

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

50th Legislative Day

May 15, 1991

Speaker McPike: "Come to order. The House will come to order. The Chaplain for today is Pastor Jim Elzerman of the Free Methodist Church in Morris, Illinois. Pastor Elzerman is the guest of Representative Weller. The guests in the balcony may wish to rise and join us for the invocation."

Pastor Elzerman: "Let us pray. Dear heavenly Father, thank You for another day and for the strength that You provide. Thank You, that we can enjoy Your creation and in the busy-ness of this day take just a moment to pause, to pause and to draw upon Your strength once again. Father, I pray for wisdom for each one of the Representatives here as they deliberate on the issues before them. That they would have Your wisdom and, Father, I especially pray that knowing that according to Your word, all that are in places of leadership are there because of Your placing them there. What a responsibility that is. I just ask, Lord, that You would help those that are in the place of leadership to carry that responsibility. Give them strength for this day, I pray in Jesus' name. Amen."

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

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

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

Matijevich: "Speaker, let the record reflect the excused absence of Monroe Flinn, due to his injuries, and Joe Brunsvold, is the death of his mother."

Speaker McPike: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker. Representative Barnes is excused

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today due to her illness and we also...Representative Sieben is here today; unfortunately the key is not in the lock, so, but he is present and we're trying to get the key to key him in, but, he is present today."

Speaker McPike: "The Clerk has turned on Representative Sieben. Thank you. Take the record, Mr. Clerk. 115 Members answering the Roll Call. A quorum is present. Agreed Resolutions."

Clerk O'Brien: "House Joint Resolution 43, offered by Representative Weaver. House Joint Resolution...House Resolution 491, Barnes; 492, Leitch; 493, Giglio; 494, Weller; 495, Weller; 496, Parke; 497, Novak; 498, DeJaegher; 499, DeJaegher; 500, Matijeich; 501, Ronan; 502, Hultgren and House Joint Resolution 45, Weaver."

Speaker McPike: "Representative Matijeich."

Matijeich: "Speaker, the Agreed Resolutions have been examined, and I move to adopt the Agreed Resolutions."

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

Clerk O'Brien: "House Joint Resolution 44, offered by Representative Balanoff."

Speaker McPike: "Committee on Assignment. Agreed Bill list. Supplemental #1. House Bill, Second Reading, Mr. Novak. This is on the Agreed Bill list, Representative Novak. It's on the agreed Bill list. It's not controversial, and we could probably move it. Mr. Novak? Yes, Sir, I'm trying to, but..."

Novak: "Yes, Mr. Speaker. I know it's on the Agreed list, that it's non controversial. I have five Amendments I need to discuss."

Speaker McPike: "Yes, but would you like..."

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Novak: "So, call the Bill."

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

Clerk O'Brien: "House Bill #2, a Bill for an Act to amend certain Acts in relation to appointments in state government. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. Novak."

Novak: "Mr. Speaker, Ladies and Gentlemen of the House. House Bill #2, the Amendment that...Amendment #1 to House Bill #2 is a product of negotiations with the Secretary of State's Office, the Department of Veterans' Affairs, Department of Central Management Services, concerning veterans preference for veterans who have been discharged after January 1, 1976, up and to the current time including those veterans honorably discharged that have served in the Gulf War and who are currently serving in the Gulf War who have not been honorably discharged. The Veterans' Preference Bill seeks to include those veterans discharged honorably after January 1976, which is the end of the Vietnam era to be included in preference for employment, for state hiring practices."

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

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

Speaker McPike: "Representative Novak."

Novak: "Thank you. The a...Floor Amendment #2 simply defines time of hostilities with a foreign country and also includes, defines that the section that, the...individual

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should have at least six months of service and be honorably discharged to be included in the preference."

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

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

Speaker McPike: "Mr. Novak."

Novak: "Mr. Speaker, yes, please table Amendment #3."

Speaker McPike: "Amendment #3 is withdrawn. Further Amendments."

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

Speaker McPike: "Mr. Novak."

Novak: "Amendment #4, deals with some clean-up language in the previous Amendments concerning members of the National Guard. The original language indicated, members of the National Guard of any state and since we want to give preference to our Illinois members of the National Guard that were activated by Presidential order, so essentially the language just makes it...changes it to Illinois National Guard. I ask for its adoption."

Speaker McPike: "The question is, 'Shall Amendment #4 be adopted?' Mr. Clerk, Amendment #4 on the board? Yes. The question is, 'Shall Amendment #4 be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments."

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

Speaker McPike: "Mr. Novak."

Novak: "Yes, Mr. Speaker, Ladies and Gentleman of the House. Amendment #5 is a rewrite of the 'Bogartist' Act which is, which pertains to veterans' assistance commissions that are

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established throughout the State of Illinois. Currently there are 35, I believe, veterans' assistance commissions that levy a tax approve by their respective county boards to provide assistance to indigent veterans. Indigent veterans that have been discharged, honorably, from their respective services. Now, this Bill, or this Law was put into effect back, I believe, in 1907, and it currently has such outdated and obsolete language that we need to clarify the language. We're making changes as far as taking the word 'indigent', and 'poor' out of there and putting in military assistance to veterans who have been honorably discharged. Essentially, we clean up this language in this Amendment to make sure that those veterans that have been discharged honorably after January 1, 1976, which again is the end of the Vietnam era pursuant to the Federal Government and the State Government, that covers all veterans that served in all conflicts whether peaceful or non peaceful, through our veterans today that have served in the Gulf and are currently serving in the Gulf, and I ask for your adoption of this Amendment."

Speaker McPike: "Representative Black on the Amendment."

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

Novak: "Yes."

Black: "Representative, you've done a good job on this Bill, but I think if there's any controversy, it's probably on this Amendment and that is the removal of the county boards' authority, maybe you could expand on your intent on this and bring us up to speed, because obviously some county boards are not going to like this."

Novak: "Well, what it does, every county board that establishes a tax levy, I think they're allowed to levy up to 3¢ per hundred to establish the veterans' assistance commission."

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That tax levy goes to a veterans assistance commission to be used to defray the expenses for those veterans who are integent and need emergency assistance, provided they follow the certain guidelines of the veterans' assistance commission. This language just makes sure that the county boards that already have adopted VACs to spend those moneys appropriately to provide assistance to the veterans."

Black: "On the 35 counties that it deals with, are they mostly large counties?"

Novak: "As a matter of fact, I would say most of them are large counties. Kankakee county, for example, just authorized one about two years ago. For your information, there are very few counties in southern Illinois probably below Springfield that have VACs. The Veterans' Assistance Commission Association would like to have VACs established in every single county in the state, but that's entirely up to the respective county boards in those areas."

Black: "But, would you have a list that...people could look at of the 35 counties that are affected?"

Novak: "I don't have it in my file, Representative Black, but I have it on my office desk, in the Stratton Building. I'll be more than happy to get it to you."

Black: "Okay. Thank you."

Speaker McPike: "The question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no', Amendment #5 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 257, Representative Ropp. Read the Bill, Mr. Clerk. Mr. Ropp here? Is Representative Ropp here? Well, Mr. Black would you like to handle this for Representative Ropp so we can move this Bill? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 256, a Bill for an Act to amend the

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Juvenile Court Act. This Bill has been read a second time previously. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Who has requested a Fiscal Note? Representative Black? Representative Black? Mr. Black, you just handled this Bill for Representative Ropp, and you have filed a request for a Fiscal Note. Would you like to withdraw your request? Alright. Representative Black withdraws the request for a Fiscal Note. The Bill will go to Third Reading. House Bill 628, Representative McCracken. Mr. McCracken here? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 628, a Bill for an Act to amend the Uniform Commercial Code. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 687, Representative Hicks (sic) Representative Curran. Mr. Curran here? Representative Granberg? Representative Matijeovich?"

Matijeovich: "Mr. Speaker, we don't have a procedure to remove a Bill from the Agreed list, but I've been told by the Environmental Counsel that this Bill violates what was in agreement with regards to earlier legislation and the Bill, therefore, I believe, becomes controversial. They tell me that EPA now opposes the Bill, and I think for the good of the Membership, that if this were taken off the Agreed Bill list and put on the Calendar so we could hear those arguments, I think we'd all be better for it because the way it is, I think, Members would be voting just on a hunch without full debate on the issue. If it would be in the form of a Motion, and I don't want to do anything to hurt my colleague, Representative Hicks, but this is just by what I've heard in the last 15 minutes on this Bill, that it ought to be, have some debate and the only procedure we have now is that we can individually vote on it without debate on the issue."

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Speaker McPike: "Representative Matijevich, approach. Perhaps you could approach the podium. This Bill is out of the record. House Bill 770, Representative Peterson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 770, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 772, Representative Turner. Mr. Turner? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 772, a Bill for an Act to amend the Illinois Human Rights Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Third? Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. House Bill 780, Representative Cowlshaw. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 780, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

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

Speaker McPike: "Third Reading. House Bill 1286, Representative Ronan. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1286, a Bill for an Act in relation to the height of certain structures. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 1333, Representative



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Hensel. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1333, a Bill for an Act to amend the Counties Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. Hensel."

Hensel: "Thank you, Mr. Speaker, Members of the House. Amendment #1 just adds a technical thing that the coroners had asked for, it says that..."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1408, Representative Bugielski. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1408, a Bill for an Act regarding substance abuse. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Bugielski."

Bugielski: "Thank you, Mr. Speaker, Members of the House. Amendment #2 changes the rates in the Bill, raises the license renewal fees from \$35 to \$75 and other fees from \$20 to \$35...from \$20 to \$25 dollars. These rates have been agreed upon by the Illinois Pharmacist Association and the Department of Professional Regulations. This is an

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agree...terms that they have come to and I ask for the passage of this Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Back to House Bill 687, Representative Hicks. Representative Matijeich? Representative Matijeich? Representative Matijeich? In response to your question, House Bill 687 will be read on Second Reading today and it will be moved to Third Reading and tomorrow it will not appear on the Agreed Bill list. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 687, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 687 will be removed from the Agreed Bill list. House Bill 1497, Representative Edley. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1497, a Bill for an Act to amend the Illinois Vehicle Code. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Noland? Mr. Noland? Mr. Noland here? Mr. Noland? Mr. Edley? Mr. Noland is not here. What do you wish to do with the Amendment? Do you wish to accept the Amendment or to move to table it?"

Edley: "Accept it."

Speaker McPike: "Representative Black, would you explain the...Representative Wennlund, would you explain the

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Amendment, please?"

Wennlund: "Thank you, Mr. Speaker. The Amendment allows community colleges to qualify for collegiate license plates."

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

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

Speaker McPike: "Representative Ropp? Mr. Edley, what is your desire on this Amendment?"

Edley: "Table it."

Speaker McPike: "The Gentleman moves to table Amendment #2. All in favor, say 'aye', opposed 'no'. The 'ayes' have it. The Amendment is tabled. Further Amendments?"

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

Speaker McPike: "Representative Edley."

Edley: "Yes. Amendment #3 becomes the Bill. In Amendment #3, we're setting up a special collegiate plate fund for the Secretary of State's Office in which state colleges and universities, as well as private colleges and universities can create a revenue for their college scholarships. The...what would happen...is if a University of Illinois supporter wanted to have a license plate that ID'd himself as a University of Illinois booster, he could pay the normal \$48.00 licensing fee and...additional \$40.00 for the special license plate. Of that \$40.00, \$25.00 would go to the university for their scholarship program and \$15.00 would go to the Secretary of State's special fund to handle the administrative costs. It's a very good program. It's agreed on both sides, and I would urge your support."

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Speaker McPike: "The question is, 'Shall Amendment #3...Representative Klemm, on the Amendment.'"

Klemm: "Well, I was just going to stand, Mr. Speaker, in support of the Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1659, Representative Burzynski. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1659, a Bill for an Act concerning market of grains. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

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

Speaker McPike: "Third Reading. House Bill 1684, Representative Parke. Mr. Parke here? Representative Parke? Mr. Wennlund, would you like to handle the Bill for Mr. Parke? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1684, a Bill for an Act to amend the Public Fund Statement Publication Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 1850, Representative Hicks. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1850, a Bill for an Act to amend the Illinois Oil and Gas Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 1857, Representative Ryder. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1857, a Bill for an Act to amend the Medical Practice Act. Second Reading of the Bill. No Committee or Floor Amendments."

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Speaker McPike: "Third Reading. House Bill 2022. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2022, a Bill for an Act to amend the Radiation Protection Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

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

Speaker McPike: "Third Reading. House Bill 2118, Representative Lou Jones. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2118, a Bill for an Act to amend the Illinois Banking Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 2502, Representative Cronin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2502, a Bill for an Act in relation to suicide. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

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

SpeakerMcPike: "Representative Cronin."

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

I have an Amendment that's been drafted and this Amendment was drafted with the advice and consent of other Committee Members who expressed some concern about the language of the Amendment as adopted in committee. The Amendment that is proposed on the House Floor even tightens up the language of this Bill or the Amendment that was in the Committee that became the Bill. This Amendment now becomes the Bill and it tightens up the language even further and makes it even more narrowly, a more narrow intent. I ask

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that the Amendment be adopted."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. On the Order of Third Reading. On the Order of Third Reading on the Agreed Bill list. Does anyone have a Bill on Third Reading that they want to bring back to Second Reading for an Amendment so we can pass this list tomorrow? And on that order, Representative McAfee, House Bill 341."

McAfee: "Thank you, Mr. Speaker. We have an Amendment..."

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

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

Speaker McPike: "Representative McAfee."

McAfee: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. Amendment #4 provides for a special plate legislation which has been recommended by the Secretary of State and also we've had an agreement with the Committee Members as well. This provides for a special fund and also provides for a registration fee and a renewal fee. This has been supported by the Secretary of State as well as all the veterans groups."

Speaker McPike: "The question is, 'Shall the Amendment be adopted?' Does anyone stand in opposition to it? Mr. Klemm, are you standing in opposition to this Amendment? The question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it. The

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Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Klemm, do you have a Bill on this order? What's the Bill number? Mr. Klemm?"

Klemm: "Yes, I do. House Bill 1842."

Speaker McPike: "The Gentleman asks leave to return House Bill 1842 to Second Reading. Does he have leave? Leave is granted. The Bill's on Second Reading. Are there any Amendments filed, Mr.Clerk?"

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

Speaker McPike: "Representative Homer. Mr. Homer? Mr. Homer? Read the Amendment. Amendment #2, Representative Homer is your Amendment. Would somebody give Representative Homer the Amendment?"

Homer: "Thank you, Mr. Speaker. I'd ask leave to withdraw Amendment #2."

Speaker McPike: "Amendment #2 is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. The Clerk was in error. There is another Amendment."

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

Speaker McPike: "Representative Klemm on Amendment #3."

Klemm: "Thank you, Mr. Speaker. Amendment #3 amends Amendment #2 to add a line, 'shall not constitute consent', and I move its adoption."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Are there any other requests on

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the Supplemental Calendar? Representative Frederick.  
What is your Bill number, please?"

Frederick: "554, Mr. Speaker."

Speaker McPike: "House Bill, 554. The Lady asks leave to return  
the Bill to Second Reading. Is the leave granted? Leave  
is granted. The Bill's on Second Reading. Mr. Clerk, are  
there any Amendments?"

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

Speaker McPike: "Representative Frederick."

Frederick: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. Amendment #2 requires that when an amount of child  
support is withheld it shall be considered paid by the  
payer on the date it is mailed or on the date that an  
electronic funds transfer occurs or has been initiated by  
the payer on the date of the delivery of the amount that's  
been initiated by the payer. I move adoption of Amendment  
#2 to House Bill 554."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Schakowsky."

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

Speaker McPike: "What is your Bill number?"

Schakowsky: "I would like to bring..."

Speaker McPike: "What is your Bill number?"

Schakowsky: "931."

Speaker McPike: "531. The Lady asks leave to return. 531?"

Schakowsky: "Yes. That was on the Agreed Bill."

Speaker McPike: "931?"

Schakowsky: "931."



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Speaker McPike: "I'm sorry. House Bill 931. The Lady asks leave to return it to Second Reading. Does she have leave? No objections, leave is granted. The Bill is on Second Reading. Are there any Amendments?"

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

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Amendment #2 addresses the question of confidentiality. It restricts the release of information about circuit breaker to municipalities as opposed to all units of local government and...requires that all this information be kept confidential, except for official purposes. I move the adoption of Amendment #2."

Speaker McPike: "On the Amendment, Representative Klemm."

Klemm: "Well, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I want to thank the Representative of trying to at least address some of our concerns, but you know, I've been thinking about it since you and I talked about this last night. You have eliminated all units of local government and only made municipalities, and I think that's good. I think you've made the confidentiality question, but I was thinking about it, there is only one municipality that's ever asked for this and that's Evanston, and it's only for a few seniors who perhaps don't bring or don't come to the city when they're asking for discounts on their license plates or city vehicle tags, and they don't bring that certificate, that just for those few people, maybe there are many, you know, a dozen or two, but to open up then possibility of all those seniors that have that list published by the Department of Revenue..."

Speaker McPike: "Representative Klemm, are you talking against the Bill or the Amendment?"

Klemm: "The Amendment."

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Speaker McPike: "The Amendment."

Klemm: "Is that alright, Sir?"

Speaker McPike: "Yes. We're on the Amendment."

Klemm: "But, I think to have this confidentiality questioned then to be to all municipalities that ask for it, still goes too far, so even though this Amendment has tightened down what you wanted to do, I feel uncomfortable with the concept that we're violating the confidentiality of our seniors who get the circuit breaker, and I don't really think the Amendment is still what we should be doing. So as much as it improves it I am uncomfortable with the part of opening up all these seniors and getting their names still printed and available. So, I really feel I have to stand opposed to the Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Does anyone else have a Bill? On the Agreed Bill list? Any other requests? Are there no other requests? So, every Bill on this Calendar, with exception of House Bill 687 that has been removed from the Agreed Bill list, every other Bill is on Third Reading. Once again, the Chair would ask the Members to read the Bills on the Calendar, because tomorrow we will pass them on one Roll Call. The Agreed Bill list will be voted on tomorrow, so we would encourage you to read them today. There has been another request on the Agreed Bill list to bring Bills back to Second Reading. So, this is the last time today we're going to go to this Order. We're not going back to the Agreed Bill list today, so if you want to bring it back, you better tell the Chair now because we're

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not going back to this Order. Right. Now Representative McGuire has a request. What's your Bill number, Sir?"

McGuire: "Mr. Speaker, it apparently has been my error that I didn't ask for an Amendment #3, on Bill 2349. It's on the Agreed Bill list. It's up for Third Reading."

Speaker McPike: "What's the Bill number?"

McGuire: "2349."

Speaker McPike: "House Bill 2349. The Gentleman asks leave to return it to Second Reading for purposes of the Amendment. Does he have leave? Leave is granted. The Bill is on Second Reading. Mr. Clerk, are there any Amendments?"

