think that's what your Bill does, isn't it, Representative?"

Giorgi: "Representative Ryder, those machines aren't proven worthy of their placement in these tracks, and they're having a lot of what they call 'shut-downs'. People can't bet, and the union has made an analysis of the tax accrued to the state and they're finding we're running short. Every year we're running shorter, and they think because of these thousands of 'shut downs', we're losing money that would accrue to state coffers."

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Ryder: "Oh. Raising an interesting point, Representative. How many shut-downs?"

Giorgi: "Thousands. Thousands of shut-downs."

Ryder: "Do you have documentation for that, Representative?"

Giorgi: "I put that in the record. Thousands of shut downs. That's in the record."

Ryder: "You just put it in the record, and I appreciate you doing that."

Giorgi: "I put it in the record because I know how you are, a stickler for records."

Ryder: "Oh, absolutely. Absolutely. Could you tell me into what record that statistic was entered other than the one you just made?"

Giorgi: "Made up by the International Brotherhood of Electrical Workers. They're made up by people that work the parimutuel machines."

Ryder: "Alright. Are these the same clerks that are going to get these feather bedding jobs?"

Giorgi: "I don't know if it's feather bedding, but..you're using that term quite...Alright, I'll give you..I'm going to put this in the record, Mr. Ryder."

Ryder: "Thank you, I appreciate that. I always like to keep the record straight when..."

Giorgi: "Alright. February 19th in '91 there were 29,000 shut-outs in Sportsman's Park. On January 3rd there were 1,600 in North Aurora. March 11th, 1,100 at Joliet. January 8th 21,000 shut-offs at OTB at Jackson Boulevard. Balmoral January 6th, 12,000 shut-outs. January 2nd, 33,000 shut-outs. Maywood 24,000 shut outs January 2nd. Arlington Trackside January 1st, 14,000 shut-outs. A total of 156,000 shut-outs, and at the current pace, the handle that will be lost will be over \$10 million this year."

Ryder: "Representative, I'm impressed by those numbers."

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Giorgi: "I'm glad you are."

Ryder: "However, is it not true that, there's always a certain amount of shut-outs from people who simply go to the windows late?"

Giorgi: "We're not counting those people."

Ryder: "Representative, are you attempting to tell me that we survey each and every person that was turned away from the windows to determine whether they went late or because the machines didn't work? You've got 104,000 in that poll that you've taken, and you know that we didn't count those?"

Giorgi: "Tom, have you ever operated one of these machines? Have you seen one of these machines?"

Ryder: "I am not..."

Giorgi: "Have you ever seen one of these machines?"

Ryder: "I am not familiar with the betting procedure that you describe, no. I...I only bet on a...I only bet on one race every two years, and that's enough gambling for me."

Giorgi: "Would you put that in the record with some witnesses?"

Ryder: "Excuse me?"

Giorgi: "Would you put that in the record with some witnesses that you only bet once every two years?"

Ryder: "Oh, I just did. Well, it's called a General Election and that's big enough gamble in my life."

Giorgi: "Tom, let's not...let's not take away from the...the machines are not working out..."

Ryder: "Mr. Speaker..."

Giorgi: "...and all they're saying is that there be so many machines for manned personnel."

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

Speaker Giglio: "Proceed."

Ryder: "I wish to thank the Representative Sponsor of this Bill for attempting as best he could to justify this need that mandates employment for a union that just crafted a

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contract and then does an end run after allegedly bargaining in good faith to come down here and say, 'Now we have to force the horse race industry to hire more clerks.' Maybe a good idea, I suppose, to try to collect as much money for the state as we can. The state's amount has been decreasing. I would suggest that it's probably decreasing because of the competition to the horse racing industry that's been created by the Sponsor of this Bill through other forms of legalized gambling within the state. But to the point, I would suggest that it's simply bad practice for the State of Illinois to mandate the number of clerks necessary for a race track to employ after they've bargained in good faith with that very union concerning wages and other concessions. This General Assembly is not a collective bargaining agency on behalf of this...these union clerks, and we should not put our nose in to this...to this process. Thank you, Mr. Speaker."

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

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House. Earlier in the day I had heard somebody mention about the lottery that the lottery might target some of poor or lower income people. There's no question about the fact that race track bettors, many of them are middle, low, poor people. But they like...they like the action. But what...what they have found is, and believe me it's just not the poor people, I would hazard to guess that any of you who have not...and I'm not a racing buff at all, it's been a long time since I've been to the track although all of us are invited all the time, I would hazard to guess that those of you who have never been there or been there once in a while, go up to one of those machines, and you wouldn't know how to operate them, and that's what really is the situation as was mentioned in the Executive

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Committee. Now, if my seat mate called it shut-downs, and I'm sure that many of you thought he was talking about shut-downs of the machine, that they weren't operating properly, but really the term is 'shut-out', and...and when we were in committee, I told the witness I thought a shut-out was either when you pitched a shut out in baseball or in horse racing that if you went home broke and you shut-out and didn't win a race. But the shut out is where somebody tried to make a bet and couldn't. In other words we're not talking about those who came to the window too late but the fact of the matter is many more people who go to the race track would rather put their bet with another human being. They would rather than go to a mutuel machine go to that person. Now some of you may think this is just a Bill to protect those clerks, and the IBEW does have the contract, but the fact of the matter is, it would also be good for those who are at the track. They would...I'm sure, spend more money if they had the opportunity to get to that line, and those are the lines that are always busier, the ones that are operated humanly, and the fact of the matter is they've been lessening the number of the manually operated windows and continuously having more of the...machines. Therefore, I think Representative Giorgi has a good Bill. It would definitely provide for more revenue. If there is more revenue, there's got to be a benefit to the State of Illinois, too. So I support the Bill totally."

Speaker Giglio: "The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I...It never ceases to amaze me to listen to some of our debate here. One Gentleman just spoke about can't get the job done, and it wasn't ten minutes ago that he said that the private sector

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absorbs these mandates, doesn't add new people, just makes do with what they have. But when it comes to something that the public sector's involved in, oh, absolutely, add more people, does...whatever it takes. The bottom line, folks, is that the consumer's going to pay the bill, one way or the other. We're either going to transfer that cost to somebody's tax bill or we're going to transfer that cost to the breakage or we're going to transfer that cost to a head tax going in the OTB or the track or we're going to reduce the payout. You know, we've all known this for a hundred years. We all say it, but we tend to forget it. There isn't any free lunch. If the Gentleman wants to add people by state mandate, fine, but it's going to cost somebody some money, and it really amazes me when we get up there, we say, 'The private sector's been absorbing these mandates, and they don't add people, and da, da, da.' But, along comes somebody's pet Bill and suddenly it's okay. This mandate's okay. Now...I...obviously there's enough numbers to vote the Bill out. I'm not real sure that this is good public policy."

Speaker Giglio: "Representative Ropp."

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

Speaker Giglio: "He indicates he will."

Ropp: "Representative, dealing with this good Bill that you have here. When people are shut out, does the track lose money?"

Speaker Giglio: "Representative Giorgi."

Giorgi: "Ropp, you know that without me telling you. We take a...the State of Illinois takes a skim from every bet. If the bet isn't placed, we lose a skim."

Ropp: "Okay. The point is, I think, that no matter how many people you ever staff at a track, you're always going to have people shut out. But it's easier to just go to that

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window ten minutes earlier, and then you won't get shut out."

Giorgi: "Correct. Correct, Ropp. But that's, see you're getting the...the subject is the machines versus manual attendants. Now, I'm putting this into the record. On February 28th of this year, the machines handled \$15,000 at Sportsman's Park, and the manned tellers, the male tellers or the manual tellers handled \$885,000. Machines handled \$15,000. On the 16th of March, the machine handled \$30,000 and the manual tellers handled \$1,700,000, indicating the machines aren't doing their jobs, and the state is losing money because they go back to the window after they've played with the machine and they get shut out. This is a good indication on, on the 4th of April, just a month ago, the machines handled \$31,000, and the manual handlers handled \$955,000, indicating the machines aren't bearing their share of the effort here and the state is constantly losing its take of the track proceeds."

Ropp: "I don't think that you can make a comparison that the machines will provide equal number of wagering as compared to the individual. That is not a fair comparison. It just doesn't work that way. The point that we're trying to make is that in order for this Bill to succeed as you want to, you're just going to put more people to work when there's always going to be people that are going to be shut out. If the state wants to make money, and I think we always would support that, why don't you just add one or two or three more races? I think you would raise a lot more money than you would by this Bill which costs the track more money by hiring additional people. You're never going to solve those people are going to be shut out. There are certain people who will just always watch and bet just before it is shut out because they think they know

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something about a particular horse."

Giorgi: "Mr. Speaker, inasmuch as it seems that they refuse to accept these statistics, I will make the statistics available to the other side of the aisle so they can argue more intelligently, and I'll pull the Bill out of the record momentarily."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Alright, we're going to go to...we're going to go to Labor, Third Reading. Representative Bugielski. Representative Bugielski. We'll go right down the list, 2039. Out of the record. 2040. Call the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2040, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Giglio: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker. I ask to leave to bring the Bill back to Second Reading for the purposes of an Amendment."

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

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

Bugielski: "Thank you, Mr. Speaker, Members of the House. This Amendment updates the long-term care Medicaid floor that was established in 1984, and what we are doing is just changing the date from 1984 with 1990, and this Amendment would require that the Department of Public Aid establish rates in the future that are not below the rate being utilized on July 1, 1990."

Speaker Giglio: "Any discussion? Representative Black."

Black: "Yeah, thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

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Black: "Thank you. Representative, I don't think there's anybody in this chamber who would like to get up and oppose what you're doing in this Amendment, but I want you to make sure you tell everybody in this chamber what it is you're doing. Does this Amendment, in effect, nullify any cuts made or suggested by the Governor in the long-term care budget?"

Bugielski: "Well, what we're doing in here is just saying that we're taking last year's rates. Last year's rates were set at \$47.00, and the...Bill, the rates what they're using right now is saying that the 1984 was the rates established in 1984, which was seven years ago. Alright, and that rate was \$30.00. We established rates last year which brought it up to \$47.00, and what we're saying right now is that the budget would have to, you know, be used at the rates that we established in 1990 and not the 1984 rates."

Black: "Now, now, Representative, you're going to qualify for the silver-tongued devil award with that somewhat lengthy answer. Let me try again. Are you reinstating the QUIP program plus increasing the reimbursement rate to our long-term care providers by this Amendment?"

Bugielski: "No."

Black: "Are you increasing it over and above what the Governor's budget suggested? Of course?"

Bugielski: "There's a possibility."

Black: "Alright, alright. Representative, thank you very much, and I...and I...I mean what I said. I don't think any of us like to stand up here and...and tell you or...or argue against this Amendment, and perhaps I should have asked you the question and maybe somebody else will. You are indeed putting a substantial amount of money into next year's budget for long-term care, and that's a laudible goal, Representative. I wish I could join you in Sponsorship of this. But the question I neglected to ask you, and perhaps

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you can enlighten us in further discussion, how much money is this going to cost, and in all honesty, in all honesty now, you're talking about my grandparents and people near and dear to me who rely on this reimbursement, how in the world are you going to do this without an accompanying tax increase or without major repriorities in the budget? Let's not use a cruel hoax here. You know what you're doing, and I think it's laudible that you're attempting to do it. But it's a cruel hoax, Representative, if you can't tell us unequivocally and definitely where the money is and that the money will be there, and I hope you can address that question."

Bugielski: "Well, the thing is that, you know, we established these rates last year. You have to realize that we are still 40th in the country in what we are giving right now at \$40...at \$47.00. We are 40th in the country. States that are after us are all Southern Belt states. To fall below that rate would be a...you know, it'd be just disgrace for all of Illinois. We established this rate of \$47.00 last year, just bringing it up \$17.00 in the last seven years, and that's why, I just feel that it's a very important Amendment, and I just feel that we have to utilize the rates that we established in 1990, and not the rates that were established in 1984."