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

Speaker McPike: "Representative McGuire."

McGuire: "Yes, Sir, that's the Third Amendment that...it's not a hostile Amendment, and I'd like it...the Amendment adopted today."

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

Clerk O'Brien: "Third Reading. Yes, Representative McGuire. Mr. McGuire. Mr. McGuire."

McGuire: "Would that be restart of the agreed Bill that was..."

Speaker McPike: "Yes, it's on the Agreed Bill list."

McGuire: "Thanks very much."

Speaker McPike: "For the last time, are there any other Members who would like to move their Bill back to Second? Any other requests? Representative Kirkland, do you have a request? Alright, Representative Persico, on House Bill 2174. The Gentleman asks leave to return it to Second Reading. Does the Gentleman have leave? Leave is granted. Mr. Clerk are there any Amendments filed?"

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

Speaker McPike: "Representative Kirkland?"

Kirkland: "Thank you, Mr. Speaker. Amendment #2 refers to conveyance of property that was authorized in 1989, from the Department of Corrections to Kane County for a courts complex. The language, in 1989, said criminal courts complex, it should have said, 'court complex'. That was everybody's understanding. This simply takes out the word 'criminal'."

Speaker McPike: "Representative Young on the Amendment."

Young: "Thank you. Will the Sponsor yield?"

Kirkland: "Yes."

Speaker McPike: "Yes."

Young: "Is there an appraisal on file in regards to the property?"

Kirkland: "I have to honestly say, I don't know; I'm sure there was when we passed it in 1989. This simply takes out the limitation that it be a 'criminal courts complex'. What it is is a brand new courthouse for Kane County and it's intended to handle all sorts of cases, civil and criminal. That's the only reason the change is being made."

Young: "The \$1,017,000 that you're paying for it, is that the cost of the actual building or the cost of the land?"

Kirkland: "Say it again, please."

Young: "You're paying? I see the Amendment says you're paying \$1,017,000. Is that the cost of the actual complex or is that the cost of the land?"

Kirkland: "I believe that's the cost of the land. They're going to build the complex. Alright."

Young: "Okay. Then by the time this comes to Third Reading, you'll get a...see if there's an appraisal on file or something?"

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Kirkland: "Sure, I'll do that."

Young: "Thank you."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Any other Members...any other Members, have a Bill on this Order? Consent Calendar, page 33 of the Calendar. Consent Calendar, Third Reading. Read the Bills, Mr. Clerk."

Clerk O'Brien: "Consent Calendar, Third Reading. Second Day. House Bill 606, a Bill for an Act in relation to clinical social workers. Third Reading of the Bill. House Bill 1695, a Bill for an Act to create the Farm Family Assistance Act. Third Reading of the Bill. House Bill 1832, a Bill for an Act to amend an Act concerning child care facilities. Third Reading of the Bill."

Speaker McPike: "The question is, 'Shall these Bills pass?' All in favor vote 'aye', opposed, 'no'. Have all voted? Have all voted, who wish? The Clerk will take the record. Representative Hasara."

Hasara: "Mr. Speaker, my light isn't working."

Speaker McPike: "Vote, Representative Hasara... 'yes' or 'no'?"

Hasara: "Yes."

Speaker McPike: "Vote Representative Hasara 'aye'. Mr. Clerk, take the record. Representative Turner votes 'aye'. On these Bills, there's 106 'ayes'. Anyone else seeking recognition? Representative Ackerman votes 'aye'. Representative Leitch votes 'aye'. On these Bills there are 108 'ayes' and no 'nays', and these Bills, having received the Constitutional Majority, are hereby declared passed. On page 31 of the Calendar, under Special Call

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Regulation. Appears House Bill 2329, Representative Dunn and Parcels. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2329, a Bill for an Act in relation to regulation of nutrition services. Third Reading of the Bill."

Speaker McPike: "Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentleman of the House. House Bill 2329, creates the Nutrition Services Licensing Act. This is legislation which would license those who provide nutritional services in the State of Illinois. It would license approximately 4,000 individuals. The Bill has provisions in it for licensing, and the fees paid will pay the loss of regulating the program. This is something badly needed in this State, and I urge your 'aye' vote."

Speaker McPike: "Does anyone rise in opposition to the Bill? The question is, 'Shall this Bill pass?' All those in favor, vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Schoenberg, 'aye'. He's voting 'aye'. Representative Hasara, 'aye'. Would the electrician please check her light?"

Hasara: "Now it's on. It must have a short."

Speaker McPike: "Yes, the Clerk turned it on. The Clerk turned it on. I'll have the electrician come down and check her light. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there is 105 'ayes' and no 'nays'. House Bill 2329, having received a Constitutional Majority is hereby declared passed. To Labor. Second Reading. Appears House Bill 824, Representative Mautino. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 824."

Speaker McPike: "Out of the record. Human Services, House Bill 2050, Representative Steczo. Terry Steczo. Mr. Steczo here? House Bill 2469, Representative Capparelli. 2469."

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We may never get back to these Bills. House Bill 2510, Representative Currie. Constitutional Officers. House Bill 1592, Representative Williams. Out of the record. House Bill 2112. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2112, a Bill for an Act concerning consumer contracts. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Lang."

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

Speaker McPike: "Amendment #1 is withdrawn. Further Amendments?"

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

Speaker McPike: "Mr. Saltsman."

Saltsman: "Thank you, Mr. Speaker. Amendment #2 removes the private cause of action including the class action setup of paragraph (b) of the Bill and this Amendment was suggested by the Illinois Retail Merchants' Association, and I ask for its adoption."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Agriculture. Second Reading. House Bill 345, Mr. Richmond. Representative Richmond. House Bill 580, Representative Schakowsky. House Bill 742, Representative Granberg. Granberg. House Bill 2253, Representative Kulas. Consumer Protection. Second Reading. House Bill 1981, Representative Hartke. Mr. Hartke. Economic Development. Second Reading. House Bill

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882, Representative Wyvetter Younge. House Bill 1876, Representative Morrow. Mr. Morrow? Housing. Second Reading. House Bill 2003, Representative Davis. Davis. Government Operations. Second Reading. House Bill 225, Representative LeFlore. Bob LeFlore? Representative Currie? Currie? Is the Lady here? Representative Brunsvold is not here. Representative Richmond? Representative Bruce Richmond? Mr. Richmond? Bruce Richmond, House Bill 734. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 734, a Bill for an Act in relation to education. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. Richmond."

Richmond: "Yes. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill...the Bill, the underlying Bill deals with the problem... with the Hill House which is...part of the Carbondale Education System that deals with the drug related and alcohol-related problems of students from all over the state and so they have the responsibility of educating those young people in Carbondale and this provides the proper reimbursement to that school district down there from the home district of the students. The Amendment is the Bill, and I would move for its adoption."

Speaker McPike: "The question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed, 'no'. The 'ayes' have...Representative Wennlund, on the Amendment."

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

Speaker McPike: "Yes."

Wennlund: "Representative, is this involved in expense to a local district? Which would be a mandate."



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Richmond: "It is not that at all, just to work out some problems with the reimbursement from the local district down to the district that is actually expending their local tax moneys to educate that student, and this Amendment removes all the objections from DASA who did object to some of the language in the original Bill. This is agreed now and it just...it's a fairway to handle..."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Richmond, you also have a Bill, 345, concerning the SIU aquaculture center? Do you want that Bill called?"

Richmond: "No."

Speaker McPike: "Representative Kirkland? Read the Bill, Mr. Clerk, 1029."

Clerk O'Brien: "House Bill 1029, a Bill for an Act to amend the Unified Code of Corrections. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. Representative Currie, 318. Miss Currie, do you want 318 called? No. House Bill 1283. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1283, a Bill for an Act to amend an Act concerning pregnant women. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker McPike: "Do you have a Fiscal Note ready to file? Representative Currie? Any further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker McPike: "Fiscal Note? You don't have one? The Lady does not have a Fiscal Note. The Bill stays on Second Reading. What is that? Representative Currie, do you want to call your other Bill, 2486? In the same order? Representative Schoenberg? Schoenberg? 1365. Mr. Ryder, 2408. Mr. Ryder, 2408? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2408, a Bill for an Act to amend the Illinois Securities Law. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

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

Speaker McPike: "Third Reading. Representative Currie. Currie? Currie? Would you please turn on Representative Currie."

Currie: "On this Order I would like to...on Third Reading, I would like to bring back House Bill 215, for purposes of an Amendment."

Speaker McPike: "The Lady asks leave to return House Bill 215 to Second Reading. Hearing no objections, leave is granted. The Bill's on Second Reading. Are there any Amendments?"

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

Speaker McPike: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This Amendment would eliminate two requirements of report filings by the State Board of Education. These were recommendations from the auditor, and I know of no opposition to the Amendment, and I'd be happy to answer your questions and would appreciate your support for the Motion."

Speaker McPike: "The question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed, 'no'. The Amendment is adopted. Any further Amendments?"

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

Speaker McPike: "Miss Currie."

Currie: "Well, I only have Floor Amendment #1 in my file, so..."

Clerk O'Brien: "In the introductory clause by replacing 18-11 with 14-12."

Currie: "Sorry. Yes, you're right, you're right. Okay. That's a technical Amendment to the Amendment just adopted. The eagle eyed Members of the House Republican staff noted an error and this Amendment was drafted to fix it."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Currie. Another Bill?"

Currie: "Another Bill on this Order, Mr. Speaker. House Bill 1245, I would like..."

Speaker McPike: "House Bill 1245, the Lady asks leave to bring it back to Second Reading. Are there any objections here? Hearing none. The leave is granted. The Bill is on Second Reading. Are there any Amendments, Mr. Clerk?"

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

Speaker McPike: "Miss Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This was a recommendation from the Department of Public Health, that the Department of Public Aid helped them get statistics for the report that is required by the underlying Bill."

Speaker McPike: "On the Amendment, Representative Black."

Black: "Thank you very much, Mr. Speaker. Will the Sponsor

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yield? Thank you. Representative, as amended it's our understanding now that the Department of Public Health has no opposition to the Bill. Is that correct?"

Currie: "That's my understanding, too."

Black: "Thank you very much."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Rotello, did you have a Bill that you wished to call? Representative Marinaro, did you have a Bill that you wished to call? On...what did we just do? Third Reading. Municipal, County....Representative Brunsvold's not here. Representative Noland? Mr. Noland here? Where's he sit? Mr. Noland? House Bill 1537, Representative Marinaro. 1537. House Bill 2149, Representative McGann. Mr. McGann do you want this read? No. Out of the record. Public Utilities. Second Reading. House Bill 1392, Representative McNamara. 1392. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1392, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. Representative Levin. Ellis Levin, on 2643. 2643. Ready to go. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2643, a Bill for an Act to amend the Public Utilities Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 619. Representative Matijevich asks leave to return it to Second Reading for Amendment. No objections, leave is granted. The Bill's on

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Second Reading. Are there any Amendments?"

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

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, the underlying Bill of House Bill 619, was a Bill by the Legal Assistance Foundation of Chicago and tried to get to the problem of synchronizing the starting date of winter reconnection rules with the starting date of the emergency services program. The public utilities and People's Gas, in particular, had problems because the Bill would have affected all customers, not just those who are trying to apply for emergency relief, and the Amendment was worked out with People's Gas and the Legal Assistance Foundation and now it's an Agreed Bill. The Amendment would mean that former customers who do not have applications pending would still go under the present date, but those who have customers who have applications pending for the energy assistance would go under the October 1 through April 1st date. I would move for the adoption of the Amendment."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Real Estate Laws. Second Reading. House Bill 909, Representative Turner. Turner? 1196, Homer. Representative Homer, 1196? Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1196, a Bill for an Act to amend the Responsible Property Transfer Act. Second Reading of the Bill. No Committee Amendment."

Speaker McPike: "Any Floor Amendments?"

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Clerk O'Brien: "Floor Amendment #1 was withdrawn. Floor Amendment #2, offered by Representative Homer."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Amendment amends the statute of limitations as it applies to the filing of complaints for illness contracted as a result of exposure to prolonged latent...to certain latent defects, harmful materials. This current law provides that the bringing of an action would have to be brought within twelve years after exposure to the harmful material. This Amendment would provide that the cause of action must be brought within two years of the...after the disease or the cause of the disease is known or reasonably could have been known or within two years after the effective date of this Amendatory Act whichever is later. The need for this legislation is that most often in...and in fact virtually in all cases involving exposure to asbestos and other similar types of harmful materials, that there is a latent period in which the disease lies dormant within the body often exceeding twenty years and so that one, who for the first time, finds out that they have contracted this disease, finds out that because they did not and could not have filed within twelve years of exposure, they're denied recovery. So, this Bill...is designed to allow them a reasonable time, two years, from the time they learn they have the disease. It also revives causes of actions, otherwise extinguished by the current twelve year statute proposed, so as to allow for cause of action two years after the effective date of this Bill, whichever is later. I would urge...I would answer questions and urge adoption of Amendment #2."

Speaker McPike: "The question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed, 'no'. Mr.

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Wennlund, do you want to talk about the Amendment or the Bill?"

Wennlund: "Amendment."

Speaker McPike: "Go ahead."

Wennlund: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Wennlund: "Representative Homer, what...Prior to this Amendment what was the statute of limitations?"

Homer: "The current law would be twelve years from the date of exposure to the harmful material."

Wennlund: "Thank you."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Mr. Homer."

Homer: "Mr. Speaker, this Bill has been read a second time previously. I wonder if I may ask leave for immediate consideration?"

Speaker McPike: "Mr. Clerk, was this Bill read a prev...a second time previously? Alright. The Bill has been read a second time previously. The Gentleman does not need leave to have the Bill heard at this time. Read the Bill, Mr. Clerk. Third Reading."

Clerk O'Brien: "House Bill 1197...1196, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill."

Speaker McPike: "Representative Homer."

Homer: "Thank you, Mr. Speaker. The Amendment we just adopted is the Bill. We've already discussed it, voted on it. I would ask...move for the passage of House Bill 1196."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in

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favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there's 112 'ayes', 0 'nays'. House Bill 1196, having received the Constitutional Majority is hereby declared passed. Go on with this. House Bill 1926. Mr. Woolard? Woolard? Levin? Ellis Levin, House Bill 1929. Out of the record. Mary Flowers? Representative Flowers, on the floor? Is she on the floor? The rest of the Bills on this order are hers? I don't know. State and Local Government. Third Reading. 351, 352 are out of the record. 353, 354, out of the record. 477, out of the record. House Bill 495, Representative LeFlore. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 495, a Bill for an Act concerning respirator care. Third Reading of the Bill."

Speaker McPike: "Mr. LeFlore."

LeFlore: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 495 creates the Respiratory Care Practice Act, which is designed to protect consumers by requiring all respiratory therapists..."

Speaker McPike: "Does anyone stand in opposition to this Bill? The question is...Yes. Continue, Mr. LeFlore."

LeFlore: "...requiring all respiratory therapists to register with the Department of Professional Regulation. This Bill is a good Bill. The surrounding states of Illinois has this mandate already, and I feel that it's time for Illinois to come in line, so, therefore, I ask for a favorable vote. Thank you."

Speaker McPike: "On the 'do pass' Motion, Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. It is the Republican position that new licensing Bills, generally speaking, closed ranks, raised fees. This will cost the



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health care to go up and I feel that we should be opposing any new licensing Act. We have twenty nine this year. Eight of them got out. I'd advise a 'no' vote."

Speaker McPike: "Mr. Ackerman."

Ackerman: "Thank you Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Bill. I don't believe that the licensure of these people would increasure costs due to the all the surrounding states having a licenser of these people, and I think, for the protection of the people in the State of Illinois, this Bill should pass. Thank you."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 105 'ayes', 8 'nos'. House Bill 495, having received the Constitutional Majority is hereby declared passed. Second Reading. State and Local. House Bill 17, Representative Lang. Out. House Bill 185. Read the Bill, Mr. Clerk."

Clerk Leon: "House Bill 185, a Bill for an Act to amend the General Obligation Bond Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 186. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 186, a Bill for an Act to amend the Build Illinois Bond Act. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "Third Reading. House Bill 313, Representative Currie. House Bill 391, Representative Wolf. Representative Wolf. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 391, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. There are no Committee Amendments."

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Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. Wolf."

Wolf: "Thank you, Mr. Speaker. I move for the adoption of Amendment #1. Amendment #1 effectively strips the Bill and makes it a shell Bill."

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

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading."

Wolf: "I move for immediate consideration of House Bill 391."

Speaker McPike: "Has it been read? Has it been read a second time on a previous day?"

Wolf: "Yes. For today."

Speaker McPike: "Mr. Clerk?"

Clerk Leone: "The Bill has not been read a second time on a previous day."

Speaker McPike: "Well it says here, held on Second Reading."

Clerk Leone: "Yes. I'm sorry, it has been. That's correction."

Speaker McPike: "The Gentleman wants to call the Bill. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 391, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who...have all voted who wish? The Clerk will take the record. On this Bill there is 105 'ayes', 2 'nos' and House Bill 391, having received the Constitutional Majority is hereby declared passed. Returning to House Bill 1283. Has a Fiscal Note been filed?"

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Clerk Leone: "Fiscal Note has been filed."

Speaker McPike: "Third Reading. House Bill 497, Representative Trotter. Donne Trotter? Mr. Trotter? Out of the record? Brunsvold? Representative Stepan? Ann Stepan, 916. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 916, a Bill for an Act to amend the Civil Administrative Codes. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Representative Stepan."

Stepan: "Yes. Mr. Speaker, Members of the House. Floor Amendment #1 calls for the brochure to be published by House Bill 916 to be both in English and in Spanish."

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

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

Speaker McPike: "Representative Stepan."

Stepan: "Amendment #2 is a language change that broadens the scope of the Bill...the Bill's intention which is to educate women on female health issues."

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

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

Speaker McPike: "Representative Stepan."

Stepan: "Amendment #3 states that the publication would be

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contingent upon funds made available from the General Assembly."

Speaker McPike: "The Lady moves for the adoption of Amendment #3.

On the Amendment, Representative Wennlund?"

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

Speaker McPike: "Yes."

Wennlund: "Representative Stepan, it is my understanding from the Illinois Department of Public Health, that there is an annual cost of \$30,000 that would be required to publish this brochure on hysterectomies?"

Stepan: "That's correct, Representative."

Wennlund: "Did Amendment #3 remove the mandate that the Department of Public Health publish this brochure?"

Stepan: "Amendment #3 states that the publication would be contingent upon funds appropriated by the General Assembly."

Wennlund: "I'm reading Amendment #3, and I don't see that anywhere in that Amendment?"

Stepan: "Well, Amendment #3, it says, on page 1, line 8, immediately after available by inserting 'from the General Assembly'."

Wennlund: "On what line is that?"

Speaker McPike: "8"

Stepan: "On line 8."

Wennlund: "Well, it appears to obligate the General Assembly to appropriate funds for that purpose."

Stepan: "I'm sorry, I didn't hear you."

Wennlund: "I said...line 8 appears to obligate the General Assembly to appropriate funds for that purpose."

Stepan: "It says if funds made available, following available by inserting 'from the General Assembly' for this purpose. Alright?"

Speaker McPike: "The questions is, 'Shall Amendment #3 be

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

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. House Bill 1321, Representative Stepan. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1321, a Bill for an Act to amend the Marriage and Dissolution of Marriage Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker McPike: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker McPike: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker McPike: "Third Reading. 1538, Representative Marinaro. Marinaro? Lou Jones? Lou Jones? Representative Keane? Read the Bill, Mr. Clerk? 1947."

Clerk Leone: "House Bill 1947, a Bill for an Act to create the state bond board. Second Reading of the Bill. There are no Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

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

Speaker McPike: "Mr. Keane."

Keane: "Withdraw Floor Amendment #1."

Speaker McPike: "The Gentleman withdraws the Amendment."

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. 2032, Representative Currie. Mr. Trotter, on 2186. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2186, a Bill for an Act to amend the Act to create local government health care fund. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker McPike: "There's a request for a Fiscal Note. It's not

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filed yet. Do you have it? Do you have it? No. It stays on Second Reading. 2191, Representative Lang. Lou Lang? 2191. Out of the record. Mr. Keane in the Chair."

Speaker Keane: "Go to State and Local Government. Third Reading. House Bill 351, Representative Stern. Ladies and Gentleman, the Bills are backing up. They're not being called. If you don't call a Bill when it comes up, there's a chance that next week we will not get to your Bill, so act accordingly. Representative Stern, do you want to have...?"

Stern: "Mr. Speaker, this is...these are the election vehicle Bills."

Speaker Keane: "We'll hold on to them. We'll hold on to them."

Stern: "Called early in the week."

Speaker Keane: "That was a general reading not a chastisement."

Stern: "Thank you."

Speaker Keane: "Page 2 of today's Special Calendar is Human Services. Appears Human Services. Third Reading. House Bill 274, Representative White. Representative White. Representative Trotter. Mr. Clerk, read the Bill"

Speaker Keane: "Representative Trotter."

Clerk Leone: "House Bill 274, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Trotter: "Thank you very much, Mr. Speaker, Members of the House. House Bill 274 provides prenatal care services to women whose family income is up to 160% of the federal poverty level. Presently, the Federal Government allows matching funds for prenatal care to services for women whose family income is up to 185% of the federal poverty level. In Illinois we have been phasing in services for pregnant women as was agreed upon by the department. In 1988, we increased the eligibility limits to 100% and then in 1990, we increased them to 133%. This year, hopefully, we would

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like to see them phased into 160. Presently Illinois ranks 45th in the worst states for infant mortality with the rate of infant dates hovering around 12 per 1,000. In my community that number is up to 22 per 1,000. By providing prenatal care for medically indigent women, we are addressing the problem of low infant birth weight and infant death. The cost of providing a service is more than made up for the savings of cost in neonatal intensive care. A pregnancy only lasts nine months. Savings can be seen in a one-year period. For every dollar invested in a prenatal care, \$3 is saved. 3% of newborns are...nearly 50% of health care resources spent on newborn care. Also, House Bill 274 deals with the governmental mandate of phasing in the coverage of children. The Managed Care Program of Department of Public Aid is expanded. The Managed Care Program takes individuals who have an excessive number of physician visits and provides them with a case manager and a primary care physician. The case manager will make sure that the client understands their instructions and assists them in using services appropriately. This will provide better quality services for the client and a more efficient use of the system, and I ask for a favorable roll call."

Speaker Keane: "Is there any discussion? Representative Black. Ladies and Gentleman, we're on Third Reading. Keep the noise level down. If you're having conversations, take them off the floor."

Black: "Thank you very much, Mr. Speaker. Because I feel I have to speak to this Bill, and I think everyone should listen to this. I think many of you have been contacted by your hospitals today, and I know that you've been contacted all Session long by your Medicaid providers. I think the Sponsor's Bill in all honestly is very well-intentioned, and it's something that we need to address, but the bottom

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line is...the bottom line is the Fiscal Note says that the out year cost, for this legislation is \$14,000,000. The annual impact for this legislation is \$7,000,000. Now, folks, I have no quarrel with what the Sponsor is attempting to do with this Bill, but I just came out of the Rotunda and one hospital, in my district, is owed \$4,000,000, that we haven't paid for services rendered. Now at some point, no matter how well-intentioned we are, we have to address the problem that we're not paying Medicaid providers now, so, in all honesty, in all honesty, how can we vote for this Bill to say to people, we're going to do more, we aren't even paying the bills we have due today. Again, I don't think anybody would rise in opposition to the intent of the Gentleman's Bill and no matter how cruel it sounds when you're talking to people from your districts today, who we already owe millions of dollars to, how, in good conscience, can we tell anybody that we're going to do even more? Maybe we'd better clean up our act, get our house in order, pay our bills, and then a year or two from now see, if indeed, we can do more. I reluctantly rise in opposition to the Gentleman's Bill on the basis I think it's a false promise. We aren't paying bills now; I don't see how we can pay for this."

Speaker Keane: "Representative Young. Anthony Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Bill and I would suggest that the previous speaker read the Fiscal Note. The note says that this Bill will result in a net savings. In a year where there is a budget crisis, where the hospitals are closing and the providers are not being paid, this Bill is exactly what we need to address that situation. This program is expected to save the Department \$27,000,000. It'll cost \$14, it'll save \$27, there'll be a net savings



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to the state of \$13,000,000, that the medical providers, in this state desperately need. So, if you care about the providers, if you care about the declining medical services then this Bill will address that situation and not only not cost money, it will result in an overall savings of money."

Speaker Keane: "Representative Trotter to close."

Trotter: "Thank you very much, Mr. Speaker and Members of the House. As just presented by the last speaker, this money...this Bill not only saves money, but more importantly it saves lives, and I ask for a positive Roll Call."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Lang votes 'aye'. Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 58 voting 'aye', 42 voting 'no'. The Sponsor requests Poll of the Absentees."

Clerk Leone: "Poll of those not voting: Kulas. Mautino. McPike and Ronan."

Speaker Keane: "Representative Granberg votes 'aye'. Representative McPike, 'aye'. On this issue there are 60 voting 'aye', 42 voting 'no', and House Bill 274, having received the required Constitutional Majority, is hereby declared passed. House Bill 426, Representative Jesse White. Representative White...Currie. House Bill 1195, Representative McGann. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1195, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. Third Reading of the Bill."

McGann: "Mr. Speaker, could I return this Bill to Second Reading for the purpose of an Amendment?"

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Speaker Keane: "The Gentleman asks leave to return the Bill to the Order of Second Reading for purposes of Amendment. Is there leave? By use of the Attendance Roll Call, leave, and the Bill is on Second Reading. Mr. Clerk, read the Bill."

Clerk Leone: "Floor Amendment #4 is being offered by Representatives McGann and Mautino."

Speaker Keane: "Representative McGann."

McGann: "Thank you, Mr. Speaker. Not to take too much time of the House. We had Amendment #3 last week was defeated, relative to the handling of the pretrial detainees, and some concerns were voiced on the floor about the fact that it was not for all of the counties in our state. So we have come back with an Amendment that will indeed take care of all of the counties in the State of Illinois, but only at the time, when by a negotiated agreement, and it's based on the availability of appropriations. So if we don't have the appropriated funds, we will not be able to do it, but we'll have it on the books so that all counties will be able to share and at the same time the department will be reaching their commitment of agreement of the past. So this will handle for all counties, and I'd ask for adoption of Amendment #4."

Speaker Keane: "Representative Hasara."

Hasara: "Thank you...thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. Certainly House Amendment #4 is an improvement over #3 which was defeated last week but I still rise in opposition of Amendment #4 and would like to give you a couple of reasons why. First of all, this Amendment requires the state to assume a responsibility that for 101 counties in the state forever has been a county responsibility. It will cost money and staff time to try to work out agreements for which we know there is no

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money to fund. We will raise the expectations of people in counties because we all know there is no way that we can fiscally meet any obligation under any agreement that is signed in the near future. This Amendment creates a mandate on the Department of Mental Health and Developmental Disabilities to fund mental health services in county jails even though it may be a partial funding. The potential total cost of funding such a mandate would range from \$35 million to \$101 million. The department share would depend upon what kind of an agreement could be reached at the county levels. There is simply no money to fund this mandate. My greatest objection again is that we raise the expectations of people in the counties to come up with an agreement that we know we cannot possibly fund. This is another good idea, but these agreements should be left to be reached at a different time in the history of the state budget, so I must rise in opposition to this Amendment as I did to the one before. Thank you."

Speaker Keane: "Representative McGann to close."

McGann: "Thank you, Mr. Speaker. The last speaker, and I respect her judgment, but she was ill-advised on the information she received about this Amendment, totally ill-advised. There is no cost to the state unless there's an agreement made between the department and the counties and the moneys are appropriated. I don't think I could make that more clear and more an honest approach than what I have stated in my opening remarks. This is the type of innuendo on a piece of legislation that should not be voiced on the floor without actual information and documentation. This Bill cost absolutely no dollars. It'll be up to the department to reach an agreement and also there will have to be appropriated funds. I have attempted to answer the concerns of many colleagues on this floor with this

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Amendment #4, and I would ask for its adoption."

Speaker Keane: "The question is, 'Shall the House adopt Amendment #4?' All those in favor vote...say 'aye', all opposed, 'no'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Keane: "Third Reading. The Gentleman asks for leave to hear the Bill on Third Reading. Representative...Representative Wennlund objects. Representative McGann, if you wish to...you need 71 votes...do you move...do you move the...?"

McGann: "No, I'll...I can wait. We have a couple more days before deadline if the other side of the aisle has a problem."

Speaker Keane: "That's fine."

McGann: "I went over yesterday and talked to them. So, we'll wait."

Speaker Keane: "House Bill 166...Third Reading on House Bill 19...1195. House Bill 1644, Shirley Jones. Representative Shirley Jones. Out of the record. House Bill 1797, Representative Levin. Representative Phelps, for what reason do you rise?"

Phelps: "Thank you, Mr. Speaker, on a point of personal privilege. I am privileged to have my own hometown junior high, Eldorado Junior High, here competing in the history fair. They're in the balcony, and my daughter's among the group. Natalie and her teacher, Joann Lane, here with us. Just wanted to welcome them."

Speaker Keane: "Welcome to Springfield. House Bill 1908, Representative Burzynski. Out of the record. House Bill 1930, Representative Wyvetter Younge. Out of the record. House Bill 2010, Representative Hicks. Out of the record. We'll go back to House Bill 1797, Representative Levin.

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Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1797, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Keane: "Representative Levin."

Levin: "Mr...Mr. Speaker, can I have leave to bring this back to Second for an Agreed Amendment?"

Speaker Keane: "The Gentleman asks leave of the Body to return the...return the Bill to the Order of Second Reading. Is there leave? Using the Attendance Roll Call, leave, and the Bill is on Second Reading. Mr. Clerk, read the Bill."

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

Speaker Keane: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The underlying Bill would...would put into law what a number of other states have. It's a way of saving money in terms of services for persons...persons with AIDS by having the state pick up the insurance premiums under COBRA for these individuals where there...which would provide a substantial savings to the state. When we were discussing this Bill about a week ago, Representative Pullen raised concern that there were no income limits in this legislation. We worked with her and with the Department of Public Aid, and Amendment #1 would provide the department with the authority to establish income limits for those that will be covered by this legislation. I would ask for the adoption of Amendment #1."

Speaker Keane: "Any discussion? There being none, the...Representative Pullen."

Pullen: "Thank you, Mr. Speaker. The Gentleman is proposing an Amendment which, I believe, will provide protection for the taxpayers at the same time as assuring that people who need it will get care, and I support him in this effort."

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Speaker Keane: "The question is, 'Shall the House adopt Amendment #1? All those in favor say 'aye', all opposed 'no'. The 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. The Gentleman asks leave for immediate consideration of House Bill 1797. Is there leave? By use of the Attendance Roll Call, leave, and read the Bill a third time, Mr. Clerk."

Clerk Leone: "House Bill 1797, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Keane: "Repres...Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think we had the basic discussion on this legislation when we discussed the Amendment. The...this Bill is modeled on programs that exist in California, Connecticut, Maryland, Michigan, Minnesota and Wis...Washington, and which is sanctioned and is eligible for reimbursement under the federal Ryan White Care Act. Under this the state would be authorized to pick up insurance premiums for persons with AIDS. These are individuals who would otherwise...the state would pick up the full cost of the medical care. The experience in the states that have this is that there is a very substantial savings. The order of magnitude is about 15 to 1. In California, for example, since they initiated this program in August of '89, there's been a \$5 million savings to the state. I have position papers from both the Department of Public Aid and Public Health. Both think...think there would be a savings to the state from this program. I know of no opposition, and I would simply ask for your support for this legislation."

Speaker Keane: "Is there any discussion? There being none, the

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question is, 'Shall this Bill pass?' All in favor vote 'aye'. All opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 114 voting 'aye', none voting 'no', none 'present', and House Bill 1797, having received the required Constitutional Majority, is hereby declared passed. On the Order of Constitutional Officers, Third Reading. Appears House Bill 316, Representative Homer. Out of the record. House Bill 967, Representative Matijevich. Out of the record. House Bill 2110, Representative McAfee. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2110, a Bill for an Act in relationship to certain claims. Third Reading of the Bill."

Speaker Keane: "Representative McAfee."

McAfee: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the Whistle Blower Reward and Protection Act. It provides that a person who engages in fraudulent Acts to defraud the state will be subject to civil penalties. This Act is based on the Federal False Claims Act, an Act that was first enacted and adopted at the federal level in 1863 by then President Lincoln. I must point out to you that that has been recently amended in 1986. This Illinois Bill is patterned after the federal Act. Basically the Act provides for individuals to bring actions for the recovery of any fraudulent claims. It also provides for the Attorney General to bring the action, and most importantly it provides protection for the whistle blower, as it's called. There are protections for the alleged wrongdoer as well as for any other person involved with the action. It provides for discovery, and this is based on law of over a hundred years old, and it is clearly a way to protect the government and its citizens from fraud without adding cost to the state. I urge your support."

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

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

Speaker Keane: "He indicates he will."

Black: "Thank you. Representative, in Amendment #1, I...I'm a little unclear as to why you...why you're having the State Police conduct this investigation instead of the Attorney General."

McAfee: "If I may respond, this was at the request of the State Police as well as the Attorney General's office. The State Police has the mechanisms already in place for it and is normally a investigatory type of apparatus that they would normally handle, and it was at their recommendation."

Black: "Well, the only...the only thing I would say is that the last time...late last summer, we got into a heck of an argument on the floor about whether or not the State Police was the proper agency to investigate another executive agency. In other words, you've got one executive agency investigating another executive agency, and I...I thought perhaps it would be best left in the Attorney General's Office. Obviously, you don't agree."

McAfee: "Mr. Representative, I...I would only respond to you both of the offices, that being the State Police as well as the Office of Attorney General, concur in this recommendation in that the State Police is the best body to perform the investigations at this time."

Black: "Well, I...I can accept that. I just...I, I'm here just to defend the Attorney General's office. I want to make sure he's being treated fairly. Thank you."

Speaker Keane: "Any further discussion? Being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Representative Dunn, for what purpose do you rise?"



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Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Just to call attention to the Members of the Body that one of our former colleagues, a former Representative, is in the back of the Chamber, Repre...former Representative Bob Downs from Oak Park. Wave your hand and say 'hello', Bob. Bob Downs from Oak Park. Class of 1975, Illinois General Assembly."

Speaker Keane: "Welcome. Have all voted who wish? On this...Mr. Clerk, take the record. On this Bill there are 110 voting 'aye', none voting 'no', and none voting 'present', and House Bill 2110...Representative Cowlshaw."

Cowlshaw: "Mr. Speaker, I pushed the ask button twice, and that turns it off. Could...could I please be recorded as voting 'yes'?"

Speaker Keane: "Yes. Representative Balthis also votes 'aye'. Cowlshaw, Balthis, 'aye'. Cronin, 'aye'. Any further...any further additions? On this Bill there are 113 voting 'aye', none voting 'no', and none voting 'present', and House Bill 2110, having received the required Constitutional Majority, is hereby declared passed. House Bill 2531, Representative Steczo. Out of the record. Agriculture. Third Reading, Agriculture and Environment. First Bill on that Order of Business is House Bill 1135, Representative Satterthwaite. Out of the record. Representative Daniels."

Daniels: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We have a student advisory group from all parts of the State of Illinois, and they come from various legislative districts. Representative Tenhouse, Representative Weller, Representative Hasara, my legislative district and Senator Donahue. I think we got all the districts, didn't I, Jerry? And these individuals are acting as advisors to the respective Legislators named.

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They spend a day in Springfield. They will then meet with us to discuss their views on some legislation, and they really are participating directly in democracy. So, if you'd join me and thank you very much for allowing us to introduce the student advisory group from those legislative districts up in the galleries."

Speaker Keane: "Welcome to Springfield and to the House. On the Order of Agriculture and Environment, Third Reading, is House Bill 1199, Representative Granberg. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1199, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Keane: "Representative Granberg."

Granberg: "Thank you, Mr. Chairman, Ladies and Gentlemen of the House. House Bill 1199 amends the Environmental Protection Act to require new regional hazardous waste facilities to undergo local siting review by every municipality within a five mile radius. It actually gives locals more control over the siting of hazardous waste treatment facilities, and I'd appreciate your support."

Speaker Keane: "Is there any discussion? There...Representative McNamara."

McNamara: "Yes. The Gentleman will yield for a question?"

Speaker Keane: "He indicates he will."

McNamara: "On this Bill, does this have anything...does this on existing facilities that are being planned or whatever, does it grandfather those in?"

Granberg: "We cannot, we cannot make our law that's retroactive, in effect, so it'd be...it'd be prospective in nature, anything in the future."

McNamara: "So at what time does it...does it affect? It says that any new siting areas that would have to be done would have to have the permission of five miles around. That

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does not delete any counties. It's statewide."

Granberg: "No. We cannot...it would be prospective in nature. We cannot go back and tell an already sited facility that they would have to undergo more scrutiny and receive the approval by every affected municipality."

McNamara: "So, in reality if there were five communities surrounding a...a unit of government and one of those five objected to that facility, then that would mean that the siting would not be allowed in that facility. Is that correct?"