Speaker Giglio: "Further discussion? The Gentleman from Adams, Representative Tenhouse."

Tenhouse: "Mr. Speaker, Ladies and Gentlemen of the House. You know, the, the problem is we look at a budget situation that's reached crisis proportions. No one wants to cut these programs, no one, and we, but, but realistically, we have to leave some flexibility in this as we go into the final hours. To arbitrarily say that we cannot accept any kind of a change as far as rates is concerned is putting us

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in a position where we have no negotiation, no process to look at these issues as we...Yes, that's right. We're just pointing out that right now we showed a General Revenue Fund Balance of \$8,640,000. _____ \$8.64. Yeah, that's bad enough, and now we're talking about putting ourselves in a situation where we have absolutely no flexibility, come June 30th, as far as trying to put these proposals together. I would urge all the Members of the General Assembly to oppose this Amendment, and I certainly hope that in the final budget negotiations we do not have to cut the funding as far as nursing home and health care providers are concerned, but we shouldn't arbitrarily put it...ourselves in this situation."

Speaker Giglio: "Representative Bugielski to close."

Bugielski: "First of all, we do not know, no rates have been established for this year. There are no rates that are established. We have no idea what the rates are going to be. All we are saying in this Amendment is that we should use the rates that we are...were established last year in 1990, but for this year we have no idea what these rates are going to be. We may have these rates at a higher cost. Naturally, you know, even though we would like to have them higher than what they are presently, they are not, but we do not know, none of the negotiations have taken place yet for the rates for the long-term care homes this year, and all we are saying is that any negotiations that do take place that they cannot fall below the rates that we established last year. We have no idea what these rates may be this year. Naturally, if there's going to be money there, we'd like to raise them because we still are very low according to the rest of the states in the nation, and the other states, right now, we are still low, and the only states that are above, are below us are your Southern Belt

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states, and I ask for a favorable Roll Call."

Speaker Giglio: "All in favor of the Amendment signify by saying 'aye'. Opposed. In the opinion of the Chair, the Roll Call is required. All those in favor of the Amendment vote 'aye', opposed 'no'. Voting is open. Have all voted? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 62 voting 'yes', 4 voting 'no', and 41 voting 'present', and the Amendment's adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. The Gentleman asks leave for immediate consideration. Does the Gentleman have leave? Hearing none, leave...Alright, leave the Bill, leave the Bill on Third Reading, Mr. Clerk. There is an objection. Representative Brunsvold on 2197. Out of the record. Representative Hensel. Representative Sieben. Representative Hensel. Out of the record. I hope Representative Petka and Representative Sieben has been listening to the Chair today. Alright, we'll move right down the Calendar on Labor, on Third Reading appears House Bill 589, Representative Curran. Representative Curran on 589. Out of the record. Representative Rotello. Representative Rotello, Third Reading, Labor, House Bill 595. Do you wish to have that Bill called? Out of the record. How about 741, Representative Curran? 741, Third Reading. Out of the record. Representative Turner, House Bill 774, Third Reading, Labor. Out of the record. Representative DeJaegher, 2104. Third Reading. Out of the record. Representative Sieben. House Bill 2177, Representative Hasara. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2177, a Bill for an Act to amend the Personnel Code. Third Reading of the Bill."

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Speaker Giglio: "Representative Hasara."

Hasara: "Thank you, Mr. Speaker. House Bill 2177 is the result of attempts by certain state agencies to hire disabled people. Already in the...in the Human Rights Act it states that departments must submit plans for various groups, including minorities, women, and the word that was used was 'people with disabilities'. This Bill changes the word disabil...'handicapped', rather, to 'disability', and it further defines what 'disabled' really means, and we've used the federal definition of the word 'disabled'. The Department of Human Rights has had a problem in enforcing this statute for the disabled because it has been very difficult to define in the past. Most of you know I'm involved with the Guardianship and Advocacy Commission which advocates for disabled people, and that agency, in particular, attempts to make a deliberate effort to hire disabled people, and we feel that this change in the law certainly would enable us to identify these people and to have a better, better opportunity to be able to hire disabled people, and so they would be included as they already are in the statute but not as clearly defined. They would be included along with veterans, minorities and women. I move for its adoption and be glad to answer any questions."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 2177 pass?' All those in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 111 voting 'yes', none voting 'no', and 1 voting 'present', and House Bill 2177, having received the required Constitutional Majority, is hereby declared passed. On the Order of Human Services, Third Reading,

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House Bill 274, 270...426, Representative White. Out of the record. Alright, the following Representatives have Bills on this Order. If you care to have your Bills called, Representative Richmond. McGann. Shirley Jones. Levin. Granberg. Burzynski. Wyvetter Younge. Giorgi. Currie. Rotello and Curran. These Bills on the Order of Third Reading, Human Services. Representative Richmond, 1160. Representative Richmond, Third Reading, 1160. Out of the record. Representative McGann, 1195. Out of the record. Representative Shirley Jones, House Bill 1644. Out of the record. House Bill 1797, Representative Levin. Representative Levin. Out of the record. Representative Granberg on House Bill 1854. Out of the record. Representative Burzynski, do you want your Bill called? Representative Burzynski. Out of the record. Representative Wyvetter Younge. Out of the record. Representative Giorgi, 2292. Human Services, 2292. Would you like this Bill called? Out of the record. Representative Currie, 2452. Do you want this Bill called? It's on the Order of Human Services, Third Reading. No. Representative Rotello, House Bill 2466. Do you want this Bill called, Sir? Out of the record. Representative Curran, House Bill 2508. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2508, a Bill for an Act to amend an Act concerning long-term care facilities. Third Reading of the Bill."

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

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill provides relief for long-term care facilities. It was introduced on behalf of the Illinois Health Care Association. What it says is that if...that if we require new mandates for long-term care facilities that

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it...that we have to appropriate the funds necessary to cover the expenses. It says that if the facilities are, are relieved of the obligations of...of going along with those mandates that we have created, if the Department of Public Aid doesn't provide funding, unless we happen to expressly provide for an exclusion such as we do now with the State Mandates Act. It also says that if the Department should internally promulgate rules through JCAR, the same restrictions or same exclusions are involved. What this Bill does is provide relief for long-term care facilities. As we all know, the State of Illinois now, we're paying them too little and too late. We've got many of them on the ropes because of our inactivity. I think this Bill is the, is the right idea at the right time, especially in this tough budget year. It doesn't cost us anything. It just makes sure that we don't beat up on people any more than we're...beat up on long-term care facilities any more than we're already beating up on them. Be glad to answer any questions. Ask for a favorable Roll Call."

Speaker Giglio: "Any discussion? The Gentleman from Logan, Representative Robert Olson."

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

Speaker Giglio: "He indicates he will."

Olson: "Representative Curran, your Bill states mandates from this day forward shall be funded or they're not applicable."

Curran: "For long-term care facilities if the money is not there."

Olson: "This...the nursing home industry is very over-regulated, if that's the right word. The regulations that they must abide by far exceed those that apply to hospitals."

Curran: "You're right."

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Olson: "I think you have a good Bill."

Curran: "Thank you."

Olson: "I wish we could make it retroactive."

Speaker Giglio: "Further discussion? Representative Olson, are you finished? The Gentleman from Vermilion, Representative Black."

Black: "Yeah, thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Black: "Representative, let me see if we can get to the heart of the issue here. Basically, let, let's just use a for, for, for instance. All right? If the federal government mandated that all doors in a long term health care facility must be metal of fireproof quality and must shut automatically when a fire alarm is triggered, then I assume the state would have to follow through and say to all long term care facilities, 'You must comply with this federal mandate.' Would your Bill then say, 'State of Illinois, if you can't pay the bill to comply with the federal mandate, then they don't have to do it?'"

Curran: "Well, the example that you have given would be a very costly example which I think is already in the...in the mandates that they have to follow. But what...if you're getting at that there might be some mandates that would be caused by law for them to have to follow and that this law then would say, 'No you don't if there's not enough money,' you are correct. What I'm saying is, this is such an extraordinary year. In so many, in so many communities the institutions to which we entrust our senior citizens are on the ropes are about the...you referred to it just a...just a few minutes ago, are about ready to go under, that I think this legislation gives them the opportunity to stay afloat if there would be something that we would do

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inadvertently this year or the federal government might do inadvertently this year that would cause many of our institutions to need to close down because they couldn't pay for those things that we require. All we're doing here is saying, 'Look, we're behind you. We're not paying you all the money we need to pay you. We're not paying it as fast as we need to pay, but we're being sensitive to your need to take care of our senior citizens. We want you to stay afloat for those people.'

Black: "I...I think I understand, and I...I tend to agree with you. I guess my only fear is...is might we not be cutting off our own nose in spite...to spite our face if the federal government says, 'All facilities will do this', and our facilities, as a result of your Bill say, 'We don't have to because Illinois can't afford to help us do that.' Would we not be then perhaps in danger of losing very desperately needed federal funding if they find us out of compliance?"

Curran: "Well, the General Assembly, that is us, could provide, and we are wise people, for an exclusion to this. So, we could get around that if we needed to, and I'm sure that we could respond quickly enough if that became the situation. We are allowed by the provisions of this law to provide an exclusion just as we are with the State Mandates Act."

Black: "Okay, I...I appreciate your candor, and I...I think that's something perhaps that we...that we should work on in case...because obviously I don't think it's your intent to endanger any federal funding that we might be eligible for because we couldn't afford to put them in compliance, and I appreciate your answering the questions and your patience."

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

Currie: "Thank you, Mr. Speaker and Members of the House. I rise

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in reluctant opposition to the Gentleman's Bill. It certainly is well-intentioned. It certainly responds to real problems of funding faced by many nursing homes across the state, but the Bill as drafted would require us to pay for regulatory changes, not only for Public Aid patients but for any patient that is currently a resident in a nursing home today. Second, as I read the Bill, it would preclude us from following federal mandates from new federal regulations unless the Legislature approved funding for them. I think there's no question this Bill would jeopardize federal funding for Medicaid reimbursement to nursing homes today across the state. Sometimes these changes happen when we are out of Session. Sometimes it takes time for us to work an issue through the legislative arena. I also think that there may not be a lot of sense in our doing by statute what ought to be done by regulation. Passage of this Bill means that we would have to do by statute all those things that are now done under regulations authorized by us by the Department of Public Health. I'm reminded of the time, a few summers ago, when several nursing home residents died in a terrible heat wave in the State of Illinois. It was not the kind of thing we'd thought much about before, but after that heat wave, and after those deaths, we promulgated some new regulations about the responsibility of homes to concern themselves, not just with cold weather climate problems, but hot weather climate problems, too. We didn't provide new dollars for facilities to meet those new regulatory requirements. I'm sure that there might have been some cost involved for the facilities, but we didn't deem that we needed to do that in order to provide this minimal protection to the residents of nursing homes across the state. Passage of this legislation would preclude the

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Department from responding in a timely fashion to the discovery of new problems or issues that are not currently part of our regulatory program. As I say, I certainly understand the value of a proposal that says, let's not require more things unless we're going to fund them. But, some of the things we require don't cost a lot and ought to be part of what nursing homes currently provide. I am, as I say, further worried, that passage of this Bill will jeopardize federal financial participation and I think jeopardizing federal dollars does nothing to help the homes and certainly nothing to protect the residents of the nursing homes across the State of Illinois. So, for those reasons, I reluctantly urge a 'no' vote on House Bill 2508."

Speaker Giglio: "Representative Curran, to close."