Granberg: "If you have a scenario where you have a township affected, a city affected and a county affected all within a five mile radius of the siting, they would each have to give approval because you are, in fact, going to be affecting in their jurisdictions."

McNamara: "So if there are five towns surrounding that one area, plus a township, plus a county, plus a city, we'll say a large city as well, it would be almost impossible to get unanimous approval of all of them. Any one could block it."

Granberg: "Well, that would be a hypothetical question, but if, in fact, those people were within a five mile radius, then they should have the...they should have the ability to determine what happens to their property, and so they would have the right to say what goes on their property."

McNamara: "Okay. Now this pertains to which...which communities...I guess what I'm looking for is, is that, in the Robbins facility that has been approved by the Illinois EPA and is undergoing a review in the federal EPA right now, how does this affect that facility?"

Granberg: "Well, I'm not familiar with the Robinson facility. We're just saying that on a statewide basis that everything in the future that for state approval, there should be

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local approval as well and those municipalities and affected jurisdictions should have the right to determine what in fact goes into their area."

McNamara: "Thank you. To the Bill. Mr. Speaker, I object to this...this measure. I think it does pose an undue hardship upon it. It is very possible that you could have a small community or whatever just for one political reason or another does not get along with its additional community alongside be the whole hold up factor on siting of an...of an incinerator within that area. This applies to all incinerators, in the state including municipal waste incinerators, not the situation where it applies only to hazardous waste incinerators. This applies to all types of municipal waste incinerators. I reluctantly rise in opposition of this Bill. Thank you."

Speaker Keane: "Representative Wennlund."

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

Speaker Keane: "He indicates he will."

Wennlund: "It is my understanding that the provisions of this Bill do not apply to the City of Chicago. Is that correct?"

Granberg: "Representative...I'm sorry, Representative, I couldn't hear you."

Wennlund: "The...it is my understanding that the provisions of this Bill do not apply to the City of Chicago."

Granberg: "No, it is not."

Wennlund: "And why...why is that...why is Chicago not included within the provisions of the Bill?"

Granberg: "Because we're more concerned that all of our municipalities and townships have the right to site or refuse to site a hazardous waste treatment facility. These are not incinerators. These are not landfills. Hazardous waste treatment facilities, very limited, and that is

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downstate. So we did not include Chicago."

Wennlund: "But it includes the six suburban collar counties, all other counties?"

Granberg: "Representative, I think the only exception is is the City of Chicago. So it act...it would actually give stronger local control for everyone outside the City of Chicago."

Wennlund: "What would it...does it apply to all cities? You have to secure the approval of all cities located within a five mile radius?"

Granberg: "You would have to have the approval of not only all cities, any governmental entity. So if you're within five miles...so, in fact, yes, you would have to have the approval of any...any affected jurisdiction."

Wennlund: "So if we...if, example, the City of Evergreen Park were to decide to site one of these facilities, they would have to secure the approval from the township, the County of Cook, the...in every city and village within a five mile radius which could be in a five mile radius of Evergreen Park you could have 12 of them, for instance. You'd have to go to all 12 and get their approval before you could site that facility?"

Granberg: "Representative, hypothetically that would be the case, yes."

Wennlund: "Well, can...can that be done within the time period that the EPA and the Pollution Control Board have to consider...to make such a decision?"

Granberg: "Hypothetically I would say 'yes.' I don't know why it couldn't be. I mean we're...if you say it can or cannot be, I assume it can be."

Wennlund: "The Illinois EPA says it...it would be absolutely impossible in...in counties like suburban Cook to be able to do that within the 180 day time period. To the Bill,

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Ladies and Gentlemen of the House. This applies to every city in the State of Illinois, and it would appear to apply to home rule cities in Illinois so in the event that a home rule city were to decide to site such a facility, I believe and I'm going to ask a...make an inquiry of the Chair at this point in time. Does this require 71 votes since it requires every city including home rule cities? It appears that...that home rule cities must comply also."

Speaker Keane: "Why don't you continue the discussion while we're looking that up?"

Wennlund: "Thank you. What this does is it makes...you know, for downstate Illinois and southern Illinois this may be a reasonable proposal but when you include counties like suburban Cook, Lake, DuPage, Will, McHenry, you're talking about a nightmare in order to...you would never be able to site such a facility, and in the...it also includes a city that might want to site such a facility. It appears to include all cities, including home rule cities which could, on their own, site that facility themselves. So it appears to be a mandate on home rule facilities without exempting the provisions of the home rule in the statute. It creates a...an, an impractical, an unworkable situation, that is opposed not only by the State Chamber of Commerce, by the Illinois Manufacturers' Association, but also opposed by the Illinois Environmental Protection Agency because it creates an unworkable network, and it's my understanding of the rules that this would require 71 votes for passage."

Speaker Keane: "Representative Weaver. We'll get back to you, Representative Wennlund, on that question. Representative Weaver."

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

Speaker Keane: "He indicates he will."

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Weaver: "Representative, as I...as I understand the Bill any entity within five miles of the proposed site must give its approval, is that correct, including a drainage district or soil water conservation district or any...any organized level of government, is that correct? Would...I'm going to ask you a very pointed question here. Would a low level nuclear waste facility be classified as a hazardous waste facility under this Bill?"

Granberg: "No, Representative, it wouldn't. The only group that this is applicable to is a hazardous waste treatment facility, treatment facility. So that would not be included in the definition.

Weaver: "I see."

Granberg: "This is...this is not applied to pollution control facilities in general. This is limited to one type, hazardous waste treatment facility."

Weaver: "Well, Mr. Speaker, to the Bill. I think it's a good idea. We're seeing too much of a march of garbage from the north to the south, and I think if...if we're going to have mega-dumps and mega-processing facilities downstate, everybody around the surrounding area should have a chance to say 'yes' or 'no' to it, and I think I'm going to support this Bill."

Speaker Keane: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. Will the Sponsor yield for a question, please?"

Speaker Keane: "Ladies and Gentlemen, it's getting a little loud in here. If you can keep the conversation down."

Cowlshaw: "Would the Sponsor yield for a question, please?"

Speaker Keane: "He indicates he will."

Cowlshaw: "Representative Granberg, I am in accord with the prior speaker. I think that this is an excellent idea. In fact, the wisest decisions that are ever made anywhere are

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made at the most local level. But I have a question about which jurisdictions it is that would have to give approval. Let us suppose, for example, the proposed site is adjacent to a facility owned by a park district or a school district. Do you presume that the municipality would take that into account and therefore that would be covered in the...in the public hearing required by the municipality or in the event that a school or a park district facility were immediately adjacent to this proposed site, would that body also have an opportunity to take some part in the decision making?"

Granberg: "Representative, the whole incentive of the Bill is to give locals more input...give locals more input in what actually impacts them directly. So the intent is to allow that input at the local level. So assuming that is the situation, that those people, I think, would have input in the process."

Cowlshaw: "Also, Representative, I...I am informed by one of our staff people who is generally very knowledgeable about the Bills that he has handled that, in fact, this Bill covers only municipalities, not townships or counties, so that that would mean that it is not as hampering as it may have seemed to be. I think you have an excellent Bill here, and I intend to support it. Thank you."

Granberg: "Thank you, Representative."

Speaker Keane: "Representative Homer."

Homer: "Will the Gentleman yield?"

Speaker Keane: "He indicates he will."

Homer: "Representative Granberg, I...I'm not sure I understand what the exemption is for the City of Chicago. The...if a proposed facility for hazardous waste disposal was to be sited within five miles of the City of Chicago in a suburb, would then the...would the application need the approval of



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all municipalities within five miles with the exception of the City of Chicago?"

Granberg: "Yes."

Homer: "Alright. What would be the reason for exempting the City of Chicago from having to concur in the siting?"

Granberg: "From a downstate perspective we think that we should have more input into what potential waste is going to be treated in our areas because we're impacted so...so directly with northern waste. So we intentionally left out the City of Chicago because we wanted to protect downstate from being a dumping ground."

Homer: "I see. In other words...in other words, the thought is that...that this would make it more difficult to site these facilities downstate but would not hinder the...the possibilities of siting...siting one in the Chicago area?"

Granberg: "Hypothetically it would, Representative...Representative, if it does, in fact, make it more difficult to site a hazardous waste treatment facility downstate, that may be the case. We're saying we're not sure if it is or not, but we're allowing local input into that decision-making process."

Homer: "And, how...how does the Bill preempt home rule? I didn't understand that."

Granberg: "The Parliamentarian never ruled, in fact, that it did preempt home rule, I don't believe."

Homer: "I see. That was...that was simply an allegation that someone made? The...Would the...Mr. Speaker, would the Parliamentarian advise the Chair as to whether this Bill does preempt home rule and what the required votes are for the passage of this Bill?"

Granberg: "We'll be doing that momentarily. Have you concluded your remarks, Representative Homer? Representative Homer..."

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Homer: "Alright. Let me...let me...let me just ask a final question then of the Sponsor. As one who represents a county where a development permit was recently granted for a mega-fill in Fulton County, my interest is to make sure that we don't pass legislation that would make it more difficult for the metropolitan areas to solve this problem. Would your Bill in your...in your view make it more or less difficult for the siting of these landfills or these hazardous waste centers in the Chicago area?"

Granberg: "Representative, for a hazardous waste treatment facility, if the degree of difficulty in siting...if there is a correlation between the difficulty and degree in siting and the number of governmental units needed for its approval, yes, then that would be the case, if that correlation is, in fact, there."

Homer: "Thank you."

Speaker Keane: "Representative Wennlund, the Parliamentarian has reviewed the Bill and indicates it will take 60 votes, that it does not limit home rule. Representative Hultgren."

Hultgren: "Will the Sponsor yield?"

Speaker Keane: "He indicates he will."

Hultgren: "Representative, I'm a little bit confused in terms of what you've said, what the analysis that I have says and what the Bill says. You indicated this applies only to hazardous waste treatment facilities. Our...our analysis says, and I...and I recognize that you didn't write this, that you're concerned about a landfill being located in Marion County. The Bill says that this applies to facilities that store, treat and dispose of hazardous waste which would appear to be broader than simply the treatment facilities. Can you clear that up for me?"

Granberg: "Representative, this has nothing to do with landfill siting. It does have to do with a treatment...hazardous

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waste treatment facility. The Bill provides for disposal of hazardous waste...treatment or disposal. The facilities that we had in mind was the actual treatment and then the disposal of the hazardous waste which was included in the hazardous waste treatment facility. So it did not apply to landfills. We're trying to limit it in scope to that scenario, that situation."

Speaker Keane: "Representative Robert Olson."

Olson, R.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Speaking to the Bill. Legislation regarding siting of almost any type of waste facility is going to be controversial in our state with our large urban area and population density and our large geographic downstate area. Until there is a meeting of minds in a general definitive overall policy, we're going to continue to have legislation such as this that is not popular in the urban...larger urban areas but is very, very popular in downstate areas. At this hour I support this Bill and urge all downstaters to look favorably upon it. Hopefully someday an overall state policy will be devised which will resolve the differences of opinion we have in the urban areas and the downstate areas but at this hour I urge all downstaters to support this legislation. Thank you."

Speaker Keane: "Representative Kubik."

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

Speaker Keane: "He indicates he will."

Kubik: "Representative, I want to kind of get a better handle on...on your intentions regarding this Bill. I understand that this Bill affects all governmental units in the State of Illinois with the exception of the City of Chicago. Is that correct? Okay. So, let me...let me give you two scenarios. Let's say that a...a...that the City of Chicago on the south...on the west side, near...near Evergreen

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Park, wished to construct a hazardous waste facility, and under this Bill the communities, for example, Evergreen Park, et cetera, et cetera, would not have the ability to object to that facility because Chicago would be exempt. Is that correct? Okay. Now, on the other side, let's say that Evergreen Park wanted to build a hazardous waste facility and the communities around it...let...leave the communities around it...the City of Chicago, the residents of the City of Chicago, wish to object. Would they be within their rights to object to that facility?"

Granberg: "Representative, that would not be my intention to allow the City of Chicago to veto...to have input into that siting facility since they are exempt by the provisions of the Bill. That is certainly not my intent. We're just trying to allow the locals to make that determination of everyone within a five mile radius. By exempting Chicago, that is not my intent to let them have input into an adjacent jurisdiction."

Kubik: "So it would be your legislative intent that if a...a facility was...was going to be built in Evergreen Park, just for example, that...that the City of Chicago would not have veto power. If all of the other communities surrounding it were...were in favor of it that the City of Chicago would not have veto power over that particular facility."

Granberg: "Correct."

Kubik: "Okay. Thank you."

Speaker Keane: "Representative Klemm. Representative Klemm. Do you wish to speak on this?"

Klemm: "Yes, thank you, Mr. Speaker. I...I was going to ask a question of the Sponsor. Will he yield?"

Speaker Keane: "He indicates he will."

Klemm: "I guess the question I had, Representative, was why were

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we excluding Chicago and that area if it's, you know, important for the State of Illinois, and I thought maybe you could address that. I don't know if you specifically have already addressed that or not. In asking some of my colleagues, they don't believe you really specifically did it, so perhaps I'll ask it again. Why, if this is an important Bill for the people that live throughout the State of Illinois to have all municipal governments having right of siting provisions, why don't you do that for Chicago area and the Cook County area?"

Granberg: "Representative, I...I...I heard...I think I heard most of what you said. I couldn't hear part of it. But we're...the intent is to allow local...to increase local control and particularly in downstate areas because sometimes we receive substantial amounts of...of waste use for hazardous waste treatment, not only for the northern part of the state but from out of state as well. So we wanted to make it to apply specifically to downstate. That was the intent."

Klemm: "Well, why did you make it specifically apply to my area then if you're only concerned about your area and have excluded other sites?"

Granberg: "Well, we wanted to include downstate, Representative Klemm. If you want to...if you would like to attempt to do something to exclude your area in the other chamber, I have no objection to that."

Klemm: "Well, apparently, you wanted the whole state except Cook County so you didn't...you weren't just concerned about downstate. You were concerned about the State of Illinois. Is that correct?"

Granberg: "I was concerned about everything outside of Cook County. If Cook County wants to put hazatdous waste treatment facilities in Cook County, that's fine."

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Klemm: "Why wouldn't you give the same courtesy to the other counties?"

Granberg: "Because in Cook County you have more governmental units. We thought it would be easier, in fact, to make it apply outside...outside of Cook County and with the home rule distinction."

Klemm: "Alright. So you know...you...you would realize that Cook County would not support this, and you think the downstaters would, and you could pass your Bill if you exclude Cook County...that...so you don't have the concern for the residents in Cook County? Is that right?"

Granberg: "Re...Representative...Representative, we have to consider all the factors in trying to pass a piece of legislation."

Klemm: "Well, I appreciate your considering Cook County, but I'm not too pleased you wouldn't consider the residents of other parts of the State of Illinois, but thank you very much."

Speaker Keane: "Representative Granberg to close."

Granberg: "Thank you, Mr. Speaker, Ladies, and Gentlemen of the House. House Bill 1199 simply allows local governmental entities to have control over hazardous waste treatment facilities that are to be sited and that would impact their areas. We think it's only appropriate that if a hazardous waste treatment facility is going to locate in a township or a governmental entity, that they should have...should have in effect the input to decide whether that's good for their local community or not. I would ask all of you who might be in favor of having greater local control over the siting of these hazardous waste treatment facilities to give us an 'aye' vote on House Bill 1199."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye'. All opposed vote 'no'. Voting

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is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 83 voting 'aye', 28 voting 'no', 1 voting 'present', and House Bill 1199, having received the required Constitutional Majority, is hereby declared passed. House Bill 2253, Representative Kulas. Out of the record. On Agriculture. Third Reading, Agriculture and Environment is House Bill 1135, Representative Satterthwaite. Representative Satterthwaite, do you wish to call your Bill? Out of the record. House Bill 11...I'm sorry. Representative McGuire, for what purpose do you rise?"

McGuire: "I wanted to vote 'aye' on that Bill. I don't if my button worked, but I voted 'aye'."

Speaker Keane: "The record will show that had you been able to hit your switch you would have voted 'aye'."

McGuire: "Thank you."

Speaker Keane: "House Bill 2451, Representative Morrow. Out of the record. House Bill 2491. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2491, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

Speaker Keane: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2491 was actually intended to be a vehicle Bill for the Medical Infectious Waste Task Force. We put on two Amendments to the Bill which are the Bill. Amendment #1 adds the term chemical disinfection to the definition of hazardous hospital...hospital waste as a method of decontaminating an infectious agent, and Amendment #3, by Representative Robert Olson, changes the tipping fee on hospital hazardous waste to equate it with the regular hazardous waste, and I would be glad to answer any questions and move for the passage of House Bill 2491."

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Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye'. All opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 110 voting 'aye', none voting 'no', none voting 'present', and House Bill 2491, having received the required Constitutional Majority, is hereby declared passed. House Bills, Third Reading. Banking. Representative Capparelli. Out of the record. On the Order of Consumer Protection, Third Reading. House Bill 370, Representative McGann. Mr. Clerk, read the Bill...Representative McGann. Out of the record. House Bill 1858, Representative Farley. Out of the record. House Bill 2026, Representative Granberg. Out of the record. House Bill 2030, Representative DeLeo. 2030. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2030, a Bill for an Act to amend the Medical Patient Rights Act. Third Reading of the Bill."

Speaker Keane: "Representative DeLeo."

DeLeo: "Thank you, Mr. Speaker, Members of the House. House Bill 2030 provides that patients of physicians and other health care providers including providers...providers of dental services are entitled to an itemized bill and will show what charges have been paid by the insurance companies and which charges the consumer still owes. It's a clarification Bill to tell who...what has exactly been paid by insurance companies, the amount that the patient owes. I'd ask for a favorable Roll Call on..."

Speaker Keane: "Representative DeLeo, there's an Amendment pending. Did you wish to take the Bill back?"

DeLeo: "With leave of the body I'd like to bring this back to Second to add the Amendment."

Speaker Keane: "Alright. The Gentleman asks leave by use of the



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Attendance Roll Call to return the Bill to the Order of Second Reading for purposes of Amendment. Is there leave? Leave, and the Bill is on Second Reading. Mr. Clerk, read the Bill."

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

Speaker Keane: "Representative DeLeo."

DeLeo: "Thank you, Mr. Speaker. Amendment #1 was a...came out of the hearings in the committee. This takes out...this takes out some of the problems that came up during the committee. I'd ask for its adoption."

Speaker Keane: "The Gentleman moves the adoption. On that, Representative Black."

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

Speaker Keane: "He indicates he will."

Black: "This Amendment does not remove all the objections that were talked about in committee. Is that correct?"

DeLeo: "I don't know, Representative."

Black: "What...I...I think...I think the basic objection is a...is another paperwork burden that adds to the cost of medical care, et cetera, and I'm not sure that Amendment #1 fully addresses that."

DeLeo: "Representative Black, as...as you can see Amendment #1 is...is very small and it's technical. It's...it charges that if any...if been paid...if any will just show the amount the patient still owes. As you know, medical bills tend to be very lengthy in recording and very technical. This is just asking that there be more of a clarification when the patient or the consumer receives the hospital bill."

Black: "I think your earlier comment then is to the point. This is not an Agreed Bill, and you're not presenting it as an

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Agreed Bill."

DeLeo: "Absolutely not."

Black: "Thank you very much."

Speaker Keane: "The question is, 'Shall the House adopt Amendment #1 to this Bill?' All those in favor say 'aye', all opposed, 'no'. The 'ayes' have it, and Amendment #1 is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. Gentleman asks leave by the use of the Attendance Roll Call to immediate consideration of House Bill 2030. There being leave, Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2030, a Bill for an Act to amend the Medical Patient Rights Act. Third Reading of the Bill."

Speaker Keane: "Representative DeLeo."

DeLeo: "Thank you, Mr. Speaker. In closing, I'd ask for a favorable Roll Call."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall this Bill pass?' All in favor vote 'aye'. All opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Dunn votes 'aye'. Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 64 voting 'aye', 45 voting 'no', 3 voting 'present', and this Bill, having received the required Constitutional Majority, is hereby declared passed. The next Order of Business is Economic Development, Third Reading. House Bill 570, Representative Giglio. Out of the record. House Bill 875, Representative Obrzut. Representative Obrzut, do you want to call your Bill? 875. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 875, a Bill for an Act to amend the State Mandates Act. Third Reading of the Bill."

Speaker Keane: "Representative Obrzut."

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Obrzut: "Mr. Speaker, Members of the House. House Bill 875 amends the State Mandates Act to require the Department of Commerce and Community Affairs to report each year regarding the administration of and proposed changes to the Act. Current law provides that DCCA must per...periodically report to the Governor and the General Assembly with regard to the administration and implementation of the State Mandates Act. The Bill requires DCCA to report on an annual basis. Despite the fact that the local governments have never been reimbursed under the State Mandates Act and that the Act has never worked as planned, the department has never made a report as provided by the Act to express this or to recommend any pertinent changes. The effective date of this legislation would be January 1, 1992. House Bill 875 was brought to me at the request of the Northwest Municipal Conference, and it was passed out of committee 14 to nothing. DCCA had some concerns on this Bill, and we met with them yesterday, and after discussing the legislation, they have agreed to drop their opposition. I appreciate any questions or comments."

Speaker Keane: "Representative Matijevich."

Matijevich: "Representative Ob...Obrzut, I remember when you were on the issues staff. You used to bring me a lot of bad Bills, and this is another example of your fine work. What...what...what's the Fiscal note on this? I didn't get the Fiscal Note. Was there a fiscal note to it?"

Obrzut: "Hold on one second, Representative. It's \$475,000, but I think after meeting with DCCA yesterday that they had that figure way out of line. Representative Balthis and I met with DCCA, and they were under the impression that they would have to come up with a...a...a much more comprehensive report. The legislative intent of this Bill

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is just ask for like a three or four page report each year from DCCA updating what changes they feel are needed in the State Mandates Act as well as any comments or suggestions that they might receive from municipalities. So I believe DCCA has that figure overinflated, and I think they would agree now, Representative, that that is much too high."

Matijevich: "Well what...what benefit would it be to a local government, say, if they did issue such a rep...a report each year?"

Obrzut: "I'm sorry, John. I couldn't hear you."

Matijevich: "What benefit would it be to local governments if they did issue such a report every year rather than periodically?"

Obrzut: "Well, right now the report has never been made at all. So I think what would help is at least give the municipalities some opportunity to voice their opinions on state mandates and how...how they're affecting, you know, the...the fiscal impact they're having on, you know, each of the municipalities."

Matijevich: "Well, Mr. Speaker, Ladies and Gentlemen, Jeff Obrzut has done a lot of work for us on the issues staff through the years, and I feel that he...he...he did a lot of good for me. I...I thought he...I thought he'd introduce a much better Bill for his first Bill because of all the work he did for me, but I'm going to support him anyway."

Obrzut: "Thanks, John. I just...according to the department there is no fiscal impact."

Speaker Keane: "Representative Black."

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

Speaker Keane: "He indicates he will."

Black: "Representative, you have indicated that the department has withdrawn the opposition of the Bill and that

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you...you'd been in contact with the department on that matter. Have you talked to the Minority spokesman of the Executive Committee about that?"

Obrzut: "I don't know who that is."

Black: "Oh. Mr. Speaker, Ladies and Gentlemen of the House. Here's a man who just admitted he...he not only did not clear this Bill with the Minority spokesman, and I appreciate your honesty, Sir, he admitted he doesn't even know who the Minority spokesman is. A breach..."

Obrzut: "I only deal with the Majority."

Black: "Representative, Representative, a breach of etiquette of the House. I dare say that Representative Matijevich was right. What has happened to you since the days you were a staffer for a very, very stern taskmaster? I can't believe that Speaker of the House would let you do this if you were still on staff. Well, Ladies and Gentlemen of the House, we were prepared to support the Gentleman's first Bill but for crying out loud, he didn't check with the Minority spokesman, and furthermore he doesn't even know who he is. What a bad idea, and I'm ashamed of you, Representative."

Obrzut: "If that Minority spokesman is Representative Balthis, then I did check with..."

Speaker Keane: "Representative...Representative, I know that you're inexperienced, but don't speak until you're recognized, please. Representative Black, you made some very good points. Now, Representative, you can close."

Obrzut: "Thank you, Mr. Speaker. I would just appreciate a favorable vote. I beg..."

Speaker Keane: "The question is...the question is, 'Shall this Bill pass?' All those in favor vote 'aye'. All opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this

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Bill there are...on this Bill there are 112...on this Bill there are 112 voting 'aye', none voting 'no', and none voting 'present', and House Bill 875, having received the required Constitutional Majority, is hereby declared passed. House Bill 883, Representative Wyvetter Younge. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 883, a Bill for an Act to provide work study programs. Third Reading of the Bill."

Speaker Keane: "Representative Younge."

Younge: "Thank you, Mr. Speaker. May this Bill be brought back to Second?"

Speaker Keane: "The Lady asks for leave to return the Bill to Second Reading by use of the Attendance Roll Call. All those in favor say 'aye'. All opposed, 'no'. The 'ayes' have it, and this Bill is on Second Reading. Mr. Clerk, read the Bill."

Younge: "I wanted to table the Amendment."

Clerk Leone: "A Motion to table. Representative Younge moves to table Amendment #1 to House Bill 883."

Speaker Keane: "The Lady moves to table Amendment #1. All those in favor say 'aye', all opposed, 'no'. The 'ayes' have it. Amendment...Amendment #1 is tabled. Any further Amendments?"

Clerk Leone: "No further Motions or Amendments."

Speaker Keane: "Third Reading."

Younge: "May I have leave for immediate consideration?"

Speaker Keane: "The Lady asks for use of the...by use of the Attendance Roll Call leave for immediate consideration. All those in favor say 'aye', opposed 'no'. The 'ayes' have it, and the Attendance Roll Call will be used. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 883, a Bill for an Act to provide work study programs. Third Reading of the Bill."

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Speaker Keane: "Representative Younge."

Younge: "Thank you very much, Mr. Speaker and Members of the House. House Bill 883 would require the Illinois Community College Board to establish a pilot enterprise high school program in School District 188 in Brooklyn, Illinois, and School District 189 in East St. Louis, Illinois, and this would be a school which would be available for and enable truants and dropouts and difficult students to manage to complete their high school education. The Bill would be funded at...with no appropriation...no direct request for appropriation. I have been able to work with the Illinois Community College Board and it wants to do this project and this pilot, and in our discussions with Dr. Howard who has been representing Mr. Israel, it has been concluded that average daily attendance funds can be used to fund this project because we're talking about a dropout going back to school. The Job Partnership Training Act funds will be used to fund this pilot and also the Illinois Community College Board has directed state community colleges to respond to a request for a proposal for their...for their funds for truants and dropouts. This...there is an example of an enterprise high school in Macomb, Michigan, and they have been able to have an 82% retention rate and therefore people who had dropped out of school and therefore terminate any possibility of their being successful in life have been able to go back and get their high school diploma and use the profit motive as a way of being inspired and motivated to complete their education. This Bill is very important to my district, and I...I ask you based on my belief that no general revenue funds would be needed to proceed to pass this Bill."

Speaker Keane: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker. I'm sorry. The noise level was

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so high I really didn't hear what the Representative was attempting to do in answering...in asking a question. Just briefly again describe what an enterprise high school would be, please."

Younger: "Yes. An enterprise high school is a school that would permit a person who hasn't graduated from high school, who has dropped out of high school, to go back to school and use one-half of their day learning how to make a product or provide a service or becoming an autonomous adult, and the other half would be used in academic subjects. I had...I was saying that general revenue funds will not be needed for this project because by getting the student back in school, AVA funds, daily average attendance funds, would be used, Job Partnership Training Act funds. Mr. Israel has indicated through Dr. Howard they will be applying to the State Board of Education for truant and dropout funds. So I feel comfortable at this point that we will be able to go ahead with this project without asking for any general revenue funds, and I...it, you know, I have a 50 to 60%..."

Ropp: "Where do these dropout funds come from?"

Younger: "From the Vocational Education Act."

Ropp: "But, I mean, those are state dollars or are these the ones from the federal Carl Perkins Act?"

Younger: "Both. But these are funds which..."

Ropp: "Would this...would this apply to someone that had dropped out when they were 16 and then decided they want to go back into school when they're 22?"

Younger: "It will be more for students who are 14, 15, and 16. I don't personally know the upper limits that those funds would apply, but whoever would be eligible under ADA or Joint Partnership Training Act or...or...or the federal funds."

Ropp: "Okay. Can any of these students now go to your local



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community college and pick up some courses? We've had several Bills that dealt with that already."

Younge: "This would be a much more attractive vehicle for them to go to state community college because they would get their high school diploma. They would...we would be using the profit motive as a way of motivating. The whole point of a dropout student, Representative Ropp, is that they have a very unsatisfactory, unmotivated experience, and the genius of this program is to use the profit motive to get a...a child to want to go back to school, to want to learn, to want to improve and be responsible for himself."

Ropp: "What is it actually that this Bill will do that will motivate that student to want to come back, and who does the motivating of the student, or is...or does the student just wake up one morning and say, 'I want to go back to school.'?"

Younge: "Would...the...the program itself is motivating because it's built around producing entrepreneurs who take responsibility for their...for their own lives."

Ropp: "You mean these are going to be local business people? Local business entrepreneurs will allow them to come and become partially employed while they're going back to school to get their high school degree?"

Younge: "Some of the young people will be in businesses, will be working with businesses. Local businessmen will be asked to serve on the board of the enterprise high school, but the whole point is to try to get the entrepreneurial spirit and mystique into the motivation of...of students who have given up everything. We know that 95% of the people who are in prison never finished high school, so our goal should be to get them through high school and get them motivated."

Ropp: "These are people obviously then that need good self

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esteem, right?"

Younger: "That's right, and that is what this curriculum would foster."

Ropp: "Thank you."

Speaker Keane: "Representative Cowlshaw, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. To the Bill. The Sponsor of this Bill deserves to be commended for making a very serious effort to be of real help to her own constituency. She has a...a number of young people who are either potential dropouts from high school or who are already high school dropouts. She has been promoting the enterprise high school idea here in Springfield for several years. I think there is merit in this proposal. I think there is a real opportunity to help some young people who really need help, and for that reason and in honor of the speaker's...of the Sponsor's perseverance, I stand in support of House Bill 883."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye'. All opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 106 voting 'aye'...107 voting 'aye', none voting 'no', none voting 'present', and House Bill 883, having received the required Constitutional Majority, is hereby declared passed. House Bill 1134, Representative Tenhouse. Out of the record. House Bill 1571, Representative Wyvetter Younger. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1571, a Bill for an Act to amend the East St. Louis Area Development Act. Third Reading of the Bill."

Speaker Keane: "Representative Younger."

Younger: "Thank you very much, Mr. Speaker. This Bill would

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expand the East St. Louis Area Development Authority which is a planning and development authority for the Metro East area of Illinois. It...it is...the expansion merely is to include several surrounding cities that should be and are a part of the community of interest but are not presently within the jurisdiction of this agency. Those municipalities would be Washington Park that abuts East St. Louis and National City. It also authorizes the authority to assist in administering the enterprise zone programs, and because those are the only two subject matters, it has no fiscal impact, and I move for the passage of the Bill."

Speaker Keane: "Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye'. All opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 109 voting 'aye', none voting 'no', and House Bill 1571, having received the required Constitutional Majority, is hereby declared passed. House Bill 1580, Representative Wyvetter Young. Out of the record. Representative Tenhouse. Representative Tenhouse, do you wish to go to House Bill 1134? Out of the record. House Bill 1867, Representative Steczo. Out of the record. House Bill 1935, Representative Giorgi. Mr. Clerk, read the Bill. No, out of the record. House Bill 2362, Representative Granberg. Out of the record. House Bill 2378, Representative Balanoff. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2378, a Bill for an Act to amend the Humane Care for Animals Act. Third Reading of the Bill."

Speaker Keane: "Representative, Representative Klemm."

Klemm: "Mr. Speaker, before I'd begin I like to recognize in the balcony...where are they at...the 8th Grade graduating class from Jane Addams Elementary School, and their

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principal happens to be Jim Keane's wife, Alice Keane. Can they stand up up there? Where are they at?"

Speaker Keane: "Welcome to Springfield. You're about to witness your Representative at work. Representative Klemm on House...or Balanoff on House Bill 2378."

Balanoff: "Yes, Mr. Speaker, Ladies and Gentlemen on the floor of the House. Before I begin I want to make it very clear that this Bill in no way will restrict the activity or movement of Representative Terry Deering. Many...many people have referred to this as the bear wWrestling Bill, and there are two things that this Bill would do. One, it would require persons offering dogs or cats for sales, like in pet stores to provide the following information to customers: the age, sex and weight of the animal, the breed, the record of vaccination, veterinary care and treatment, a record of surgical sterilization and the name and address of anyone who owned or harbored the animal in between the point of sale and birth. Also it would prohibit the animal...no, it would prohibit the fighting of animals...between animals and humans and animals, and we'd certainly be happy to answer any questions."

Speaker Keane: "Representative Black."

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

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

Black: "Representative, the Amendment #3 has been adopted and is on the Bill."

Balanoff: "That's correct."

Black: "Thank you very much, and I think that...I think that eliminates most of the concerns the Department of Agriculture had. As I talked to you yesterday, for purposes of intent would you please go on the record? There is nothing in this Bill that would prevent a

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charitable exercise that is gaining a great deal of popularity particularly downstate, and they're called turtle races, where you wager on turtles in a ring and whatever turtle gets to the line first, and they...there are people in downstate that are raising a lot of money for charity with turtle races, and because there's wagering your Bill does not prohibit in any way, shape or form those kinds of activities. Is that correct?"

Balanoff: "That is correct. It would no way stop turtle racing, duck racing or cow plopping."

Black: "Thank you very much."

Speaker Keane: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. A couple days ago I stood in opposition of this Bill simply because of the Amendment that was put on that would require pet shop owners to post the weight, age, sex and inoculation and so forth, and other health information on...on pets. I still stand in opposition to this piece of legislation. I think it's not necessary at all and would cause hardship on many of our pet shop owners and so forth in the State of Illinois. It's just more regulation, and I don't think it's necessary at all. I oppose...I oppose this piece of legislation, and I urge my colleagues to...to vote 'no'."

Speaker Keane: "Representative Wennlund."

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

Speaker Keane: "He indicates he will."

Wennlund: "Representative Balanoff, one of our colleagues here in the House raised to me what I feel is a legitimate concern, and I really didn't get an answer to the question, and our...our esteemed colleague's question was is that suppose he was sitting in a bar and a bear walked in and attacked him. He couldn't defend himself?"

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Balanoff: "Well, this is to...certainly we don't think that bears are going to be walking into too many bars."

Wennlund: "You never know."

Balanoff: "That's right. Well, this...no this would prohibit..."

Wennlund: "This guy was...this is a big colleague we're talking about here."

Balanoff: "...for exhibition. That is a competition. But as I said, it does not restrict the activities or movements of Representative Deering. So if you're talking about that bear, no, not at all."

Wennlund: "Alright. Thank you."

Speaker Laurino: "Representative Laurino in the Chair. Further discussion? Representative Parcels."

Parcels: "Thank...Thank you, Mr. Speaker. Would the Gentleman yield for a question?"

Balanoff: "Yes."

Parcels: "Representative Balanoff, in that Amendment #1 I was a little disturbed when we put it on. The idea is good, but in cases where animals are considered adopted, usually there is an adoption fee, so whether you're calling that selling or not, I don't know. But in the case of...case like Orphans of the Storm, Kays Animal Shelter, very often they don't know who owned the dog before, they don't know how old the dog is. They can only guess, and they may not know of surgical procedure...some of this information is not available if they're stray animals."

Balanoff: "Right. Well..."

Parcels: "And I wondered how...what impact this will have on those facilities which are so..."

Balanoff: "Okay, well, animal shelters don't sell animals. They give them away for a donation so it would in no way affect, like an animal shelter."

Parcels: "Okay. They...they would not consider that a sale

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then?"

Balanoff: "No. That...I...That's my understanding."

Parcells: "Thank you."

Speaker Laurino: "Further discussion? Representative Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think that we should all be aware that included in this Bill is the Amendment that creates significant regulations on pet shops who probably do not know that this is here because it wasn't something that came through committee. It was just something that was tacked on late last week, and I think if you do vote for this Bill, you'll hear from them later. In any case whether you hear from them or not, it will make doing business a lot more difficult for one section of the retail community in our state, and it would have been better if we could have considered this Bill on its own merits and not be putting regulations on pet shops. I see that the Gentleman who put that Amendment on is now going to respond, and that's certainly his right, but I do think that people should realize that this is going to create regulations for pet shops. Thank you."

Speaker Laurino: "Further discussion? Representative Lang."

Lang: "Thank you, Mr. Speaker. The minor regulations this will put on pet shops doesn't compare at all to the pain and anguish that a family could have when they buy a pet that has a problem. It seems to me only reasonable that consumers be on notice and be protected when they buy pets at a pet shop just like when they buy something else. It's very difficult to put a warranty on an animal. When you buy a refrigerator at Marshall Field's, there's a warranty on it. You return it if there's something wrong with it. You expect it will work. There's no one to ask that question of when you buy an animal at a pet shop. These

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are reasonable rules and regulations designed to protect the consumer so that when they purchase an animal, they have all the information they need to make an informed choice. Please vote 'aye'.