Curran: "Thank you, Mr. Speaker. Nothing is jeopardized in this Bill except the sense of callousness that Illinois long-term care facilities must feel in this state when they look at the Illinois General Assembly heaping mandate after mandate on them and not giving them enough money to take care of their needs and then short changing them by not paying them the pittance we agreed to pay them in many cases for over a 100 days. What this legislation does in this unit at the request of the Illinois Health Care Association, the major nursing home trade organization in this state, it says to that group of people, 'We're with you; we're not going to be insensitive to your needs.' There is an exclusion here just like there is with the State Mandates Act, that if we need to respond to some future federal requirement that may happen months from now and be caused to come into law or be caused to comply with over a year from now. There is the opportunity for a state's...us to provide for an exclusion, but what this

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Bill says to those long-term care facilities, 'We're with you; we don't want you to close down in our small towns; we don't want you to close down in our cities; we realize that because of our interaction...inaction we have placed an undue burden on you and on the families and on the senior citizens that you seek to represent and to serve in this state.' I ask for an 'aye' vote."

Speaker Giglio: "The question is, 'Shall House Bill 2508 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 54 voting 'aye', 23 voting 'no' and 32 voting 'present'. This Bill, having failed to receive the Constitutional Majority is hereby declared failed. On the Order of Second Reading. On this Order of Business appears House Bill 739, Representative White. Jesse White. 739. Mr. Clerk, read that Bill."

Clerk Leone: "House Bill 739, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. Amendments #1 and 2 were adopted previously."

Speaker Giglio: "Any further Amendments?"

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

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

White: "Mr. Speaker and Ladies and Gentleman of the House. Amendment...I offer...Amendment #3 really is the Bill and so I'd like to offer Amendment 3 which encompasses all of the thoughts and all of the ideas in the negotiations that have taken place between the Legal Assistance Foundation and the Illinois Public Aid Department. They are in agreement with this Amendment and I move for its adoption."

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Speaker Giglio: "Representative White, a fiscal note has been requested and then there is another question of the Chair, whether or not this Amendment has been passed out. Has this Amendment? Lee, Lee. Has this Amendment been distributed? It hasn't been distributed, Representative White, so we'll take it out of the record. Take the Bill out of the record, Mr. Clerk. On Third Order, on the Order of Transportation, appears House Bill 121, Representative Currie. We're on the Order of Transportation. Third Reading. Out of the record. Representative Matijevich, House Bill 153, Transportation. Out of the record. Representative Andrew McGann, House Bill 369. Order of Transportation. Obscene stickers. Are you ready? Out of the record. Representative Steczo, 519. House Bill 519. We're on the Order of Transportation. 519, access to routes being loaded on trucks or cars. Out of the record. Representative Kulas, how about 597? Out of the record. Representative Ronan, the Chairman of Transportation, House Bill 718. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 718, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. The Gentleman from Cook, Representative Ronan."

Ronan: "Mr. Speaker, has there been an Amendment printed to this, printed and distributed?"

Speaker Giglio: "The Clerk informs the Chair that the Amendment has been distributed, Representative Ronan."

Ronan: "Okay, then let's proceed with the Bill."

Speaker Giglio: "House Bill 718."

Ronan: "I'd like to move the Bill back to Second Reading for purposes of Amendment."

Speaker Giglio: "You heard the Gentleman's Motion. Does the Gentleman have leave? hearing none, leave is granted by the Attendance Roll Call. Read the Bill, Mr. Clerk. The

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Bill is on Second Reading."

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

Speaker Giglio: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Amendment #3 to House Bill 718 makes some technical corrections to the Livestock Carriers Act with the ICC. We have a problem in parts of Illinois with small livestock carriers and the Illinois Commerce Commission, and the Illinois Midwest Truckers and the Truckers Association have all agreed on this Amendment. Mr. Speaker, I understand that there is an Amendment #2 that should be tabled? Is that correct? Mr. Ronan."

Speaker Giglio: "Representative Ronan, that inquiry...that Amendment should be tabled?"

Ronan: "It's my understanding, Mr. Speaker, that Amendment #2 that I assume was adopted in committee, is going to be corrected by Amendment #3, so what I would like to do at this point would be to table Amendment #2, prior to the adoption of Amendment #3."

Speaker Giglio: "Does the Gentleman have leave to table Amendment #2? Hearing none, the leave is granted. Amendment #2 is tabled. Amendment #3, Representative Hartke."

Hartke: "Yes. I move for the adoption of Amendment #3."

Speaker Giglio: "Any discussion on Amendment #3? Representative Black."

Black: "Thank you very much, Mr. Speaker. A question of the Sponsor? Representative, does this take the...refresh my memory. Does this get the livestock trailer out of the ICC jurisdiction?"

Hartke: "Well, not totally. What it takes is the small livestock carriers out of the ICC jurisdiction."

Black: "But, would certainly eliminate some of the problems you

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and I have had in our districts."

Hartke: "Absolutely."

Black: "Thank you."

Speaker Giglio: "Further discussion? The question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', opposed 'nay'. 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 Giglio: "Third Reading. The Gentleman now asks leave that...for immediate consideration. Does the Gentleman have leave by the Attendance Roll Call? Hearing none, the leave is granted. The Bill is back on the Order of Third Reading. Representative Ronan. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 718, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Giglio: "Representative Ronan."

Ronan: "Yes, Mr. Speaker, we may have another technical Amendment. Can you hold for one second? We're going to have to...we're going to have to hold the Bill on Third Reading. We've got another Amendment that's being printed, so."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Alright, on this Order, Representative Ronan, appears House Bill 719. Do you want to go with 719? Representative Ronan?"

Ronan: "Yes, Mr. Speaker, do you want to check to find out if the Kulas Amendment been printed yet?"

Speaker Giglio: "Is there...is there an Amendment filed on this Bill, Mr. Clerk?"

Ronan: "We know it's filed; we don't know if it's printed yet."

Speaker Giglio: "719? The Clerk informs the Chair, Representative Ronan, that Amendment #3 has been passed

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out. Is that correct? Amendment #3, it's out."

Ronan: "Okay. Who's it?"

Speaker Giglio: "It's out. Do you want to adopt Amendment #3?"

Ronan: "Sure. Who's the Sponsor of it?"

Speaker Giglio: "Representative McCracken."

Ronan: "Okay. Fine." D

Speaker Giglio: "Alright, the Gentleman asks leave to return House Bill 719 to the Order of Second Reading for the purpose of an Amendment. Does the Gentleman have leave? Hearing none, the leave is granted. The Bill is on the Order of Second Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "Amendment #3, offered by Representative McCracken, amends House Bill 719 and so forth."

Ronan: "Thank you. This is an Amendment that Representative McCracken brought to our attention. It's a technical cleanup Amendment. I have no problems with it. I move for the adoption of Amendment #3."

Speaker Giglio: "All those in favor of Amendment #3 to House Bill 719, signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, the Amendment is adopted. There is an Amendment #4, Representative Ronan, and the Clerk informs the Chair that Amendment #4 has not been distributed and so we'll have to hold the Bill on Second Reading and perhaps tomorrow. Mr. Clerk, leave the Bill on the Order of Second Reading."

Clerk Leone: "House Bill 719, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill."

Speaker Giglio: "Well, Representative Ronan, do you want to try 889? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 889, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill."

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

Ronan: "Thank you, Mr. Speaker. House Bill 889 is a very simple

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concept. It does amend the Code of Civil Procedures allowing quick take provisions for Cook County. Glad to answer any questions."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 889 pass?' All those in favor vote 'aye', opposed 'nay'. The vote is open. This is final action. Have all voted who wish? Have all voted who wish? Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. I would like to explain my vote if I may. As I look at this, it seems to me that the provisions of this Bill only address Cook and the collar counties and I would like to have the Sponsor nod his head if I'm correct or not. Nod your head if I'm correct or not. This legislation only affects Cook and its collar counties. It does not affect downstate Illinois. Thank you very much. I still will remain on a green vote."

Speaker Giglio: "Have all voted who wish? Representative Homer."

Homer: "I'd like to just explain my vote. I don't see a problem here. The Bill would empower Cook and its adjacent counties to take by eminent domain, a quick take property for highway and road purposes. It doesn't affect downstate at all and there is no tax associated with the Bill. It simply gives quick take authority to Cook and its neighboring counties so, for highway purposes, so I have no problem in supporting the Gentleman."

Speaker Giglio: "Mr. Clerk, will you check the machine? We can't take the record here. Will you look over that machine? Representative Black."

Black: "Thank you very much, Mr. Speaker. Obviously mechanical things do break down on occasion. It's amazing that when they seem to always break down at such opportune times, but, be that as it may, Mr. Speaker, should this Bill get the prerequisite number of votes to pass, you leave me no

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choice but to request a verification, so while you're wandering around over there in the other side of the floor or whatever, just vote your own switch, and we can get out of here in a hurry tonight. Lots of interesting things going on tonight, Speaker."

Speaker Giglio: "Representative Giorgi."

Giorgi: "Mr. Speaker, only to point out to the eloquent spokesman from the other side, that if you're going to bet a horse, you'd be shut out now."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there's 61 voting 'aye', 50 voting 'no' and this Bill, this Bill having...Representative Ryder."

Ryder: "Mr. Speaker, I just had an inquiry of the Chair. I wondered if the Clerk was able to cure his malfunction?"

Speaker Giglio: "I see..."

Ryder: "So, we could take the Roll Call."

Speaker Giglio: "I think the record...I don't know about his malfunction, but the machine is fixed. Representative Black."

Black: "I just wanted to remind the Speaker that we had requested a verification, so you might poll the absentees and make sure the machine is working properly."

Speaker Giglio: "Alright, let's try that. Mr. Clerk, poll the absentees. A poll of those not voting."

Clerk Leone: "Lou Jones is not voting."

Speaker Giglio: "Proceed with the Affirmative Roll Call, Mr. Clerk."

Clerk Leone: "A Poll of the Affirmative."

Speaker Giglio: "Hold on. Representative Black, does Representative Steczo have leave to be verified?"

Black: "By who?"

Speaker Giglio: "Steczko."

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Black: "Where is he? I don't see. Oh, that's...yeah...there he is. Okay, my glasses were malfunctioning. I'm sorry."

Speaker Giglio: "Proceed with the Affirmative Roll Call, Mr. Clerk"

Clerk Leone: "Poll of the Affirmative. Brunsvold. Bugielski. Burke. Capparelli. Currie. Davis. Deering. DeJaegher. DeLeo. Edley. Farley. Flowers. Giglio. Giorgi. Granberg. Hartke. Hicks. J. Hoffman. Homer. Shirley Jones. Keane. Kulas. Lang. Laurino. LeFlore. Levin. Marinaro."

Speaker Giglio: "Excuse me, Mr. Clerk. Representative Black and Representative Shaw and Representative Bugielski, who have asked leave to be verified. Bugielski."

Black: "Which one's which? Bugielski here? Alright. Which Shaw is that? Is that the Alderman or the Representative?"

Speaker Giglio: "That's the Representative."

Black: "Alright."

Speaker Giglio: "Proceed, Mr. Clerk."

Clerk Leone: "Martinez. Mautino. McAfee. McGann. McGuire. McPike. Morrow. Mulcahey. Munizzi. Noland. Novak. Obrzut. Phelan. Preston. Rice. Richmond. Ronan. Rotello. Saltsman. Santiago. Satterthwaite. Schakowsky. Schoenberg. Shaw. Steczo. Stepan. Trotter. Turner. Walsh. Wennlund. White. Williams. Wolf. Anthony Young and Wyvetter Young."

Speaker Giglio: "Mr. Clerk, Representative Phelps wants to be recorded as voting 'aye' and Representative Black. Representative Novak would like to be verified to have leave. Leave is granted. Representative Black, do you want to proceed with the rest of the..."

Black: "Yes. Thank you very much, Mr. Speaker. We appreciate your indulgence. You announced that the Clerk, in all deference to the Clerk, he announced that the only one not

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voting was Lou Jones. Is the Speaker voting and his light is burned out or...?"

Speaker Giglio: "The Speaker is not recorded as voting."