Speaker Laurino: "Further discussion? Representative Ropp."

Ropp: "Thank you, Mr. Speaker. Would the Sponsor yield? Is the...what position does the Department of Agriculture have on this Bill?"

Balanoff: "My understanding is they are at...they are neutral."

Ropp: "They're against the Bill?"

Balanoff: "No...no, they are not against the Bill. That Amendment #3 made the Department of Agriculture neutral."

Ropp: "The way it reads now?"

Balanoff: "That is correct. Amendment #3 is the Department of Agriculture's Amendment."

Ropp: "This is their Amendment?"

Balanoff: "Yes, that is...yes, it is."

Ropp: "A lot of these kinds of situations where you have animals fighting humans and humans fighting animals..."

Balanoff: "You know...you know, it's...it's not a matter of having a lot. There are some, and what it does is..."

Ropp: "Can you name me one?"

Balanoff: "Well, they have the bear wrestling."

Ropp: "The what?"

Balanoff: "There is wrestling of a person and a human being and a bear, and that was what brought the incident to light in the first place, and it can do many things. It teaches disrespect of animals, certainly something that we should not be encouraged...we should not be encouraging, as well as it can pose a threat to the safety of the person, because in...there are cases across the country where people have been injured in these fights as well as animals being injured, which we also would like to not have



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happen."

Ropp: "Do they do this in Cook County or where do they do this at?"

Balanoff: "I know there was one in Hazelcrest."

Ropp: "Where?"

Balanoff: "The most recent one that I knew about was in Hazelcrest."

Ropp: "Hazelwood?"

Balanoff: "Hazelcrest."

Ropp: "Hazelcrest. Is this in a bar or a barn or where do they perform it?"

Balanoff: "It was in a bar."

Ropp: "In a bar?"

Balanoff: "Yes."

Ropp: "Thank you."

Speaker Laurino: "Further discussion? Representative Harris."

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

Balanoff: "Yes."

Harris: "Representative, I...if I can, did one of the previous speakers, I don't want to belabor the point, did one of the previous speakers talk about Amendment #1 which talks or which deals with the regulation on pet shop owners?"

Balanoff: "A number of previous speakers have talked about that."

Harris: "Did they specifically mention what Amendment #1 does?"

Balanoff: "I think I made it clear what Amendment #1 does."

Harris: "I'm sorry."

Balanoff: "I was...I was one that I also made it clear what Amendment #1 does."

Harris: "So you mentioned each and every..."

Balanoff: "Yes, Sir."

Harris: "...section?"

Balanoff: "Yes, I did."

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Harris: "Okay. Well, I appreciate your directness. To the Bill, Ladies and Gentlemen, I was in wholehearted support of the Gentleman's...of the Gentleman's Bill in committee, and as we certainly sent it out of committee with no negative votes; however, we ought to really look at Amendment #1. There are a lot of requirements here on just the average, ordinary pet shop owner to provide a lot of in...information which one of the Gentlemen from Cook here said 'insignificant'. Well, it's not insignificant. It's a lot of work, and unfortunately, I think it weakens the Bill to such an extent that it deserves a 'no' vote. Thank you."

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

Balanoff: "Yes, very quickly. I think that we're talking about Amendment #1. It's basically a consumer right to know Amendment. You should have a...you should know ahead of time all about an animal that you are intending to buy and basically love and shelter for many, many years, and certainly, as I said earlier I think that the idea of animals fighting animals or human beings fighting animals certainly is not the kind of thing that we want to teach. So I'd...I'd urge everybody on the floor to vote 'yes' for House Bill 2378."

Speaker Laurino: "Representative Balanoff moves for the adoption...or passage of House Bill 2378. All those in favor will indicate by voting 'aye'. Those opposed will vote 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Representative Balanoff wishes a...Representative Balanoff."

Balanoff: "Ann would like to vote for it. She wants to vote 'aye'. She...her light isn't working."

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Speaker Laurino: "Representative Stepan wishes to vote 'aye'. Representative Young wishes to vote 'aye'. Representative Parke wishes to be voted 'present'. Further additions or deletions or changes? Seeing none, take the record, Mr. Clerk. Representative Mulcahey, 'aye'. Representative Mautino, 'aye'. Representative Granberg, 'aye'. Representative DeLeo, 'aye'. Representative Santiago, 'aye'. Representative Hoffman, 'aye'. Representative Capparelli, 'aye'. Further deletions, additions or changes? Seeing none, take the record, Mr. Clerk. This Bill, having received 67 'aye', 39 'nay', 6 voting 'present', having received the required Constitutional Majority, is hereby declared passed. Continuing to page 21 on the Calendar, Housing. Third Reading. House Bill 278, Representative Young. Out of the record. House Bill 785, Representative Levin. Out of the record. House Bill...House Bill 1038, Representative Wyvetter Younge. Out of the record. House Bill 1091, Representative Capparelli. 1091. Out of the...out of the record. House Bill 1243, Representative Turner. Art Turner. Representative Turner? House Bill 1243, out of the record. Representative Stange, for what reason do you arise?"

Stange: "Thank you, Mr. Speaker. I would like to introduce my daughter and her class of Brook Forestt School in Oakbrook. Say 'hello', kids."

Speaker Laurino: "Welcome to Springfield. House Bill 2151, Representative Turner. 2151, Representative Turner. Out of the record. We'll proceed to Government Operations, Third Reading. Page 21, House Bill 143, Representative LeFlore. Read the Bill, Mr. Clerk."

Clerk Leone: " House Bill 143, a Bill for an Act to amend the Steel Products Procurement Act. Third Reading of the Bill."

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Speaker Laurino: "Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 143 deals with the steel product. This Act currently requires that every contract entered to by the State of Illinois, unit of local government, or school district for construction, improved maintenance or repairs, a public work contained a provision that steel products used in the performance of the contract be manufactured or produced in the United States. This Bill is not new to this House. This Bill has been around for about eight years, and it's a buy American Bill, and I feel this is a Bill that we need, so I, therefore, I'm asking for a favorable vote."

Speaker Laurino: "Further discussion? Representative Deuchler."

Deuchler: "Mr. Speaker, would the Sponsor yield for a question, please?"

Speaker Laurino: "Indicates he will."

Deuchler: "Representative LeFlore, it was difficult to hear some of your testimony due the noise level here today, but I'm wondering, I know there are some concerns on the part of CMS to determine product content, and can you expand on that as to the logistical or technical problems to determine the steel content of any given product that CMS might be purchasing?"

LeFlore: "Well, Representative, this question has been raised on many different occasions, and I really don't understand what CMS are looking for."

Deuchler: "Well, that was a point that was given in our analysis, and they're just saying that they..."

LeFlore: "I can't hear you, Representative."

Deuchler: "...have to research and list a number of items that they purchase, and I'm wondering if you feel that there would be a technical problem in researching the steel

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content."

LeFlore: "I don't think it would be a problem, Representative. If that's your request, but I don't think it's time for research now. I think we need to move this Bill and get it to the Governor's Office, I mean desk, and hopefully he will sign it because I feel like this is a buy American Bill, this would bring jobs into the State of Illinois, and it would also prevent the state from using products that is not made in the State of Illinois, or in this country."

Deuchler: "Representative LeFlore, also, I think there's been a question raised over the years, what kind of retaliation will Illinois products receive because of the fact that we are requiring this domestic content."

LeFlore: "What type of retaliation?"

Deuchler: "Right."

LeFlore: "None, to my knowledge."

Deuchler: "To the Bill, I do note that the State Chamber of Commerce, the IMA, CMS and Department of Transportation are opposed to this Bill."

Speaker Laurino: "Further discussion? Representative Ropp."

Ropp: "Thank you, Mr. Speaker. Would the Sponsor yield, please? Representative, in a world that we are faced in today where we have international companies from abroad coming over and purchasing or merging or having joint ventures with U.S. and Illinois companies, if a particular product, let's say for example was stamped Mitsubishi, but might have been produced in Bloomington-Normal Illinois, and you wouldn't necessarily see where it was manufactured, but it would have the name Mitsubishi on, and one comes from, let's say Japan, and it's still marked Mitsubishi, how do we classify those particular parts if this Bill becomes law?"

LeFlore: "That's a good question, Representative, and I really wouldn't know."

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Ropp: "Well, maybe we don't need this Bill, so we don't need to cause a problem."

LeFlore: "Well, I don't know whether it will be a problem or not, because we are talking about U.S. manufactured steel. We're talking about U.S. and Canada."

Ropp: "Products that they deal with are dealing with manufactured steel products, and I guess I'm a little bit concerned, as always, with these kind of attempts to restrict international trade, because as you and I both well know, that many of our employees in this state and in this nation are on the job because we're able to export products produced in Illinois and in the United States, and it seemed like, as we continue to get closer to closer in restricting what we can actually produce or put together from foreign countries, we are in excess just cutting off our nose to spite ourself, really, and I think it's a bad move. The other thing that is equally bad is to, in this kind of budget year, to allow these particular products made in the United States, to exceed the cost of other products that we might be able to get by as much as 10%, which is saying that we are allowing the cost of many of these items that we produce to increase by 10%. If that isn't inflationary, allowed by law, I don't know what is. I think it's a bad precedence to continue to attempt to do this. I think we're all very much in support of international trade; the more we can sell abroad, the better we can keep our own employees on the job. By making these restrictions, year after year after year, we're doing nothing but hurting our own people in this country, not because they're not able to produce, but because we're not able to sell because foreign countries will not buy from us because of our restrictive action. I urge a 'no' vote."

Speaker Laurino: "Representative Wennlund."

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Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There's an important factor that has not been brought out in debate, and that is is that at the 10% level, the Department of Central Management Services estimates that the State of Illinois will have to pay 10% more for the goods it purchases, and that this will cost the taxpayers of Illinois an additional \$6 to \$7 million a year. An additional \$6 to \$7 million a year, in addition to the cost, in a time of extremely tight budget, when this state can't pay \$660 million in health care providers. In addition to that, earlier this year the employee-owned Northwestern Steel and Wire Company wants certification as a supplier to the Japanese Government funded projects. In between 1980 and 1989, U.S. steel exports to Japan increased by 20%. During the same period, U.S. imports of Japanese steel fell by 38%. The Bill not only is not necessary, but it's \$6 to \$7 million a year in costs. The timing is bad for this legislation. I understand the purpose of it, but maybe we'll have to take a look out in the Legislator's parking lot and look at the foreign cars out there. I think that this legislation will reduce the competitiveness of American products, and in some cases the State of Illinois could not buy Caterpillar Tractor Company's tractors with legislation like this. I urge its defeat."

Speaker Laurino: "Representative Harris."

Harris: "Thank you Mr. Speaker. Question of the Sponsor? Representative, would you help me out so I understand the Bill properly? It's got to...the products have got to contain a certain percentage of U.S. made material, is that correct?"

LeFlore: "That's correct."

Harris: "It scales in on a scaling basis?"

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LeFlore: "Exactly."

Harris: "Specifically, what is that? What are those percentages?"

LeFlore: "The contents of the product."

Harris: "I'm sorry."

LeFlore: "The contents of the product."

Harris: "Okay, but what are the percentages? In other words, how much has to be U.S. made?"

LeFlore: "Fifty percent."

Harris: "Fifty percent,.."

LeFlore: "Yes."

Harris: "...and it goes higher from there, does it not?"

LeFlore: "Right. Minimum of..."

Harris: "Okay, so we start at 50% and we move up to..."

LeFlore: "We go up."

Harris: "...all of it, or..."

LeFlore: "Well, it says 60% on the Bill..."

Harris: "Alright,.."

LeFlore: "...to 1993."

Harris: "...and what about 70%, and then what about 70%?"

LeFlore: "That would be much better."

Harris: "Well, doesn't your Bill say that?"

LeFlore: "Yes, at the bottom."

Harris: "Okay, we go from 50 to 60 to 70. Do we go higher than 70%?"

LeFlore: "Right, exactly."

Harris: "Do we go any higher than 70%?"

LeFlore: "No, 70% is just...it's the breaking point."

Harris: "Okay, so, by 1994 we have to have 70%."

LeFlore: "95 and 96."

Harris: "Okay, and you indicate that there is no mechanism for determining product content. Is that right? To give you an example..."



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LeFlore: "Repeat that again, now."

Harris: "To give you an example, I just bought an IBM computer.

Now, IBM is 'Big blue'; it's the ultimate U.S. corporation, and you think that they're just pumpin' out computers that are made here in the United States, but my little IBM computer had a little sticker on the front of it that said Mexico. Now I don't know if the whole thing was made in made in Mexico, or if just the disc drive was made in Mexico, or if just a chip was made in Mexico, or just that the case was made in Mexico, my point is how do we determine what percentage is U.S. made?"

LeFlore: "Well, in making a determination, I think we are asking Central Management or whoever, Capital Development, that they are going to do any type of construction, that they make sure they use U.S. steel as their first priority."

Harris: "Well, I understand that, and that's a laudable goal."

LeFlore: "Now the question that you raised about the computers, I don't know."

Harris: "I mean we're not talking about, I mean steel, we're not talking about computers when we're talking..."

LeFlore: "Well, we're talking, this Bill is referring to steel and not computers."

Harris: "Well, does it not refer to all commodities purchased by the State of Illinois, not just steel-related ones?"

LeFlore: "No, it's only steel, Sir."

Harris: "I'm sorry?"

LeFlore: "Only steel. I say it's only steel as far as I'm concerned. You know."

Harris: "Yeah, I understand that the Bill initially dealt with just steel, but as I understand it it now deals with all products and materials and commodities manufactured or produced in the United States, in all purchases or contracts. So we're not just dealing with steel, are we?"

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LeFlore: "Okay, if you notice in the analysis, it says it 'amends the Steel Products Procurement Act'."

Harris: "Gentleman, let me..."

LeFlore: "Changes Short Title of the Domestic Product Procurement Act, and expands scopes of Act so that it apply to all purchase of Illinois, all purchase lease or commodities or manufactured goods by the State of Illinois, provide that with specific exception, the State of Illinois shall purchase or lease only material, commodities, or goods which are manufactured or supplied by companies whose product consist of a specified minimum level of U.S. or Canada content.'"

Harris: "Okay. I think you've answered my question positively. In other words it applies to all products, all products, and not just steel products. Specifically, the language changes the word 'steel' to 'domestic products', including steel products. So we're really talking about computers. We're really talking about automobiles, and the question is a fair one. How do we determine what percent is domestic content? It's easy, maybe, if you're dealing with a slab of steel. It's not so easy when you're dealing with computers or something a lot smaller than that, but let's go on a little bit. Do you think that the Bill would invite retaliation?"

LeFlore: "I really don't know, Sir."

Harris: "I'm sorry?"

LeFlore: "I really don't know."

Harris: "Don't know. Okay."

LeFlore: "What do you mean by retaliation?"

Harris: "Well, as an example, if we say, here in the State of Illinois, that in order to buy an automobile in the State of Illinois, or by the State of Illinois, it has to be 70%, 70% by 1995 produced domestically. Do you think Japan

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might say, 'Look, we don't want to sell you automobiles in toto, but we make the drive trains for Dodge...' whatever it is, Dodge caravans, or Dodge vehicles that we buy. 'We make those drive trains,' and maybe the brake shoes are made in Mexico, and maybe, you know, your fellow colleague there from Winnebago County talked about outsourcing the other day, and, indeed, that isn't a reality. Parts are coming in from around the world. They are assembled in the United States. They're not actually made here. So, if we put this limitation on, do you think Japan might say hey, 'We don't want to buy Illinois soybeans anymore, if they're not going to make us, let us make the drive trains for Dodge automobiles that the State of Illinois is buying.'

LeFlore: "Could I ask you a question, Sir?"

Harris: "Well, I don't know, yes."

LeFlore: "Okay, Mitsubishi is in Bloomington, am I right?"

Harris: "My point about..."

LeFlore: "They do produce steel products, right? They make...automakers? Where do they get their steel?"

Harris: "Well, we're not just talking about steel."

LeFlore: "Isn't that steel produced here in the United States?"

Harris: "Okay."

LeFlore: "Am I right?"

Harris: "We're not just talking about steel."

LeFlore: "The products...most of the products are made here in the U.S., right? In the State of Illinois, am I right?"

Harris: "When you say made, I'm not sure that's accurate. They might be assembled..."

LeFlore: "Well, are they put together here?"

Harris: "They might be assembled, but that doesn't mean that the Ford automobile that I drive, that 70% of that automobile was actually made in the United States. The drive train could come from Japan."

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LeFlore: "But we don't know that. I mean, I'm asking you a question. You can't answer it."

Harris: "We have no determination, we have no formula here to determine how that..."

LeFlore: "So what we need to do is make a determination of what part of these automobiles...parts are being shipped from Japan."

Harris: "Okay."

LeFlore: "But I feel that, you know, we need that particular manufacturer here in this country in order to create jobs. Now we are talking about welfare. If people had more jobs, that they could be employed on, we wouldn't need no welfare. We're here now, in this state, who are suffering with a budget constraint, that we don't know what we are going to get the money from, but if the peoples on the tax roll, that means that they would be working everyday, where they would be paying taxes, and the taxes would be coming to the state. So what I'm saying to you on this Bill, this is a good consumer Bill. We just need to make sure that...whatever is manufactured, as far as steel or whatever, is manufactured here in this state, which would produce tax dollars and perhaps the state wouldn't be in such a financial condition that it's in now."

Harris: "Okay. Well, I do appreciate your directness, and I thank you for answering the questions. To the Bill, Mr. Speaker. Ladies and Gentlemen of the House, the Representative has carried this Bill in previous years, and it's passed out in previous years and it's going to pass out again this year, because it sounds good, because it sounds all-American. I'm here to tell 'ya, the Bill is unworkable. Some of the questions that I asked are very logical, reasonable questions. If you buy a computer which is now covered under this Bill, how do you determine that

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70% of it, 70% of it was made in the United States? If you buy an automobile, from the State of Illinois, if the State of Illinois buys an automobile, how do you know that 70% of that automobile was actually made in the United States? It would be a nightmare to do that. Secondly, the question of retaliation is a fair one. Japan could say to us, 'Look, you farmers in Illinois, you won't let us compete fairly; therefore we're not going to buy your soybeans. We're going to buy soybeans from Brazil.' To give you an example in point, Northwestern Steel and Wire Company, and I'll get the Gentleman from Winnebago's attention, Northwestern Steel and Wire Company, which is in Rockford, excuse me, Rock Falls, in Rock Falls, I'll get the Gentleman over here, but an Illinois company, won certification as a supplier to Japanese government construction products. An Illinois company won certification as a supplier to Japanese government funded products. What do you think Japan is going to do? They are going to say to us, 'No more. We're cuttin' you guys off because you're doin' it to us.' Again, this Bill's going to pass out of here. The Gentleman is very well intentioned. He feels very positive about the Bill. I know it's going to go out, it has in the past, it's only been stopped at the Governor's desk, but it's been stopped at the Governor's desk for a reason. It's unworkable, it's unfair, and it's not right. The right vote is a 'no' vote on this Bill."

Speaker Laurino: "Further discussion? There's quite a few people left that want to ask some questions, so try to keep your remarks brief. Representative Parcels."

Parcels: "Thank you, Mr. Speaker. Ladies and Gentlemen, the Sponsor of this Bill is very well-intentioned, and I admire him tremendously, but if there was ever a day for this Bill, it has long since passed. This is a very

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short-sighted thing, because as we are becoming more international in dealing with other countries, we should be expanding our horizons, not closing our horizons. It is not only confusing as Representative Harris picked out, so that it's almost unworkable, but if you look at the statistics from the U.S. Department of Commerce, you find out this Bill has had its day a long time ago. Right now the U.S. manufacturing productivity grew at a 3.6% annual rate during the '80s compared to 1.4 in the 1970's. That's progress. We don't need this kind of Bill. Reached record highs in 1990. Our factory output has risen to 23.3% of Gross National Product. It hasn't seen anything like that in years. We are doing well. We are on the move. We don't need this punitive legislation. Most importantly, the United States now accounts for more than one fourth of the total exports of industrial countries, that represents a 25% improvement over five years ago. You can see that this Bill is not necessary now, and will only be injurious, as well as expensive, for our state. It is not a consumer Bill because the consumers are going to pay the taxes which will be \$6 to \$7 million more, up to 10% more of everything the state purchases, they're going to have to pay for that, and they are going to pay for it in the form of taxes, at \$6 to \$7 million a year. That, you can hardly call that a consumer Bill, and lastly, the reciprocity will happen. The thing that Representative Harris was talking about other countries saying, 'Okay, you won't buy our stuff. you're willing to pay 10% more to buy something from America, then we're not going to buy your things and any of the European companies or Japan or anywhere else. Ladies and Gentlemen, as I said before, if this Bill was good at one time, it certainly isn't today, and 'no' is the proper vote on this Bill."

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

Giorgi: "Mr. Speaker, the last two speakers don't seem to realize that our import-export imbalance for the last seven years has been over a hundred-billion dollars a year. Our import-export imbalance is one hundred billion dollars, a year in favor of foreign countries. Harris asked the question, 'Are they going to retaliate if we do anything?' We can never get even. They are billions of dollars ahead of us. The Big Three that used to make a 100% of our automobiles now make 55%. The transplant, Diamond Star, that makes...those companies make 90%, and the components have to come from Japan, and 26 come directly from foreign countries. The Fortune 500 companies, IBM is one of 'em, make these products in foreign countries, and then they buy boxes in the United States and the product is shipped in the box, and it says 'Made in the United States'. You know, if you were in a foreign country, you'd be indicted for treason for your remarks on this floor. Now banks and savings and loans are failing because of the job erosion in the marketplace. There's an insurance company in California that is not paying their annuity. They're not paying their annuance if it isn't insured, and they're only paying 70% of the insured annuance. You guys are sleepin'. The jobs are flying away to Taiwan, China, Hong Kong, and the Fortune 500 companies have 500,000 jobs in the Macaladoria area of Mexico where they're paying 65¢ an hour. Hallmark Cards is down there; Ford, Chrysler, General Motors, the whole host of your...of the golden parachute chief executives that Fortune magazine said a couple of days ago, earned a billion dollars in five years, and you're losing the marketplace of jobs. Why do we have a recession? Why won't they call it a depression? You've

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lost a million jobs since it started. Keep sleepin'. Listen to Bush. Listen to the Fast Track program. Keep listening to Harris and Parcels, and you'll find you'll be borrowing money from Mexico to buy a washing machine."

Speaker Laurino: "Further discussion? Representative Robert Olson."

Olson, R.: "Thank you, Mr. Speaker. Ladies and Gentlemen, in listening to the debate, there is much truth in what has been said by each speaker on each side of the aisle. In my personal life, my business life, we do our best to buy nothing if it wasn't made in the United States. A couple of years ago, we bought a farm tractor, about 4 times the price of a very good automobile, made in the United States. We operated that tractor for 2 years. Last winter, in St. Louis at a farm show, I was leaning against the same model tractor, looked at the block of that engine, and it said, 'Made in Mexico'. Made in Mexico. That was a Cummings engine, one of the largest diesel engine builders in the United States of America. Cummings engines are the dominant engine in all those big trucks you meet out on the highway. Now, they make different models of engines, but this is an industrial engine that's in tractors and road trailer, trucks. My point is, that it's just damn near impossible to buy anything anymore in the line of a major item, that doesn't have significant components made in another country. If this Bill is enacted, not only are you going to see costs go up to the state, but I think you are going to find some equipment that the state cannot even buy. On your way home this weekend, if you see some of those smaller tractors painted yellow out mowing the highways, if they're John Deere, the engine's probably made in France. If they're Case IH, that engine is probably made in Great Britain. I do not like the idea of



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purchasing things that aren't manufactured by our labor force, but it's almost an impossibility. I think Representative LeFlore is on the right track here. I can't vote for him on this, but I think he's on the right track. I wish some type of legislation along this line could be done at the federal level, but here at the state, you're just going to create problems for the purchasing of major equipment, whether it's the computer, the road mowing tractor, or many, many, many, many other things. I think the intent is good; I don't think the Bill is workable. I suggest a 'no' vote. Thank you."

Speaker Laurino: "Representative Santiago."

Santiago: "Mr. Speaker, I move to previous question."

Speaker Laurino: "Gentleman moves the previous question. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The question is...the Motion is adopted. Representative LeFlore to close."

LeFlore: "Thank you, Mr. Speaker. There has been a lot of discussion on this particular mandate, but I feel that House 143...House Bill 143 deserve a 'yes' vote. Voters in as much as industrial section in Illinois is rapidly being wiped out. That mean this particular mandate will bring jobs to the state and people will be able to be employed. We've had a lot of discussion on this Bill, so I ask my colleagues to give me a favorable vote. Thank you."

Speaker Laurino: "Gentleman moves for the adoption of House Bill 143. All those in favor will indicate by voting 'aye', opposed 'nay'. The board is open. Representative McNamara, you have one minute to explain your vote."

McNamara: "Thank you, Mr. Speaker. I think it's very important to realize one thing on this Bill, and that is that this creates jobs, which creates tax dollars, which goes into our budget. It is absolutely unconscionable that anyone

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would say that it's going to cost 10% more. That 10% more that you give out of state to other people is simply losing jobs and revenue. Perhaps if we had this Bill in five years ago, what we would have today is plenty of money to pay our bills. I urge the 'aye' votes."

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

Balanoff: "One minute to explain my vote. Mr. Speaker, Ladies and Gentlemen of the House, I think this is absolutely great legislation. Had this Bill been law ten years ago, my community, which has been devastated by plant closing on top of plant closing as steel jobs left Illinois, left this country, many of those, my constituents would be working had this been law ten years ago. This will help bring back jobs to the United States, and help bring back jobs to Illinois. It's a Bill to create jobs and bring revenue, much-needed revenue from people working back to the state, and I really encourage everybody who's voting 'no' to rethink that and vote 'aye'."

Speaker Laurino: "Representative McCracken, you have one minute to explain your vote."

McCracken: "Thank you, I understand the rationale for being for this, and various labor oriented communities have suffered over the years. I don't deny that, but can't anyone accept the fact that we do not have as much power as we'd like to think? Can't anyone accept the fact that this is utterly futile? Can't anyone accept the fact that costs are dictated by supply and demand over which government has no control? Doesn't anyone realize that a 10% preference rule by the State of Illinois does not produce jobs? It only raises costs? Costs borne by the taxpayers. Since when is it so moral to take the taxpayers' money and give it to someone else? If you want to be charitable, if you want to

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show compassion, give to charity. Don't take it from people's pockets by force of law and try to fool them into thinking you're doing something right for jobs or the economy. It's not true."

Speaker Laurino: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill, having received 70 'aye', 44 'nay', 1 voting 'present', having received the required Constitutional Majority is hereby declared passed. House Bill 215, Representative Currie. House Bill 721, Representative Deering. Out of the record, Mr. Clerk. House Bill 738, Representative Edley. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 738, a Bill for an Act to amend the State Property Payment Act. Third Reading of the Bill."

Speaker Laurino: "Representative Edley."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. What this Bill will do is provide that the state pay the 2% late penalty to nursing homes, and other providers of goods and services to the State of Illinois. I would respond to any questions you may have concerning it."

Speaker Laurino: "Further discussion? Seeing none, Representative Edley moves for the adoption of House Bill 738. All those in favor indicate by voting 'aye', opposed, 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill, having received 81 'aye', 26 'nay', and 5 voting 'present', having received the required Constitutional Majority is hereby declared passed. House Bill 841, Representative Steczo. Representative Steczo in the chambers? Out of the record. House Bill 1186, Representative Ewing. Representative Ewing in the chamber?"

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House Bill 1186, Representative. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1186, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Laurino: "Representative Ewing."

Ewing: "Mr. Speaker, I'd like permission to take this Bill back to Second Reading for the purpose of an Amendment."

Speaker Laurino: "Gentleman asks leave of the House to return the Bill back. Representative Dunn objects, Representative Ewing."

Ewing: "I wonder if Representative Dunn has seen the Amendment. He still objects. Then I would move that we take it back to Second Reading for the purpose of an Amendment."

Speaker Laurino: "Gentleman moves that House Bill 1186 be brought back to Second Reading. All those in favor indicate by voting 'aye', opposed 'nay'. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Motion having received 100 'ayes', 5 'nays', 0 voting 'present', this Motion, having received 101 'ayes', 5 voting 'nay', and 0 voting 'present', is hereby declared passed. Bring the Bill back to Second Reading, Mr. Clerk."

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

Speaker Laurino: "Representative Ewing."

Ewing: "Yes. Mr. Speaker, Ladies and Gentlemen of the House, this Amendment is offered to try and alleviate any criticism of this Bill on either side of the aisle. It's an agreed to Amendment between the Department of Public Aid and the Secretary of State's Office, and it limits the use of Social Security numbers from the Secretary of State's Offices to those cases to, which deal with child support, where the recipient has not been diligent in paying his child support, then upon request the Department of Public

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Aid could get that number from the Secretary of State, but only after the party whose number would be released had been notified and given a chance to tell the Secretary of State that they refused to allow him to give the number out. I think it's a fair Bill. It could save millions of dollars in state money that we spend supporting children when parents don't accept their responsibility. I would move for the adoption of the Amendment."

Speaker Laurino: "Further discussion? Representative Dunn."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I objected to taking this Bill back to Second Reading. Just to call a little bit of attention to the Amendment which is very important to the Bill. What this Amendment does is allow a Social Security number to be distributed by the Secretary of State to the Department of Public Aid, and it doesn't have adequate safeguards. We are eroding what little right to privacy we do have left in this country by allowing our Social Security number to be spread about willy-nilly, so it is essentially the same as an individual passport at the present time. We have to show it every place we go, and it enables us to be tracked. What this Amendment says is that before your Social Security number is delivered by the Secretary of State, you are to receive adequate, meaningful notification. Now, in the statute books of the State of Illinois, we have a lot of provisions about what is proper notice. The Gentleman Sponsor of the Amendment is an attorney at law, and he is familiar with those provisions. They provide for ordinary mail; they provide for personal service; they provide for service with return receipt requested; they provide in some instances, I believe, for service with return receipt requested and actual acceptance by the addressee. This says adequate meaningful notification. What is that? No one knows what

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that is, and furthermore, what you should all be aware of, is that this is part of the package which is indicated comes down to us from the Federal Government to further stick its nose in the matters of child support. There is every reason for the Department of Public Aid to go after those who are within their jurisdiction and who are failing to pay child support. I support those efforts wholeheartedly, but in doing so, the Department of Public Aid has expanded its scope and jurisdiction so that at the present time every child support order is a judgment, every child support order is the subject of an order of withholding from the payor's paycheck, and we just don't need any more big brotherism to require willy-nilly, freewheeling delivery of Social Security numbers by one state agency to another. So I would urge the Membership to reject this Amendment and to send the Sponsor back to rethink and to come up with something which is more equitable to accomplish the intended purpose, while at the same time standing up for and recognizing our long-held tradition of right to privacy in this state and this nation. This is not a good Amendment as it is drafted. It should be defeated, and I urge its defeat."

Speaker Laurino: "Further discussion? Representative Hasara."

Hasara: "Thank you, Mr. Speaker. I rise in wholehearted support of Amendment #1. When you weigh the right of the Department of Public Aid to receive a Social Security number with the right of children to receive support, in my mind the balance definitely goes in favor of the child who needs support from the absent parent. Certainly, this is not so invasive on someone's privacy to require a 'no' vote on this Amendment. We all know that we need to collect millions, in fact billions, of additional dollars in child support in this state from parents who are not paying. We

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have tried to come up with a variety of methods to enable the department to go after additional funds. In my opinion, this certainly is the least offensive of all methods that have been proposed, so I congratulate the Sponsor and move for the adoption of this Amendment."

Speaker Laurino: "Further discussion? Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I, too, rise in support of the Amendment. I objected to the Bill unamended because it did not provide for either the purposes of this program or provide clarity that there would be an opportunity for people to refuse to permit the Secretary of State to participate in the program if that individual didn't want to do. I'm satisfied that the Amendment does what the Sponsor said he wanted it to do, and I think that there's no question the child support enforcement is something that we ought to be trying to track wherever and however we can. Under the Amendment individuals do not have to permit the Secretary of State to disclose their Social Security numbers. I think that's fair play for the individual with the driver's license, but this Amendment would represent real fair play for the children of Illinois. I urge your support."

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

Ewing: "Mr. Speaker, in all due respect to Representative Dunn who of course raises an excellent point, we're all for right of privacy, but we shouldn't put the right of privacy for parents who don't do their responsibility above the need of the children. We need to collect that money and not make it a responsibility of this state. This only affects people who are applying for new driver's license or renewals, and right on the application, they'll have the opportunity to say to the Secretary of State, do not

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release my Social Security number. There is plenty of protection for the right of privacy, and we can help our children. Vote 'yes' on this Amendment."

Speaker Laurino: "Gentleman asks for the adoption of Amendment #1 to House Bill 1186. All those in favor indicate by saying 'aye', 'nays'. 'Ayes' have it, and the Amendment is adopted. Further Amendments, Mr. Clerk?."

Clerk O'Brien: "No further Amendments."

Speaker Laurino: "Third Reading. Representative Ewing."

Ewing: "With permission of the Body, I'd like to hear this on Third."

Speaker Laurino: "Gentleman asks for immediate consideration of House Bill 1186. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1186, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Laurino: "With leave of the Attendance Roll Call, the Motion to have this Bill heard immediately, all those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Motion is accepted. Representative Ewing on House Bill 1186."

Ewing: "Yes. In an effort to save the time of this House, we have discussed the whole issue of this Bill in the Amendment. The Amendment becomes the Bill, and I think it's good legislation, good public policy, and I would appreciate the support of the Members of this House in passing this Bill."

Speaker Laurino: "Representative Ewing moves for the adoption of House Bill 1186. All those in favor indicate by voting 'aye', opposed, 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. There are 108 'ayes', 3 voting 'nay', 0 voting 'present'. This Bill, having received the required Constitutional Majority is hereby



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declared passed. Chair will now go to State and Local Government, Third Reading. House Bill 1000, Representative Homer. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1000, a Bill for an Act to amend an Act relating to payments for hospital services. Third Reading of the Bill."

Speaker Laurino: "Representative Homer."

Homer: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the Illinois Hospital Association initiative called REFORM, which stands for real equity for Medicaid. As you may well be aware, under the I-CARE program that was implemented 6 years ago, we have seen a complete and utter failure to fund properly our obligations to pay for the medical care of the poor. The burden has fallen not just on the poor, but on all of our citizenry because of a loss of health delivery system throughout the State of Illinois, a shift of costs from the hospital to the private pay patients and their insurance carriers and in too many cases resulting in the closure of hospitals, and the threat to further erosion in the ability of our communities to provide quality health care to all of their residents. In fact, in downstate Illinois, it has become very difficult for an expectant mother to receive obstetric care because of this problem, and as a result, new parents have to travel some distance, sometimes at their peril and the peril of their baby, just in order to have a delivery. The system is broke; it needs to be fixed. House Bill 1000 would attempt to do that. Currently, hospitals are reimbursed under Medicaid under the I-CARE Medicaid formula at about 79¢ on the dollar for inpatient care and about 50¢ on the dollar for outpatient care, and to make matters worse, the providers are required to wait 60, 90, some cases now over 100 days to receive these already

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insufficient payments. All of this has crippled the health care delivery system in the State of Illinois and has imperiled hospitals. We owe our constituency more, and that's why House Bill 1000 is so important, and why it's a creative and innovative approach to solving this problem. This Bill would change and abolish the I-CARE method of payment, and instead, adopt a more progressive federal Medicare prospective payment system. It would be an aid to hospitals from downstate to the city, all across this state would benefit. Some might ask, is, alright, what is the pricetag? Well, it's been estimated that the cost of this reform proposal could be \$300 million a year, and in a tight budget year, you might ask, 'Where are we going to get \$300,000?' But as a result of an Amendment to this Bill, the answer is none of that money will be exacted from the taxpayers of this state through any higher taxes, but rather, half of that money will come from the Federal Government through its matching formula, and the other half will be provided by the providers themselves, the hospitals, through an assessment that will be applied to them, which will be used by the state to match the federal dollars, so the Federal government comes up with \$150,000,000, the hospitals come up with \$150,000,000, and as a result, we're able to implement an important program that will help stabilize our health provider system and to keep viable and to allow to survive many struggling hospitals in this state. I believe this is a responsible Bill, and I commend the Hospital Association for its hard and diligent work and its willingness to negotiate and compromise. Initially, the hospitals rightfully asked us to pay all of our share, which should be our responsibility as a state, but they recognize that this was a tough year, and so instead of demanding of us that we come up with

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\$150,000,000 in revenue from the state to pay for our share of the program, they've offered for the next two years to apply assessments to their own members to pay our share for us. It's hard to, I think, argue with that kind of cooperation. So this is a joint venture where our hospitals are coming and asking to form a partnership with the state, in such a way as to leverage additional federal dollars that'll be utilized to...more fairly fund the Medicaid obligations that we owe to our health providers, and to make sure that we have a live and well health delivery system throughout all of the regions of the state. So I would thank my colleagues who have joined as Co-Sponsors, both sides of the aisle, and would appreciate your favorable consideration of House Bill 1000."