Black: "Oh, we have two not voting. Thank you very much. Let me proceed, if I could."

Speaker Giglio: "The Speaker is not on the quorum call."

Black: "I'm sorry. I didn't know that."

Speaker Giglio: "But the real Speaker, the Chair, is voting. Representative Barnes and Flinn are excused. Speaker Madigan is absent. Okay, take the Roll Call."

Black: "Then the only one not voting is Lou Jones. Thank you. Thank you."

Speaker Giglio: "Representative Anthony Young. Representative Anthony Young in the chamber? Anthony Young? How is the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call. Representative Wyvetter Younge. Representative Wyvetter Younge? Is the Lady in the chamber? How's the Lady recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Lady from the Roll Call. Representative DeJaegher. Representative DeJaegher. Bob DeJaegher. Is the Gentleman in the chamber? He's in the smoking area. Representative DeLeo. Representative DeLeo. Is the Gentleman sitting in his chair? How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Leone: "Remove the Gentleman from the Roll Call and restore Representative Anthony Young to the Roll Call. Representative Preston. Representative Lee Preston. Representative Preston in the chamber. The Gentleman is in the...front of the well here."

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Black: "Where's the Gentleman, Mr. Speaker?"

Speaker Giglio: "The Gentleman is sitting in his chair, I believe."

Black: "Oh, I see. Alright. Representative Shirley Jones."

Speaker Giglio: "Representative Shirley Jones. Is the Lady in the chamber? Representative Shirley Jones. How's the Lady recorded?"

Clerk Leone: "The Lady's recorded as voting 'aye'."

Speaker Giglio: "Remove the Lady from the Roll Call."

Black: "Representative Martinez."

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

Black: "Representative Capparelli."

Speaker Giglio: "Representative Capparelli is in his chair."

Black: "Representative Laurino."

Speaker Giglio: "Representative Laurino in the chamber? How is the Gentleman recorded?"

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

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

Black: "Representative Farley."

Speaker Giglio: "Representative Farley. Is Representative Farley in the chamber? How is the Gentleman recorded, Mr. Clerk?"

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

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

Black: "Representative Flowers."

Speaker Giglio: "Representative Flowers. Is the Lady in the...the Lady is in the back of the center aisle."

Black: "Representative Granberg."

Speaker Giglio: "Representative Granberg. Is Representative Granberg in the chamber? How's the Gentleman recorded?"

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

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

Black: "Representative Hicks."

Speaker Giglio: "Hicks? Representative Hicks is in his chair."

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Black: "Representative Curran."

Speaker Giglio: "Representative Curran is in his chair."

Black: "No, nothing else, Mr. Speaker."

Speaker Giglio: "Representative Curran."

Curran: "Mr. Speaker, I was just alerted. How am I recorded?"

Speaker Giglio: "How's the Gentleman recorded, Mr. Clerk?"

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

Curran: "Well, Mr. Speaker. I want to take this opportunity to really thank the verification effort on the other side. Had they not notified me that I was 'present', I would not know now that I should change my vote. So, what I need to do at this point is I need to say to you in as slow a way as possible, that I would like to be changed from 'present'. Mr. Speaker, can you hear me?"

Speaker Giglio: "Proceed."

Curran: "I would like to be changed from 'present' to 'aye'."

Speaker Giglio: "Change Representative Curran from 'present' to 'aye', Mr. Clerk. Representative Hannig. Change Mr. Hannig to 'aye'. Representative McNamara, 'aye'. Representative Mulcahey, 'aye'. Representative Woolard, 'aye'. On this question, there is 60 voting 'yes', 46 voting 'no', 2 voting 'present', and House Bill 889 having received the required Constitutional Majority is hereby declared passed. Representative Black."

Black: "Inquiry of the Chair, Mr. Speaker. Are all the mechanical things working because if they are, I'd like a verified copy of this quick take Roll Call. Thank you."

Speaker Giglio: "I think up to the point where it is recorded, it's working, after that we're going to have to try and fix it. Representative McPike, on House Bill 1183. Transportation. Out of the record. Representative Johnson, on 2381. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2381, a Bill for an Act to amend the

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Civil Administrative Code. Third Reading of the Bill."

Johnson: "This Bill just deals with studies, and it came out unanimously, and I ask your support. I don't think there's any opposition."

Speaker Giglio: "Representative Johnson. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2381, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

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

Johnson: "I adopt what I just said."

Speaker Giglio: "Any discussion? Vote. The Bill's on Third Reading and the Gentleman moves for the passage of House Bill 2381. Any discussion? Hearing none, the question is, 'Shall House Bill 2381 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This will be final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk? On this question, 109 voting 'yes', 0 voting 'no' and 1 voting 'present', and House Bill 2381, having received the required Constitutional Majority is hereby declared passed. On the Order of Special Call underneath the title Banking, appears House Bill 67. The Lady from Cook, Representative Currie. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 67, a Bill for an Act to amend an Act relating to the use of proceeds of reverse mortgage loans. Third Reading of the Bill."

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

Currie: "Thank you, Mr. Speaker and Members of the House. House Bill 67 as amended would provide the opportunity for Illinoisans at and after the age of 62 to take out reverse mortgages for the general purpose of developing income for responding to all the bills not just the property tax bills

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and others that they might encounter. The Bill as amended incorporates many provisions from the American Association of Retired Persons Model Law on reverse mortgages and as I say, while the Bill is introduced would have applied to people at and over the ages of 65. The Bill as amended would make these reverse mortgages available to people at and after the age of 62. As a further consumer protection we provided that no more than 80% of the equity in the home may be mortgaged and we've clarified that nothing but the real property itself would be required to be repaid for purposes of these kinds of loans. These are loans...they're...the income that they generate is loan income not another kind of income, so that people would still be eligible for senior citizen circuit breaker participation and other kinds of income eligible models if their other sources of income would so qualify them. I would appreciate your support for the Bill, and I would be very happy to answer your questions."

Speaker Giglio: "Any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. Just an inquire of the Chair. Amendment #1 and 2 were withdrawn? Is that correct, Mr. Speaker?"

Currie: "Yes."

Speaker Giglio: "Mr. Clerk? That's true."

Black: "Okay and so the only Amendment before us is #3?"

Currie: "Yes."

Black: "Correct. Representative, this Amendment I think you've worked out in cooperation with the banking industry, as you indicated."

Currie: "With the banking representatives and with the representatives of the senior citizen advocacy groups as well."

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Black: "Oh. Thank you very much, Representative. Mr. Speaker, Ladies and Gentlemen of the House. Every once in a while we can put partisan differences aside. I congratulate the Sponsor of this Bill for a creative piece of legislation that can solve I think some real problems that our seniors are having. I am pleased to support the Lady's Bill and will certainly be glad to vote for it."

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

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

Speaker Giglio: "She indicates she will."

Shaw: "Representative Currie, would you explain to this Body what happens when the husband and wife takes out the reverse mortgage and one of those decease. What happens at that point?"

Currie: "Same thing that happens if they took out a first mortgage, a second mortgage or a third mortgage. The same, the same lien or the same mortgage document that applies to a first mortgage applies also to a reverse mortgage. So that any heirs would check the title which they would have to do, whether it's a first mortgage or a second mortgage or a reverse mortgage, those same procedures would come into play under this kind of mortgage as under any other."

Shaw: "The...well...when the second, say that they have a son or daughter that's in...live in California and say that son or daughter is incapacitated some kind of way and they could not get to Illinois here, where that this, to the funeral or get to the property, what happens? How are they notified before the bank proceeds or before the lending institution proceeds to foreclose? Is there any notice that's required..."

Currie: "I assume. Yes."

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Shaw: "Wait a minute...that's required by this piece of legislation to be sent out?"

Currie: "I believe, Representative, the answer would be that the same kinds of provisions that govern foreclosure for any mortgage would apply to this kind of mortgage as well. I am not clear as to what those provisions are, but as I say, I am sure that in the event that there is a transfer of the property by virtue of death from the owner to the heir, that heir would need to find out what the status of any mortgage that the individual owners have taken out would be. And I think that this is exactly the same. This mortgage operates no differently in that respect from any other mortgage."

Shaw: "To the...to the Bill."

Speaker Giglio: "Proceed."

Shaw: "It seems as though to mean that the concept is good, and I certainly respect the fine Representative for trying to put forth legislation such as this to help senior citizens, they need all the help that they can get, but I think in this case, with this particular Bill there is no provision for notice in this Bill to notify anyone in this legislation upon the demise of the people who have taken the reverse mortgage. Now, it would seem as though to me that we are creating new legislation here in terms of helping senior citizens. It seems as though to me that we should protect the family home and certainly most senior citizens who have relatives, children; they would not want to turn this over to any lending institution or the lending institution without serving notice in some type of local paper and then proceed to foreclose on the property. This seems to be a bad concept from that perspective, and I think that certainly the Members, Ladies and Gentlemen of this House, should look at this legislation in terms of

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where is this property going to wind up once these seniors take this reverse mortgage out. It doesn't look good to me in terms of where the property is going to wind up because I believe that the lending institution will wind up with the property, in this case. Because the Bill to me is not well written in terms of providing notice in case that some relative, a member of the family, wanted to go in and pay off the mortgage that had been...taken by their parents or relative and what have you, so I think it's a bad concept, and I think I've talked to many, many a senior citizen across Chicago and they oppose this legislation. They oppose this because of the lack of notice in this legislation. I think you should take a good look at this legislation and at this time this Bill should be defeated."

Speaker Giglio: "Further discussion. The Gentleman from Henry, Representative Sieben."

Sieben: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the...Representative Currie's Bill. It is my understanding that she has worked very closely with the American Association of Retired Persons, with AARP Association, taking the language that they suggested for this legislation, working very closely with the Illinois Bankers Association to draft legislation. We'll address many of the concerns that Representative Shaw just raised. I believe the safeguards and provisions are in this Bill to provide the necessary precautions for senior citizens taking out a reverse mortgage loan. I believe it is an excellent concept. I think the Bill has been well drafted and carefully considered by the members of the AARP Association, and the Bankers Association and I would urge an 'aye' vote."

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

Davis: "Mr. Speaker. Will the Lady yield for questions?"

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Speaker Giglio: "She indicates she will."

Davis: "Representative Stern, do the children of the senior citizens? I'm sorry, I was just talking to this excellent Legislator next to me, who would never put forth such a piece of legislation. Sorry. Miss Currie, Representative Currie, do the children of the senior citizens have to be notified of the reverse mortgage that they have decided to take out?"

Currie: "No more under a reverse mortgage than the first mortgage or the second mortgage or the decision by these grownups to sell their home. There is no notice requirement for sale, there is no notice requirement for a home equity mortgage, there's no notice requirement for a first or a second mortgage, neither is there notice required..."

Davis: "Okay, for example if you have a senior citizen who is 85 years old and he or she has been in this home for 60 years and he's 85 years old and he wants to take out a reverse mortgage and the home is worth maybe at this time a \$150,000. He can take out this mortgage, right? And let's say he becomes senile in a couple of years. What happens?"

Currie: "Well, what happens is...what happens if he's not paying his bills without out having taken out a reverse mortgage. That individual is in trouble, but in no more trouble than with this Bill than without it. The point of this Bill is to enable that senior citizen to stay in the home and the only way the senior can stay in the home is by generating income from the value of the home, Representative."

Davis: "Is there any provision for the senior to reclaim his or her property or for their family to reclaim it, if this person all of a sudden becomes senile and doesn't pay his or her reverse mortgage and no one in the family has been notified, is there any provision, Representative, to let

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this person or his or her family reclaim their property?"

Currie: "I assume the same provisions that apply for any other mortgage, Representative. Let me tell you that there are a lot of consumer protections in this Bill. The Department on Aging will publish materials that must be given to a senior citizen requesting a reverse mortgage, so that they might be counseled about the appropriateness of the loan. That's why AARP and the other advocacy groups..."

Davis: "Representative, but there are some seniors who are opposed to your Bill and they were on a radio show for an entire Saturday morning expressing dismay. In reference to the provisions of this legislation that appears to set up another situation in which they can be exploited. Do the senior citizens get special rates for the reverse mortgage?"

Currie: "The reverse mortgage is available only to senior citizens. It only applies to the value of the home. They cannot be required to take out mortgages that would put at risk other assets or other sources of income. Remember that the point of the Bill..."

Davis: "Suppose the senior citizen goes to a hospital and the family doesn't know he or she has this mortgage to pay and they're in a hospital incapacitated and no one knows that they have taken out this reverse mortgage, so no one pays or sees that that bill is paid. Does the institution that gave the mortgage just snatch the home from the senior citizen who's in the hospital incapacitated, whose family doesn't know they have it?"

Currie: "Representative, it doesn't have to be paid. The point of this kind of mortgage is that it generates income for the individual. There are provisions in the Bill about what happens if the senior leaves the home, but the point of the Bill is to enable a senior citizen to stay in his or

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her home, and that's why the advocacy groups for seniors do support this legislation."

Davis: "What would prevent them from staying in their homes without the reverse mortgage?"

Currie: "The problem that they face is that they don't have enough income to pay the utility bills, the other kinds of life sustaining necessities that they encounter. So they have a house that's valuable, but in order to stay in the house they need more income than their Social Security pension checks provide. We did include consumer protections, so that we would not find befuddled people taking advantage of this law, but finding they'd been taken advantage of instead, that's why we've incorporated so many provisions from the model law by AARP."

Speaker Giglio: "Proceed."

Davis: "To the Bill, Mr. Speaker. First of all a number of senior citizens have said to me they feel this is another form of an attempt to exploit senior citizen, and it shuts up that exact circumstance. If senior citizens...when do banks give money? Banks do not give away money, and this is a piece of legislation that will merely allow banks or other financial institutions to give senior citizens a very meager amount of dollars and then give them the right at some future date to take this property. Young people today often help their parents financially, and they help them sometimes thinking at some point this property will be mine. This is family property; it belongs in the family. But with this piece of legislation, that family is subject to lose his or her home, the family home, and there will be nothing that you can do about it. Recognizing Representative Currie, having usually very good Bills, some people will probably not look at this legislation, but I will say to you it is setting up another opportunity for

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senior citizens in the State of Illinois to be exploited."

Speaker Giglio: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker. I would be appalled and I would be chagrined if Representative Currie would introduce a Bill that would hurt senior citizens. There has been a lot of talk about notice and all kinds of arguments exploiting senior citizens. It's all a crock. First of all, if a family is close knit, they know, the children know if they can't afford to support the parents, the parents own the building. I don't have to ask permission or to notify my children that I want to mortgage my home because I need the income. This is a good Bill, nobody is exploiting anybody else. It'll help the senior citizens, and I urge all of you to vote 'aye' on this Bill."

Speaker Giglio: "The lady from Sangamon, Representative Hasara."

Hasara: "Thank you, Mr. Speaker. I also rise in support of this piece of legislation, and it concerns me very much when we say if we help our parents financially, we expect something in return. I hope that that is not a reason that anyone helps a parent, expecting to get something in the ill or get the property for which we help them pay. That is the most selfish attitude I have ever heard. I hope that we're not all sitting around waiting for our inheritance and voting against this Bill because we think it might cut into that. Representative Kulas addressed the close-knit family and, certainly in that case, the family members would be aware that there was a reverse mortgage. But let's look at a family that isn't close-knit because the problems would be different. Why should a parent be expected to notify a child every time he or she takes out a loan or gets a credit card? The same idea that would apply, in this case, would apply in a lot of other cases. If a parent goes into a hospital and the children don't know,

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every other bill is still due, credit cards are due, charge cards are due, every other bill, so the argument that there's...mortgage to be paid and it won't be paid, isn't any different than any other bill that needs to be paid. We have a very good system, in Illinois, about guardianship, that applies. If a person is senile, there is certainly provisions made for a family member or someone else to take over the affairs of that person, so to say that this is a Bill that is just waiting to be fraught with fraud...certainly takes away the fact that this Bill will keep many, many senior citizens in their home and less of a burden to us, the children, that may not want to spend the money to take care of them. So, let's look through some of the smoke screen arguments that have been made on this Bill and see what it really does for our parents. Let's all vote 'aye'."

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

Parcells: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think this is the finest Bill that I have seen this year, both in the Bills that we have already passed and the Bills that are yet to come. It is a way to help senior citizens who are old enough to know what they're doing with their money. They could sell their house tomorrow and take a trip around the world, and you couldn't stop them, the children. So, there's no reason to have to notify children or uncles or aunts what mother is doing with her money. She may not want help from her kids, so she gets a reverse mortgage so she can live in her house. It may be her or his only asset, is that house. So, by having a reverse mortgage, she can pay her bills, buy food and still live in that nice home. I think it is the single best Bill that we have seen this year for seniors, and I encourage your 'aye' vote."

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Speaker Giglio: "The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Mr. Speaker. Will the Lady yield?"

Speaker Giglio: "She indicates she will."

Homer: "Representative Currie, the Bill provides that the reverse mortgage becomes due and payable upon various events."

Currie: "Yes."

Homer: "Including if they sell the residence obviously the mortgage has to be paid."

Currie: "Right."

Homer: "The second one was where borrowers cease to occupy the home as a principal residence. What would happen if the...if there was only one borrower living there and they went into a nursing home and...what would..would that mortgage then become due and payable?"

Currie: "If they were to...if the...the individual were to move permanently to a nursing home, at that point then the reverse mortgage would cease and be repayable. But I believe that under the language if there's a second person who is also elderly in the house that that does not go immediately into effect. Let me see if I can find it."

Homer: "Well, I think it says 'all borrowers', 'borrowers', so I suppose that the answer is that the other elderly person in the house was a co-signer to the note that would be the case. If all...the...those who lived in the house were borrowers..."

Currie: "Yes."

Homer: "Then as long as one borrower remained in the house then the note would not be due and payable."

Currie: "That's right, and I assume that in a situation of a married couple the odds are good that it would be a joint mortgage, that they would be taking out rather than in the name of one only."

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Homer: "Yes, it may be a...to the Bill, Mr. Speaker, I would encourage the Lady, if the Bill does pass, to take a look at that in the Senate because I think it ought to be made clear that the note would not become due and payable so long as a spouse or family member continued to reside in the home where the borrower went into long-term health care facility. I think it could be unfortunate if then the note became due and payable and the remain...and there were insufficient liquid assets to pay off that note, then it could result perhaps in unfortunate situation where the remaining person in the home would be...would have to find other living arrangements, and I know the Lady did not want to bring about that result. I don't think it's a major problem, and I certainly think that it could be corrected with a simple Amendment in the Senate. But, beyond that, I intend to support the Bill because I don't think it's any kind of revolutionary concept. Currently, without this Bill, there's nothing to prevent the owner of a home going into a bank and getting a home equity loan. That happens all of the time. What they could do then is go in and borrow a lump sum and purchase an installment annuity contract which would do pretty much what this Bill would also authorize them to do under other...kind of a creative form of financing. I disagree completely with those who think that the heirs or potential heirs or children have...should have some standing to interfere with the legitimate real estate transactions and borrowings of their parents or of anyone from whom of which they wish to inherit. I certainly am not sympathetic to that view; if my parents or anyone else wish to conduct their financial affairs in such a way as to ease their living situation by collateralizing assets that they own, that I may someday inherit, I don't think I should have any privilege or

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prerogative to interfere in that matter. So, I am not compelled at all by that argument, and I don't think this Bill does anything other than provide a creative way that a senior may receive an installment annuity type of income by a progressive collateralization of equity in their home and really doesn't empower them to do much beyond what they currently are authorized to do, so I will support the Bill and urge an 'aye' vote."

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

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

Speaker Giglio: "She indicates she will."

Wojcik: "Representative, I just have this scenario going on in my mind, if you are a senior at 65, which depicts senior citizen, and you go for a reverse mortgage, you live until you're 80, you take out \$100,000, which is your total equity, I believe it's 80% of the equity of your home."

Currie: "The way we've limited it is 80%."

Wojcik: "Okay. 80% of the equity of your home, so you have a \$100,000 home, you can take \$80,000 out. You live 15 years longer. You have used this \$80,000 to pay off your debt, which would be your taxes, your electricity, all the various items that would be covered under home ownership, your insurance, what have you, and you deplete this money. What then happens to the senior citizen at age 80, now with no money and no home?"

Currie: "I would expect, Representative, the same thing happens, at that point, as happens right now, to that individual, without the intervening years, under the reverse mortgage, that is they have to, at that point, presumably, to sell the home and transfer that income into some other way of living. The reverse mortgage is valuable to people who are short on income and who do not wish to give up their homes. They have an option. Someone who is short on income can

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sell the valuable home and move to some more frugal way of life. The reverse mortgage adds an option. It says you can stay in your home and you can generate the income you need for some period of time in order to stay in your home, rather than having to move. That's all the Bill is about, but the question is, 'When do these events occur?' and, as I say, the senior groups support this Bill because they would like to have the option of staying at home. Thank you."

Wojcik: "Under the language of the Amendment #3, the Department of Aging must provide information about the advisability, the usefulness of the particular financing scheme to let seniors know where to access that information, and I think that would help the senior make the choice."

Speaker Giglio: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. I rise to move the previous question."

Speaker Giglio: "Representative Hartke? You agree?"

Hartke: "I agree."

Speaker Giglio: "All of those in favor of the Gentleman's Motion, signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The previous question has been moved. The Lady from Cook, Representative Currie to close."

Currie: "Let's just, I think we've discussed it, let's just have a vote on House Bill 67."

Speaker Giglio: "The question is, 'Shall House Bill 67 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted, who wish? Have all voted, who wish? Have all voted, who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'yes', 1 voting 'no', 1 voting 'present'. This Bill having received the required Constitutional Majority is

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hereby declared passed. Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I have an inquiry of the Chair."

Speaker Giglio: "Proceed."

Ryder: "Was House...on what Order was House Bill 67?"

Speaker Giglio: "It was on Order of Banking. Third Reading."

Ryder: "I'm sorry. I didn't mean Special Order of Call, I meant what status Third Reading."

Speaker Giglio: "Yes. Third Reading, Short Debate. Representative Matijevich."

Matijevich: "Speaker, somebody said that's on Short Debate and in Short Debate we're supposed to ask anybody in opposition wish to speak. The only guy that voted against it, didn't talk. He's the only guy who didn't talk, and we ought to hear from Representative Shaw."

Speaker Giglio: "Representative Turner."

Turner: "Thank you, Mr. Speaker. I've spoke to the Minority spokesperson for the Committee on Housing and to that end, I make the following Motions. To House Bill 90, 91, 92, 93; House Bill 502, House Bill 1281, House Bill 2585, House Bill 2556, House Bill 2587 and House Bill 2588 and House Bill 1649, be removed from the table and be placed on Interim Study Calendar. They were inadvertently placed, should say died in committee. We want to keep those Bills alive and I've cleared it on the other side."

Speaker Giglio: "You heard the Gentleman's Motion to put these Bills on the Interim Study Calendar. Any discussion? Hearing none, leave is granted. These Bills will be placed on the Order of Interim Study. Economic Development. Second Reading, appears House Bill 812, Representative McNamara. Mr. Clerk, has the..."

Clerk O'Brien: "House Bill 812, this Bill has been read a second time previously and Amendment #1 was adopted. The Bill was being held for a fiscal note."

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Speaker Giglio: "Has the fiscal note been...the request for a fiscal note has been withdrawn."

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "No further Amendments. Third Reading. On the Order of Veterans on Second Reading. Representative McAfee, House Bill 341. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 341, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. Amendment #1 was withdrawn. Floor Amendment #2, offered by Representative McNamara and Black."

Speaker Giglio: "The Gentleman from Cook, Representative McNamara on Amendment #2."

McNamara: "Thank you, Mr. Speaker. This Amendment is an agreement that we made in committee which sets up a specialized plate which can be put into vote to honor all the existing veterans that we have and also that the special plate will have the future veterans which were such as the Operation Desert Storm, Korean War Veterans, Viet Nam Veterans, Marine Corps, Navy, Army, Air Force, et cetera, so there would be a more reasonable way of making the license plates. It does not address the financial situation of the plates right now, so I urge for its approval."

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

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

Speaker Giglio: "Indicates he will."

Ropp: "Is this the beginning of a possibility of allowing a certain Section of that license plate to be designated for other...either groups by decals that can be easily placed on that license plate so that a number of different people can have some recognition for whatever...either group, organization or military service that they were conducted

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in?"

McNamara: "Yes, it is, but it does a little bit more than that.

It gives the flexibility to the Secretary of State to determine the best way of affixing, et cetera. It does not specify any particular type of plate. It does come into effect in 1992, December 31, but allows the Secretary of State flexibility."

Ropp: "Will we...the Legislature through have to present legislation to designate each group that we may choose or will the Secretary, as a result of this legislation, be able to designate what may go on future license plates."

McNamara: "It is our intention, from the Veteran's Committee, that the, or in the category of veteran's plate, that the Legislature does the choosing as far as which ones would be approve to go on to this plate. That's the reason in the synopsis of the Amendment, which cuts the Bill and changes the whole Bill in that regard, it specifies the plates that are existing and future plates which are presented to the Veteran's Committee this year and that is the reason we put them all together in one Bill."

Ropp: "But isn't there some idea that maybe universities will also be included? Is that part of this Amendment? Is that the original Bill?"

McNamara: "It was not the intent to be part of this Amendment. That is, if the universities wish to have their own category, which I urge that they do, they'd be allowed to do it because maybe there are different criteria, which the universities would have that the veterans would not. So, what we are trying to establish by this, is a logical way for the Secretary of State to handle personalized plates, but this is how they would handle them for the veterans."

Ropp: "Okay. Then I assume that they would also be working on a method of the registration form or license plate form that

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would be all-inclusive for any number of eventual groups that may be included, so that we wouldn't have to be a specialist in each one of these."

Speaker Giglio: "Further discussion? Representative McNamara to close."

McNamara: "I think it was fairly well-explained. I would urge your 'aye' vote."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there other further Amendments?"

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

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

Hartke: "Thank you very much, Mr. Speaker and Members of the House. I'm offering Amendment #3, but...we've noticed here that there is an error on the...on the Amendment and it's a simple error, and I would like leave of the Body with unanimous consent to amend this Bill...or amend this Amendment on its face by changing Amendment #1 to Amendment #2 on its face."

Speaker Giglio: "You heard the Gentleman's Motion to have the Amendment be changed on its face. Does the Gentleman have leave? Hearing none, the leave is granted."

McNamara: "Thank you very much, Mr. Speaker."

Speaker Giglio: "By the Attendance Roll Call."

McNamara: "Amendment #3 adds the Marine Corps League to that list of names. It was inadvertently forgotten. That was my original Bill in committee."

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

McAfee: "Mr. Speaker. I agree with the change as indicated by the support of the Amendment."

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Speaker Giglio: "Alright. On Amendment #3, all those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. On Human Services. Second Reading appears House Bill 739. Mr. Clerk, read that Bill."

Clerk O'Brien: "House Bill 739. This Bill has been read a second time. A Bill for an Act to amend the Illinois Public Aid Code. This Bill has been read a second time previously. Committee Amendments #1 and #2 were adopted. Amendments #1 and #2 were adopted in committee."

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 White."

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

White: "I'd like to ask if that Amendment has been distributed?"

Speaker Giglio: "Yes."

White: "Okay. Amendment #3 is the Bill. It is a collection of all the thoughts that went into the Bill. Some Republican thoughts, some Democratic thoughts and ideas and as a result of negotiations by the Legal Assistance Foundation and the Illinois Public Aid Department, there is an agreement on this Bill. That should not be any opposition. I move for the adoption of Amendment #3 to House Bill 739."

Speaker Giglio: "You heard the Gentleman's Motion. Any discussion? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. A fiscal note that..."

Clerk O'Brien: "The request for a fiscal note has been withdrawn."

Speaker Giglio: "Third Reading. Representative Schakowsky? On your Bill 580, that was moved to Third, there was a fiscal note request. The Fiscal Note was not filed. So, we'll have to bring the Bill back to Second Reading. The Bill should not have been moved to Third Reading because the Fiscal note has not been filed, so the Bill will remain on the Order Second of Reading until the fiscal note is filed. Okay? Fine. On the Order of Agriculture and Environment, Second Reading, appears House Bill 204, J. Hoffman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 204, a Bill for an Act in relation to farm debt mediation. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative Hoffman on Amendment #1."

Hoffman: "Mr. Speaker, Ladies and Gentleman of the Committee...House...Floor Amendment #1 was discussed in committee and essentially is what I told the Agriculture Committee that would be introduced as an Amendment. It is an Amendment which allows us to perform these functions through the IFLAF Program, allows the IFLAF Program to remain in effect and would be no additional cost to the State this year. That's what this Amendment does."

Speaker Giglio: "The Gentleman from Vermilion, Representative Black."

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

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Speaker Giglio: "He indicates he will."

Black: "Thank you. Representative, we appreciate the fact that you came over and called this Amendment to our attention and we realize you're working very hard on this, but would it be, for the record, is it safe to assume that we still don't have an Agreed Bill here? We've...You've answered some of the objections with the Amendment, but we probably don't have an Agreed Bill as of right now."

Hoffman: "Well, the Department of Agriculture...is for it, Farm Bureau is for it. I believe the only organization in committee that was against it, and I don't think we'll ever be able to address it, was the Bankers Association."

Black: "Thank you very much. All I want to know."

Speaker Giglio: "Further discussion? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "A fiscal note has been filed so this Bill will now be moved to Third Reading. On the Order of Constitutional Officers appears House Bill 2110, Representative McAfee. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2110, a Bill for an Act in relation to certain claims. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Giglio: "Third Reading. On the Order of Economic Development, Third Reading. I'll read the Representatives who have Bills on this Order. If you'd like your Bills called, please inform the Chair. Obrzut, on 875. Wyvetter Young, 879 and 883. Mulcahey, 1105. Tenhouse, 1134. Wyvetter Younge, 1580. Steczo, 1867. Giorgi, 1935. Granberg, 2362 and Balanoff, 2378. So, that Order. Representative Obrzut. Out of the record."

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Representative Wyvetter Younge. Representative Wyvetter Younge, you have three Bills on this Order, Economic Development, Third Reading. Do you care to have any of these Bills called? The Lady from St. Clair, Representative Younge."

Younge: "House Bill 879."

Speaker Giglio: "Alright. 879. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 879, a Bill for an Act to amend the Build Illinois Act. Third Reading of the Bill."

Speaker Giglio: "The Lady from St. Clair, Representative Wyvetter Younge."

Younge: "Thank you, Mr. Speaker. House Bill 879 would amend the Build Illinois Act concerning small business incubators and this Bill would add language which would permit a fourth year of funding under the Build Illinois Statute for incubators. There are a number of incubators around the State that have been funded under this Act, and this Bill would merely permit a fourth year funding. I believe that there is a small amount of funds left over under the Build Illinois Act and the intention is not that there be new funding, but it would give DCCA a authorization to use the old funding which is left over, and I move for the passage of the Bill."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 879 pass?' All those in favor signify by voting 'aye', opposed 'no'. The voting is open. This will be final action. Have all voted, who wish? Have all voted, who wish? Have all voted, who wish? Take the record, Mr. Clerk? On this question, 104 voting 'yes', 1 voting 'no', 2 voting 'present'. House Bill 879, having received the required Constitutional Majority is hereby declared passed. House Bill 883, Representative Younge. Out of the record. Representative Mulcahey, House Bill

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1105. Representative Mulcahey? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1105, a Bill for an Act to amend the Illinois Enterprise Zone Act. Third Reading of the Bill."

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

Mulcahey: "Thank you, Mr. Speaker, Members of the House. 1105, requires DCCA to provide an accelerated enterprise for JoDaviess County. This is something that came upon us rather quickly inasmuch as there're is some 300 jobs involved and threatened in that particular county, and which is the biggest employer by the way, and we want to keep those jobs in the county when this will certainly be a step in the right direction."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 1105 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This will be final action. The Lady from St. Clair, Representative Younge? Have all voted, who wish? Have all voted, who wish? Representative Lang, Mr. Clerk votes 'aye'. Lang. Have all voted? Take the record, Mr. Clerk. On this question, there are 110 voting 'yes', 0 voting 'no', 0 voting 'present' and House Bill 1105, having received the required Constitutional Majority is hereby declared passed. Representative Tenhouse, 1134. Representative Tenhouse in the chamber? Out of the record. Representative Wvvetter Younge, on House Bill 1580. Out of the record. Representative Steczo, 1867. Out of the Record. Representative Giorgi, 1935. Representative Giorgi? Out of the record. Representative Granberg, 2362. Representative Granberg. Out of the record. Representative Balanoff, 2378. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2378, a Bill for an Act to amend the Humanè Care For Animals Act. Third Reading of the Bill."

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

Balanoff: "Can we have leave to bring the Bill back to Second for the purpose of Amendment?"

Speaker Giglio: "Does the Gentleman have leave? Hearing none, leave is granted. The Bill is on Second Reading, Mr. Clerk. Read the Bill."

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

Speaker Giglio: "Representative Curran?"

Curran: "Thank you, Mr. Speaker. Amendment #2 simply allows the Solid Gold Futurity to continue to be run here in Springfield. It's one of the most successful horse shows in America. They do happen to serve alcoholic beverages. This Amendment adds the word 'and horse shows' to the language of the Bill and would allow us to continue with the Solid Gold Futurity, which is worth many thousands of dollars in economic development to the Springfield area."

Speaker Giglio: "Any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I think the Sponsor of the Amendment answered my question, but let me clarify this. It is hard to hear him. Representative, you are exempting all 'horse shows'? County fairs, et cetera, not just the Solid Gold Futurity?"

Curran: "That is correct. My intention is for the Solid Gold Futurity and there's a provision in there about liquor. With this Bill, what this language would allow is the Solid Gold Futurity to be run. There's competition with animals, and this Amendment would allow the Solid Gold Futurity to be run even though there is liquor served there. It's one of the most successful horse shows in America. It happens to be here every year."

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Black: "Okay, but all horse shows? That's what we're concerned about. County fairs? Thank you."

Speaker Giglio: "Further discussion? All those in favor of the Amendment, signify by saying 'aye', opposed 'nay'. 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 Giglio: "Third Reading. On the Order of Educational Finance appears House Bill 2360. The Gentleman from Cook, Representative Keane. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2360, a Bill for an Act to amend the Board of Higher Education Act. Third Reading of the Bill."

Speaker Giglio: "Representative Keane."

Keane: "Thank you, Mr. Speaker. House Bill 2360 requires that budget proposals made by public institutions of higher ed and board recommendations thereon to separately identify the operations and capital needs of their respective satellite campuses and off-campus rental facilities, and it requires the Appropriation Bills to specify by line items the amounts appropriated to each such satellite campus or off campus rental facility. I'd ask for a favorable Roll Call, and be happy to answer any questions."

Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 2360 pass? All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 113 voting 'aye', none voting 'no', and 1 voting 'present'. House Bill 2360, having received the required Constitutional Majority is hereby declared passed. On the Order of Third Reading appears House Bill 2524, Representative McNamara."

Clerk O'Brien: "House Bill 2524, a Bill for an Act to amend an

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Act to create Pay Per Call Services. Second Reading of the Bill. Amendment #1...Third Reading of the Bill."

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

McNamara: "Thank you, Mr. Speaker. I'd like to bring us back to Second for purpose of an Amendment."

Speaker Giglio: "Does the Gentleman have leave? Hearing none, leave is granted. The Bill is on the Order of Second Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2524, this Bill has been read a second time previously. Floor Amendment #2, offered by Representative McNamara."

Speaker Giglio: "Representative McNamara."

McNamara: "Thank you, Mr. Speaker. What Amendment #2 does, it's a culmination of negotiations with ATT company. They are in favor of the language that is on this...Amendment. We brought it back to Second Reading for the purpose of putting this precise Amendment on. I urge your support of the Amendment."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment's adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Alright, back to the Order of Education Finance, Representative Phelan. Do you want to have House Bill 2399 called? Out of the record. Alright, on the Order of Constitutional Officers, on the Order of Second Reading, there appears House Bill 2422. Representative Keane, House Bill 2422. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2422, a Bill for an Act to amend the

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State Finance Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Gentleman from Cook, Representative Keane, on Amendment #1."

Keane: "Thank you, Mr. Speaker. Amendment #1 just makes the effective date; it changes the effective date from 1992 to 1993. Move its adoption."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, the question is, 'Shall the Amendment be adopted?'. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. On the Order of Real Estate Law, Third Reading, appears House Bill 16, Representative Currie. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 16, a Bill for an Act to amend the Counties Code. Third Reading of the Bill."

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

Currie: "Thank you, Mr. Speaker and Members of the House. This is an effort to respond to the discovery of a variety of slum-lords who are operating quite successfully and happily in the County of Cook to the detriment of the tax rolls, and to the detriment of general housing conditions. This Bill would provide that in Cook County, anybody who is transferring property would have to list the name and the address of the new owner. If the name and address so listed turn out to be imaginary, turn out to be fictitious, turn out to be in the middle of Lake Michigan, then the person who so attested would be guilty of a Class A

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misdemeanor. For frequent violations of the new Act, penalties would become a Class 4 felony. It's important that we try to crack down on slum-lord activities. We've worked closely with the Realtors and others to make sure that this Bill would do that trick, and would do so in a way that does not inconvenience people who are dealing in properties that are not relevant to our particular concern. I know of no opposition and would be happy for your support."

Speaker Giglio: "Any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. On behalf of our overworked and most diligent staff, I just want to tell the Representative we've enjoyed working with her on this Bill, and we think it's finally in its proper form, and, by golly, we'll vote with you on it now."

Currie: "Well, I appreciate your help in making sure that this final form is perfect."

Giglio: "The question is, 'Shall House Bill 16 pass? All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 106 voting 'yes', none voting 'no', and none voting 'present', and House Bill 16, having received the required Constitutional Majority is hereby declared passed. Representative Weaver, 'aye'. Mr. Clerk, let the record indicate that Representative Weaver wants to vote 'aye', and Representative Trotter wants to vote 'aye' on that previous Bill. Representative Hicks? Is Representative Hicks in the chamber? Out of the record. Representative Anthony Young. Out of the record. Representative John Dunn. 596. FOIA Architect Engineer. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "House Bill 596, a Bill for an Act to amend the Freedom of Information Act. Third Reading of the Bill."

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

Dunn: "This is a clarification...a Bill...it happens that where professional architects and engineers are dealing with a subdivision. The Freedom of Information Act acts as their plans. Other documents they're not concerned with, but the plan is a work product of an architect and you do that for a building. You don't need to make that a public record unless and until the building is completed. So I would ask for an affirmative vote; I know of no opposition."

Speaker Giglio: "Any discussion? The Gentleman from Will, Representative Wennlund."

Wennlund: "Will the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Wennlund: "Representative Dunn, does this, would not have any effect on any litigation regarding an existing or a proposed subdivision, would it, with respect to the plans, and what they might contain?"

Dunn: "No. No, this is a...the answer is...I don't know of any litigation. This affects the Freedom of Information Act and the confidential work product of an architect would remain that way, but if the building is complete, then it becomes a matter of public record. What happens is a subdivision was proposed and withdrawn and there lay the architect's plans; they might have wanted to use them for another building."

Dunn: "Thank you very much for your explanation. We'll join with you, and we'll vote for this."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall House Bill 596 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. Have all voted

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who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, 107 voting 'aye', none voting 'no', and none voting 'present', and House Bill 596, having received a Constitutional Majority is hereby declared passed. Representative Leitch, House Bill 859. Representative Leitch. Out of the record. House Bill 2594, Representative Jesse White. Condominium owner rights...wish to have this Bill called? It's on Third Reading. Out of the record? Out of the record. We're going to go to the Order of Constitutional Officers, Third Reading. I'll read the Representatives who have Bills on this Order. McNamara. Preston. Matijevich. Keane. Williams and Steczo, and on that Order appears House Bill 262, Representative McNamara. Do you wish to have this Bill called? 262. Out of the record. Representative Preston. How 'bout 915? House Bill 915? Do you want to call this Bill, Representative Preston? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 915, a Bill for an Act concerning future education accounts. Third Reading of the Bill."

Speaker Giglio: "Gentleman from Cook, Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 915 creates the Future Education Account Act. This Act which has been worked on very hard and promoted very hard by our State Treasurer Pat Quinn, would permit for really the first time parents to be able to, with a tax advantage, put money away for the future college education of their children, and by pooling their funds into this account which would be administered by the State Treasurer's office, which doing that alone would enable a higher interest rate to be obtained than an individual could do, by being able to put a certain amount, \$25 a week, \$100 a month, some other similar amount, would enable

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a person who is not a big money earner to be able to put away money and guarantee their child's education, and with this legislation is a guarantee that when that child is ready to go to college, that the amount in this fund would guarantee the college tuition for that child if that child's attending an Illinois state university. There are other provisions which are very beneficial for that same child who wants to attend an Illinois private university, and there are also great benefits for that child who decides to go to some other than an Illinois university, but what the bottom line is this, that this Act would permit a parent to put a small amount of money away on a weekly, monthly basis, to guarantee that child a college education. Other states have done this with great success, Florida did it. The first year they had something like 138,000 people who wanted to become part of this program and donate that money into the program. So I think it's a very good piece of legislation, it's following a trend of making college affordable to people who otherwise may not be able to afford that luxury, and I'd be glad to answer any questions and urge your 'aye' vote."

Speaker Giglio: "Alright, these Bills are listed on Short Debate. Is anybody in opposition? Gentleman from McLean, Representative Ropp."

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

Speaker Giglio: "Indicates he will."

Ropp: "Representative Preston, isn't this the intent similar to legislation that we already have that allows for parents to, let's say, buy like an insurance policy for those kids to go to school when they become old enough to go to college?"

Preston: "Well, Representative Ropp, yes and no. It is similar to any other savings plan, but the differences are very

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unique here. The differences, two that come to mind very quickly, or three that come to mind quickly, is under this plan, you can put a little away at a time. The plans you're talking about is where right now you buy \$2000, or \$3000, or \$4000 towards a future education account. In this plan, you can put a little away every month into this account, number one. Number two, this plan, unlike the one you're referring to, guarantees you that the amount you have in that fund when your child's ready for college, will be enough to go to an Illinois state university, no matter...even keeping in mind that that tuition is going to increase over those ten, 12 years."

Ropp: "Okay, who picks up the difference if, in fact, I haven't put in enough, \$25 a month, in order to meet a \$5000 tuition increase by then?"

Preston: "Okay. The...this is actuarially..."

Ropp: "Are there twins? Are there two of you there? I don't...oh."

Preston: "There's many things I can handle, but calling him my twin is just unfair competition. This will be actuarially studied, every year, and actuarially audited every year to make certain that the amount that is being taken out will be the amount that will guarantee that tuition at the other end."

Ropp: "Well, how do you guarantee it when you don't know how it's going to be at the other end?"

Preston: "Well, let me explain it to you. The, right now, if you join the plan right now, whatever the amount is, and I don't have those figures, but let's say the amount is, and it is in the neighborhood of \$100 or \$104 a month for a child who's five today, but using that as an example, if they find, and it's based on what a projection of cost increases for tuition would be, but let's say those

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cost...those projections are incorrect. The projection is too low, so the real cost is higher than has been projected. The people joining the plan five years from now, instead of paying that \$104 a month, would have to pay \$108 a month to make up for that, the difference. Maybe they'd have to pay less, if the costs and the people using the plan are so many that there's more than the projected amount of money, but it will be audited every year to make those plans. But you, when you join are given a commitment and a guarantee, and it costs the state nothing."

Ropp: "It costs the state nothing? Okay, if by chance it's \$100 and it goes up a \$108, and I can only afford \$105, would I automatically be cancelled if I don't come up with the increase?"

Preston: "No, you would not. But you would lose, in that case, the guarantee on tuition. You would still be getting the benefit of the pooled resources in terms of the interest earned, and I'll, let me just get to one other question where I think you're going, and it's right in line. Let's say the student for one reason or another doesn't go to college. You know, his parents have been saving for ten years, and the child doesn't go to college. What happens? In that case, the money that was put in is refunded to the family, as well as interest earned on those funds. What is not given of course, is a guarantee which is no longer pertinent because the child's not going to college."

Ropp: "Okay, is the interest that is accrued for 15 years, if I don't go to college, you said that comes back to me, what does that interest do during that period of time? Do we in the Legislature, can we spend it?"

Preston: "No. This is a separate fund. This is not a General Revenue Fund."

Ropp: "Separate fund. Okay."

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Preston: "This is a fund that guarantees these future education accounts."

Ropp: "Okay, but the sheet of paper that I'm looking here says that this is going to cost us an operating budget of \$751,000 a year."

Preston: "No, that...well...if it says that then it's absolutely incorrect. That is..."

Ropp: "I can't imagine that it'd be incorrect."

Preston: "Well, the problem was probably that it was prepared by the Republican staff. What that may mean..."

Ropp: "I think we got it from the State Treasurer's office, what I under..."

Preston: "What that may mean is that year one, because the administrative start up costs, in year one, there is an amount, and if that's what it says that's the amount, that attaches to it, but in all future years it is self-paying, so that will not...there will not, the second year be that, whatever administrative costs there are will come out of the fund. So it will cost the state only year one administrative funds...costs...and year two through whatever, no funds, and incidentally, that's the same model as in the state of Florida."

Ropp: "Okay, then in each year that this is audited to determine whether or not we're in line."

Preston: "Every year."

Ropp: "Who pays those auditing costs?"

Preston: "That comes out of the account...the fund also."

Ropp: "You mean from the interest that has been generated?"

Preston: "Right. That is accrued from these pooled funds."

Ropp: "But if we end up spending all the interest, how are going to have much..."

Preston: "'Cause we won't. I'd agree with you, if we did that then I guess we'd have to impeach the General Assembly and

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the Executive Branch of government, but that's not going to happen. The...an auditor would be paid to audit, not only to audit, but to audit and to make actuarial new predictions on an annual basis, and the cost of that would come out of the fund, but those costs compared to the size of the fund are absolutely miniscule."

Ropp: "Is this Bill then, under its current system, limited to anyone in the State of Illinois who has a child or maybe thinks they may be having a child?"

Preston: "No. You have to have a child in being to participate in this."

Ropp: "Okay, but it is not excluding anyone. Anyone who has the money that would want to get involved in this program would be eligible. It's not like our CHIP program. We only got so much money to deal with."

Preston: "Well, this is much different than CHIP..."

Ropp: "I understand."

Preston: "...because there's no state money involved. It's your own money. So anyone who wants to put money away for their college education of their kids, may do so. If you're a Rockefeller, for example, if you're a very wealthy person, you may not need this, because you may have, since you're dealing with large amounts of investment dollars, you may have the wherewithall to obtain high interest rates, but if you're the average family, that is not...can't put away a thousand dollars at a time, you're eking out, you want to put away a little amount at a time, and yet you want the benefit of earning high interest rates on that money, and earning them in a tax-free method, that's what this is for."

Speaker Giglio: "Alright, can these Gentlemen bring the dialogue to a close?"

Ropp: "Okay, are you assuming then that the state is not going to

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be held responsible or liable in any way, shape or form, and that all people are eligible to participate, assuming they have children, even though this costs some \$750,000 which we don't have as a one time cost? Is the effective date on this right away, or are we going to put it off until we have the seven hundred and fifty thousand?"

Preston: "I believe the effective date is right away, but the track record in states that have adopted this program is, and we've seen it here in Illinois also, there's such an immediate influx of money that the \$750,000 dollars is surpassed on the first day this is enacted, 'cause people all over the State of Illinois want to participate in a program like this."

Ropp: "Thank you."

Speaker Giglio: "Alright, the Majority, Representative McPike,"

McPike: "Representative Preston, since you were looking that direction, a lot of us over here couldn't hear some of your answers. I just had a few question (sic questions) and I apologize that some of them may be repetitious, 'cause we could not hear your answers. When you sign up for this program, do you have to tell what school you're going to?"

Preston: "No, Sir, you do not."

McPike: "So, if you...someone must know if you're going to go to SIU Edwardsville or University of Illinois, 'cause they have different tuitions. So if I was paying into a program and had decided that I was going to SIU, I would pay less into the program. If I was going into the U of I, obviously I'd have to pay more into the program. How would you know which school I intended to go to?"

Preston: "You would not know, nor would anyone expect you at this early date to make those kind of decisions."

McPike: "Then how would I know how much to pay? They have different tuitions at different universities."

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Preston: "They were using...the amount you put in initially would be an average amount based on the average tuition, the weighted average tuition of the state universities."

McPike: "Oh, I see. So that if I paid the weighted average for 18 years for my new daughter and then she decided to go to SIU, I would have paid in too much, because..."

Preston: "Yes, you would. What would happen to the rest of that money, you'd get it back with interest."

McPike: "I would get that back."

Preston: "Right. With interest."

McPike: "Alright, and then if I went to U of I, under that same example, I would have paid too little. Under the first example you said if my daughter went to SIU Edwardsville, I would have paid too much because that's below the weighted average, and therefore I would get my money back, and if she went to U of I, which is above the weighted average, then what would happen?"

Preston: "Then, you would be guaranteed the tuition at the University of Illinois."

McPike: "Who would make up that money? The state would make up that difference?"

Preston: "No, the state wouldn't make up any of..."

McPike: "Who would? Who would?"

Preston: "All of the money would be made up by the participants in the plan. So that if you start today..."

McPike: "Well, I went to SIU so I got some money back. Then I went to U of I and I didn't pay enough so I didn't get any money back, but I owed a little bit more. Who paid it?"

Preston: "The annual audit of projections and the actuarial audit effort that's done every year will determine where people are going to the various schools and what the cost is, so that when you start, let's say on day one you sign up your child into this program, and you put x amount of dollars

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away..."

McPike: "Right."

Preston: "...and at the end of the program your daughter goes to the University of Illinois, along the way through the track record of where people are going and what the costs are, when Representative Homer signs up two years from now based on that track record, the amount he would have to pay to be a participant in this plan, might be two dollars a month more you have to pay, or perhaps a little less, depending on where the numbers are going."

McPike: "Alright, when I sign up for this..."

Preston: "So the future participants would be making up for those differences if, in fact, there are any differences."

McPike: "When I sign up for this program, and they tell me I have to pay \$102 a month for 18 years, does that ever change, that \$102?"

Preston: "No, it does not."

McPike: "It stays the same every year."

Preston: "That's right."

McPike: "Alright, so if inflation goes up 5% a year, and tuitions go up 10% a year, obviously I'm paying a set amount, so I'm not paying enough in. Who makes up the difference?"

Preston: "The subsequent people who are participants in that plan."

McPike: "Okay, the younger kids pay for the older kids."

Preston: "Right."

McPike: "Well, that sounds very good."

Speaker Giglio: "Representative Preston."

Preston: "Thank you, Mr. Speaker. Am I closing?"

Speaker Giglio: "No, not quite. I'm looking up a rule...when...a person rises to address to the Chair pursuant to Rule 65 B, thou shalt face the Chair, and when you dialogue, you should look at the Chair, not the individual who you are

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having a dialogue with."

Preston: "Mr. Speaker, I beg your pardon, I meant no offense."

Speaker Giglio: "You're forgiven this time. Representative Black."

Black: "Thank you very much, Mr. Speaker. Pursuant to Rule 10 (a) on page 6 of our Rules, I am joined by 7 of my colleagues on this side of the aisle, I want this Bill removed from Short Debate."

Speaker Giglio: "So ordered. Representative Ewing."

Black: "Mr. Speaker, furthermore, point of personal privilege. The Gentleman has a right to present his Bill, and he believes in the Bill and it's probably a good piece of legislation, but we resent when he is asked a question about the fiscal note which was filed by the State Treasurer, I resent the fact that he said in a flippant manner, that must be a Republican Staff fiscal note. There's no excuse for that. We don't have to get personal here. I resent the Gentleman's retort to an honest question by a Member on this side of the aisle."

Speaker Giglio: "Representative Weaver."

Weaver: "Thank you very much, Mr. Speaker. If we are now off Short Debate, I have a question for the Sponsor, if he wouldn't mind."

Speaker Giglio: "Proceed."

Weaver: "Representative, to follow up on some questions that were originated over on your side of the aisle, and if this proves successful, I may quit this Body and go into business for myself because it sounds like a great idea. You mentioned that those people who are in the program who pay for a college tuition that is more than the money they pay in that that difference in cost would be made up by subsequent members to the plan. Is that correct? Who makes up the amount of the money for those subsequent

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members when their children go to a more expensive university?"

Preston: "Okay, every year, the plan is audited, and the costs are actuarialized for the...looking at who the plan participants are, so on a yearly basis, a cost to participate in the plan for new participants is arrived at where through the new participants and the prior participants all costs are taken care of. Now I understand, and this legislation takes into account, that you can't make these projections with a hundred percent accuracy. Maybe you're going to project every year the costs go up more than they in fact do, maybe they go up less than they in fact do. That's why every year it is required that there be an audit, and a new actuarial table for incoming participants to the plan, so that every year at that point the costs will be meeting the income to the plan will be meeting the anticipated expenses of the plan, and that's updated every year."

Weaver: "Well, thank you very much, Mr. Sponsor. Mr. Speaker, to the Bill, we used to have a term for this in college, it's called the Ponsy Scheme. It's great for those people who get into it early, because they get their costs covered, but as the program progresses, those people who join in later are the ones that are shortchanged because their money are going to pay the difference between what was invested early and the actual costs of the tuition. I think it's probably a good idea in there somewhere, but the folks who get into this program later are going to end up paying the tab, and not getting the tuition paid. I think we need to think very hard about this Bill."

Speaker Giglio: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker. I move the previous question."

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Speaker Giglio: "Gentleman asks to move the previous question.

All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the previous question has been moved. Representative Preston to close."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think it's very clear that this plan has been asked for by the people of Illinois, by the moms and dads who have to plan for the future education of their children. The...Treasurer Quinn has done an excellent job in working this out, other states have adopted it, and I'd ask for your 'aye' vote."

Speaker Giglio: "Question is, 'Shall House Bill 915 pass? All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Representative Harris, one minute to explain your vote."

Harris: "Well, thank you Mr. Speaker, Ladies and Gentlemen of the House. There really are some serious questions to be asked about this Bill. There's no question but the average parent of a child today looks at that college education bill and says, 'my God, how in the world am I going to afford it?' It is a genuine concern to the parent. However, this experiment has been tried in other states and not necessarily successfully in all the states. The Gentleman said that there would be no cost to the state. Well, we have seen interest rates go from 5% to 20 % in the past couple of years. If interest rates go up to 20%, who's going to carry that extra burden because you know the cost of college expense is going to go up just as much. The people coming down the road aren't going to be willing to pay for those people before them. It's very similar to Social Security, people today pay for the benefits for people before. That's not necessarily fair. The state could very well end up holding a very big burden on this, a

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well-intentioned Bill, but has not had enough staffing, and, Mr. Speaker, should this get the sufficient votes, I'd like a verification."

Speaker Giglio: "The Lady from DuPage, Representative Cowlshaw, 1 minute to explain your vote."

Cowlshaw: "Thank you very much, Mr. Speaker. Representative Preston, I realize that you are addressing a very serious problem and you are doing your level best to find a solution to that problem, but I have, I look up there at that number, it's 915, I remember a Senate Bill that was number 95, and it set forth some obligations to our pensioners, and we've never lived up to our obligation. We made those promises, we didn't keep them. Now, we're making some kind of long range promises with this Bill, and I think we're rushing into something that, at least I for one, don't feel I have been adequately well informed about what kind of financial commitment is involved for the state with this kind of thing, and frankly, until we begin to do what we ought to do for our pensioners, I think we ought to be a little cautious about getting the state involved in any more major commitments. We have promises to keep that we haven't kept that we already made."

Speaker Giglio: "The Gentleman from Bureau, Representative Mautino. One minute to explain your vote. "

Mautino: "Thank you, Mr. Speaker. The most successful program that we have is the current bond program for educational assistance to our students. The only problem is the bond authorization wasn't high enough, the bond issue sells out within 48 hours of offer, and now we want to go into a program that's going to establish something for somebody down the road that takes management as well as interest that the current market conditions being a major factor. By increasing the bond authorization for the last two

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successful bond issuance is much more palatable than doing it this way. This is nothing but establishing one more additional bureaucracy to be invested by government, when in fact, the bond authorizations of previous years are much more successful. If it isn't broke, don't fix it."

Speaker Giglio: "Representative Olson, one minute to explain your vote."

Olson, R.: "Thank you, Mr. Speaker. I have four grandchildren and last winter I read an article and I wish I had it here today about college costs 20 years from now. If we have the type of inflation in the next 20 that we've had in the past 20, we're talking about a huge, huge, huge unknown amount of money. I don't see how you can start at this time and project where you have to be 20 years from now. This reminds me, and I commend the Representative, and I know he's very serious, and I'm not trying to be tongue-in-cheek, but this reminds me of our current Social Security program which started out, the money would be laid aside to retire on, when what we have today is, the current worker is funding the retiree of today. It's...almost reminds me also of the old chain letters we had back in my high school days. I don't see how you can actuarially start anything today on costs that are going to be just out of our imagination...the reality...of the future."

Speaker Giglio: "Representative Granberg, one minute to explain your vote."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill allows the State Treasurer to enter into contracts as may be necessary? Adopt rules and regulations as may be necessary? All reasonable charges as may be necessary? And he appoints 13 members to a board. We have a good program that works now, we ought to stick with it and I vote 'no'."

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Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 50 voting 'yes', 39 voting 'no', and 18 voting 'present', and this Bill...Representative Preston asks leave to put on Postponed Consideration. Shall we have leave? Hearing none, leave is granted. Bill remains on the Order of Postponed Consideration. Agreed Resolutions."

Clerk O'Brien: "House Resolution 438, offered by Representative Churchill; 439, DeLeo; 440, Klemm; 441, Klemm; 442, John Dunn; 443, LeFlore; 444, Burke."

Speaker Giglio: "Matijevich moves the adoption of the Agreed Resolutions. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Agreed Resolutions are adopted. Representative Matijevich now moves that the House stand Adjourned until 11:00 a.m. tomorrow morning. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the House stands adjourned until 11:00 o'clock tomorrow. First Special Session of the 87th General Assembly now comes to order. The Roll Call for Attendance will be used by the Special Session from the General Session. Representative now moves that the First Special Session stand Adjourned until 11:05 tomorrow morning. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the First Special Session is now Adjourned."

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