Speaker Laurino: "Further discussion? Representative Black."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House and Mr. Speaker, I think we need to have some order in the chamber. I think this Gentleman's Bill is by far the most important Bill we'll be asked to vote on today. Thank you very much, Mr. Speaker. Will the Sponsor yield?"

Speaker Laurino: "Indicates he will."

Black: "Representative, first of all, are all hospitals in the State of Illinois in agreement with this plan?"

Homer: "The Illinois Hospital Association..."

Black: "I didn't ask you about associations..."

Homer: "Well, I'm answering your question. All hospitals in this state, to my knowledge, are for it with the exception of a group known as the Third Order based in Peoria that represents six Catholic hospitals. They're the only known opponents, the only opponents that I'm aware of, and I was only made aware today of their opposition. All other hospitals, including Catholic hospitals, the Catholic

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Hospital Association has no position, the order that's based here in Springfield that has eight Catholic hospitals is in favor of the Bill, so the answer is, the only known opponents would be the order from Peoria."

Black: "Alright, I appreciate your answer. One of the administrators of one of only two hospitals left in my district did tell me yesterday that he does not favor the Bill, but, be that as it may, let me ask you another question. The Illinois Hospital Association has a lawsuit pending against the State. Will passage of this legislation result in the dropping of this suit?"

Homer: "I don't know that."

Black: "Alright, will this Bill have any General Revenue Fund costs?"

Homer: "Not for the next two years. No, it will not."

Black: "Don't we have to pay the full cost of this program for the first month of its operation?"

Homer: "No, at least, no, we will not to my knowledge. The total price tag of \$300 million will be paid half by the Federal Government and half by the hospitals."

Black: "Alright, let me address that because I think that's the crux of one of the issues we have here. What happens to the prospective payments system? If the Federal Government refuses to match the assessment program?"

Homer: "I'm sorry, I was distracted. Would you repeat that?"

Black: "Yes. What happens to this prospective payment system if the federal government refuses to match the assessment program?"

Homer: "Well, I don't know why we would talk in hypotheticals. Congress specifically acted to adopt...this program is being implemented in other states, and Congress acted to pass an Act, signed by the President, that, in fact, ensured the continuation of this program under

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this...funding mechanism."

Black: "Are you aware of an article from the New York Times on Sunday, May the 12th which the title of 'States devise way to make U.S. pay more for Medicaid...one billion dollar a year at issue; and there would seem to be in this article, a very serious question as to whether the Federal Government is going to agree to this."

Homer: "I'm told that that article was decrying the voluntary assessment plans. Our Bill is a mandatory assessment, so I don't think that that article had anything to do with our proposal."

Black: "To that issue. If...would it be fair then to say that if the Federal Government would not pay under the prospective payment system, and we passed this, then obviously, I would assume you would agree, that the State of Illinois would have to, and I realize that's conjecture."

Homer: "Well, it is, and for that reason I don't know how to respond. The federal government is committed legally to matching the funds, and therefore I would think we would have legal recourse if they willfully refuse to honor their legal obligations."

Black: "Alright, well let me change course here. Then what happens after the two year assessment period ends?"

Homer: "What was that?"

Black: "What happens after the two year period...the two year assessment period ends? What happens then?"

Homer: "Well, at that time that this program would continue and the state would assume the obligation that it rightfully owes now to properly fund the Medicaid system."

Black: "Alright, thank you very much for your patience, Representative, and I do appreciate your answers. Mr. Speaker, Ladies and Gentlemen of the House. I think the Gentleman should be commended for addressing what he said,

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and I think everybody in this chamber agrees, very, very serious problem in this state, but he also just said, and I think you're all going to have to search your own conscience, after the two year assessment period ends, the State of Illinois will be responsible for the full cost of this program. Now, I don't know if that gives hospitals in your districts peace of mind, but at least 1 of the 2 hospitals left in my district says it doesn't give them peace of mind. We haven't paid the bills in the past. They don't have a whole lot of faith that we're gonna pay bills in the future. It might be, in all due respect to the Sponsor, a rather temporary legislative concept to get us out of what all of us agree on this floor, is a major problem. I guess we're all have to seek our own conscience as to whether or not House Bill 1000 addresses the long term problems that we have with Medicaid, or whether it's a temporary fix that may cost us more money, 3 years down the road than what we're even faced with now, and, heaven knows, that's a big enough problem for all of us, so I would urge all of you to pay attention to the debate on this issue and cast the best vote that you can, based on the information you'll hear in the next few minutes."

Speaker Laurino: "Further discussion? Representative Ropp."

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

Speaker Laurino: "Indicates he will."

Ropp: "Representative, I want to follow up on the previous speaker's comment. At the end, relative to the fact that after the 2 years have elapsed, is it for sure that the state would be in a position that they would be responsible for funding this program, or is it a possibility that the Federal Government would continue the program that you are attempting to initiate with the passage of this Bill?"

Homer: "Representative Ropp, the question isn't so much what the

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Federal Government's going to do. They are committed to this program indefinitely. The question, and Representative Black asked, was what about the local match, the state match? This Bill provides that the hospitals will pay that state share for two years. Now, at the end of two years, a couple of things could happen. One is that the state should do what it's morally obligated and legally required to do, and that's to begin to meet...to pay its obligation for itself, but if the financial situation of the state is as perilous as it appears to be now, then I suppose we have a couple of options. One is to ask the hospitals to extend their commitment another year or so as we perhaps could do, or we could revise this system if it's felt that we don't have the ability to pay it, and we have the authority through legislation to address that issue at that time. But what this would do would be to extend the life of many hospitals for two years, and to make certain that we have a much more equitable system at least during that time."

Ropp: "Do you have any reading from the hospital as to what they might do after the 2 or 3 years, other than what the problem is now, when we're trying to address that. Have they given any indication that they might consider extending if the financial situation..."

Homer: "Representative Ropp, they voted, in a heated debate, the assessment that's on this Bill. Not all their members were happy with the idea that they would have to pay the state's share of this obligation, so this time the majority prevailed, and they agreed to the assessment. Now, in two years, I don't think anyone can stand here today and tell you what that vote would be of their board in two years. May pass, may not."

Ropp: "Yeah. Let me just add to the Bill, Ladies and Gentlemen.

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I think we all need to first of all address the problems at hand. We need to also kind of look to the future on a number of issues. This is a particular issue, though, that seems to be one that we can't turn aside from and say 'Well, let's do something else,' or 'This is not a good idea,' because I don't know of any other proposal that is on the mill to address the seriousness in terms of funding hospitals. It would seem to me that at least on this issue, and we'd have to address every issue singly in its own manner, but it seems like, at least for 2 years, as we have from time to time addressed the financial needs of this state, addressed it in a temporary manner, and hope that things either change or improve a couple of years down the road. I think this is an issue that we need to address at this time. It's one that, I think, is workable. It raises some questions for some of us down the road, but I think the problem is, now, it's just like we're...have a major cut in an artery...it's bleeding and we need to do something about cutting off that blood so that at least we don't bleed to death and die. I think this is a good Bill, and we ought to at least pass it at this time."

Speaker Laurino: "Further discussion? Representative Lang.  
Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise in very strong support of this measure. You know, we've discussed for many years on the floor of this House responsibility toward health care in this state, and I think we all acknowledge we haven't cut the mustard. I think we all acknowledge that we've failed. People in need in this state...we have hospitals closing all over the state because we haven't met our responsibilities. We're failing people; we're failing health care in general. We've discussed before that hospitals are not banks; hospitals are not in business to



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loan money to the State of Illinois. We have, we the General Assembly, the people here that represent constituents around the state have a moral, ethical and legal responsibility to see to it that people are healthy. If we're going to see to it that people are healthy, we have to keep our hospitals open, and we haven't done what's necessary to keep our hospitals open. This Bill goes a long way toward keeping hospitals open, toward a better health care system throughout the State of Illinois. With the Amendment that's been placed on this Bill, we now have a hospital initiative to take it upon themselves to take our responsibility away from us, and to accept the burden on themselves to create the fund so that the federal match can be received. We're talking \$150,000,000 each of the next two years for hospitals without the State of Illinois expending one dime. I don't know, frankly, how anybody in this House can be against this Bill. Frankly, I don't know why it's not on the Agreed List, or the Consent Calendar. This is a simple proposition. It's no state dollars for \$150,000,000 for better health care, for open hospitals. Our failures in this General Assembly to address the issue of health care properly has left the hospitals no alternative other than to come to us with this proposal. It's a proposal that's been used in other states, and used successfully, and the people of our state, particularly the people in areas where hospitals are closing, demand that we address this issue. As it relates to the state's cost after 2 years, we don't even really expect we should not have expected the hospitals to have to come up with this proposal at this point. We should be paying for it now. We shouldn't have to have the hospitals have to take this measure, to take this risk to get this federal match. We should be doing it now. I, for one, was prepared to vote

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for the original Bill. Be that as it may, we have this amended Bill. If it costs the state money after these 2 years, that's fine, because it's about time that we lived up to the responsibility and lived up to the oath we took when we became Representatives in this House, and that's to take care of the people's business. Keeping hospitals open and taking care of the health care system in our state is the people's business. Don't fail the people. Vote 'yes' on this Bill."

Speaker Laurino: "Further discussion? Representative Ryder."

Ryder: "Mr. Speaker, Ladies and Gentlemen of the House. I would ask the Sponsor if he would yield for a few questions."

Speaker Laurino: "Indicates he'll answer."

Ryder: "Representative, I didn't follow this Bill as it was making its way through committee. I was wondering, how did the committee respond to the proposition that you have before us today?"

Homer: "The Bill was voted out of the Health and Human Services Committee on April 16th by a vote of 6 'yes', 2 'no', and 2 'present'."

Ryder: "And was the REFORM package that we're discussing today part of the Bill at that time?"

Homer: "Well, actually at that time, it was the REFORM package, but that was prior to the adoption of Amendment 2 which provided the funding mechanism and the assessments on hospitals to pay for the program."

Ryder: "So the entire scheme of this Bill was not part of committee review. It was the Amendment that was discussed last week, is that correct?"

Homer: "Well, that is correct. The Amendment..."

Ryder: "Good."

Homer: "...Makes the Bill less controversial than it would have been in committee."

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Ryder: "I commend you for your efforts, but there's some parts of it, because it didn't go through committee, that I'd like to address, have you received a Fiscal Note on this Bill?"

Homer: "Yes."

Ryder: "And what is your reading of the Fiscal Note that's been provided on this Bill? It's down at the bottom, Tom. It's net cost. My Fiscal Note says \$257 million net cost. \$257 million, is that what your Fiscal Note says, Representative?"

Homer: "Yes...the thank you. Appreciate your kind patience, Sir."

Ryder: "Certainly. It's a complicated issue, and I'm glad to give you the opportunity to discover just exactly how much we have to spend."

Homer: "Well, the answer to that is zero, how much we have to spend. The total cost of the reform package is \$257 million, half of which will be borne by the state, I mean by, excuse me, half of which will be borne by the Federal Government, half of which will be borne by the hospitals."

Ryder: "Alright, Representative, I'm wondering if there's some questions as to the I-CARE program which I understand under your Bill will be terminated June 30th of this year. Is that correct? I-CARE is terminated June 30th?"

Homer: "Yes, well, it would be terminated upon the effective date of the Act."

Ryder: "And your Act calls for a DRG model to take effect in January of 1992, is that also correct? Because, you see, the problem that I have, and let me just explain that, is that if you eliminate I-CARE now, if you say we're going to have a DRG unit model in January, we haven't developed the DRG model that your program calls for, and I think it's unlikely that we could do so in six months; even more important than that, I don't understand what kind of

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reimbursement schedule we're going to be used from July 1st until December 31st. Perhaps you can enlighten me."

Homer: "Well, Representative Ryder, the Bill states in the very first paragraph that the effective date of the new plan would be September 1 of '91. It's unlikely ordinary course of events that this Bill would be signed greatly in advance of that date, and if at all, so I'm not..."

Ryder: "...I'm sorry, I apologize for interrupting."

Homer: "Pardon me, well, the effective date of the transition would be September 1."

Ryder: "And on September 1 until December 31st do we use the I-CARE model, or the DRG model?"

Homer: "DRG."

Ryder: "So that we have from today until September 1 to develop the DRG model."

Homer: "Well, that's true, but Representative Ryder, this Bill, you know, doesn't take law today, this Bill goes to the Senate, it goes to the Governor, and then he has 60 days. You know the process."

Ryder: "I understand all of that, I'm just trying to figure out what you're doing to the hospitals between June 30th when you eliminate I-CARE, and January 1st when you bring in the DRGs or now, or it's September 1st. Let me also ask...does this...since you eliminate I-CARE, do you also eliminate disproportionate share for hospitals?"

Homer: "The answer to that is a resounding no. The..."

Ryder: "The disproportionate share is no longer here?"

Homer: "No, disproportionate share will continue, under Senate Bill 150 that was passed in 1989, that will continue without being affected by this program."

Ryder: "So then some hospitals will continue to be paid more than costs and other hospitals won't."

Homer: "Yes. If they are a disproportionate share hospital they

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will continue to receive those benefits."

Ryder: "Representative, what about the additional money that children's hospitals receive? Is that part of your Bill, or is that also eliminated?"

Homer: "That's a part of the disproportionate share Bill that we passed, so the answer is the same."

Ryder: "Representative, the modified DRG program that you and I discussed a few moments ago, within your Bill, can you point to or describe to me the basis that we would use to design this new system? I think it's a modified DRG system, but what in your Bill tells us how to do that?"

Homer: "Representative Ryder, it is a modified DRG. It's based on the federal DRG, that as you know allots a certain amount per nature of illness, and it is modified, and the answer to your question is no, I can't in detail at this moment describe to you how exactly that's to be done."

Ryder: "Representative, when you talk to the experts, those folks that helped you design this Bill, did they tell you how long it would take to design a new reimbursement system for the hospitals of the State of Illinois? More specifically, does..."

Homer: "I have not had that conversation. My understanding is that they're already undertaking an effort to make those determinations."

Ryder: "Okay. Representative, with your experience in this General Assembly in matters of state government, don't you believe it's a little bit optimistic to expect that all of the relevant agencies, all of the relevant providers, would be able to design a new reimbursement system for the hospitals of the state, and have that effective within six months or by your program, four more months? Isn't that a little optimistic?"

Homer: "Each individual provider isn't going to be doing this."

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It'll be done in conjunction with the Illinois Hospital Association and the Illinois Department of Public Aid."

Ryder: "Your optimism is encouraging, and I appreciate that. I'm not sure that all of those groups could agree on a meeting date between now and that time, but let me go to the other part which concerns me. It's my understanding that the inflation rate for medical providers, hospitals et cetera, is running about 10% a year. The inflation rate for the rest of the economy is running less than 5%. Is that your understanding, and if it is, does not your Bill lock in at 30% increase for the providers?"

Homer: "Does it provide a 30% increase? Is that your question?"

Ryder: "Yes."

Homer: "That I think is a fair estimation, yes."

Ryder: "So if, in the event that we are passing this...we are saying that hospitals and hospitals only are entitled to a 30% increase."

Homer: "Yes, that's correct. This Bill only deals with hospitals."

Ryder: "And yet, the other medical providers are being asked by our Governor to take a 5% cut."

Homer: "Well, the Governor's asked hospitals to take a 5% cut, too. They just don't want to do it, and none of the other providers..."

Ryder: "Right, and this is the way they respond. Mr. Speaker, to the Bill, if I may. I have to admire the Representative, who is a Sponsor of this Bill, because he's had to learn a lot about a very complicated issue in a very short time. The reason that that has occurred, is that this process that we see before us didn't go through the committee process. It was introduced last week, and we're called upon to be debating and voting upon it today. His sincerity is intense because he addresses a very serious

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issue, but Ladies and Gentlemen of the House, this is simply another promise, a promise that we'll get funny money this year, and next year, and I hope that we could, but two years from now, we've got to pay \$300 million. \$300 million dollars, but don't worry. Two years from now we'll take care of you. You can raise your rates by 30%. We'll take care of you. Tell that to the Loretto hospital. Tell that to the children's hospitals. Tell that to your hospital and my hospital, because we haven't been keeping our promises to them for the last six months, and now, because of this process, they're supposed to trust us, believe us, because somehow we're going to have \$300 million more dollars two years from now. Let's keep the promises that we have made. Let's pay the bills that we owe right now. Let's not make promises to pay 30% more two years from now because we don't have the money, and we don't have any idea where we're going to get that money. It's a well-intentioned Bill. The people for whom it is suggested are clearly in need. Some of the ideas are very good, but folks, we're in the mess that we're in now because we made promises that we can not keep. Let us not make more promises that we know we can not keep."

Speaker Laurino: "Further discussion? Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Will the Gentleman yield? Representative Homer, I've just been made aware that there's a Bill in the Senate that tries to address what you're doing here with House Bill 1000. I believe it's Senate Bill 500. Could you compare Senate Bill 500 to House Bill 1000?"

Homer: "They're identical."

Morrow: "They're identical? I've been led to believe that some of the costs that will go to some of the inner city hospitals between Senate Bill 500 and House Bill 1000,

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there is a difference as far as moneys that will go to those places."

Homer: "That would be news to me, Representative Morrow. I was...Senator Severns is the Sponsor of Senate Bill 500, and she and I have been in meetings with the Hospital Association, and we both agreed to adopt, or move for the adoption of a particular Amendment, so if there's something you know that I don't, you can tell me, but I understood they were identical. Has there been some late development that you're aware of on that Bill?"

Morrow: "Well I've just been given some figures that are leading me to believe that Senate Bill 500 would increase moneys going into the city hospitals, whereas, House Bill 1000 really doesn't do that, and I just want to get that clear."

Homer: "Well, I think that you've been misinformed. Both Bills would definitely help city hospitals, would help all hospitals who service the poor, so the city hospital services the poor and has Medicaid patients, they would very definitely, significantly benefit by this Bill. It would increase substantially their...it would take them from receiving only about 79% in-patient funding to up to 90%, and for outpatient it would take 'em from 50% up to approximately 90%, or up to approximately 75%, rather, of their actual costs. So, city hospitals are strongly in support of this Bill. Cook County Hospital, all of the city hospitals to my knowledge, are proponents of this legislation."

Morrow: "Thank you, Mr. Speaker."

Speaker Laurino: "Further discussion? Representative Balanoff."

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

Speaker Laurino: "Gentleman moves the previous question. All those in favor indicate by saying 'aye', 'nays'. The 'ayes' have it. The previous question is put."



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Representative Homer to close."

Homer: "Thank you, Mr. Speaker. To those of you who oppose this legislation, I have a question: Do you have a better solution, or should we just sit back and do nothing? See what happens? Well, I assure you, that if we take the do nothing approach, what will happen is that more trauma centers will close, more cocaine babies will be born, more poor people will go without even basic medical care and our health care system in Illinois will collapse, and make no mistake, the price we pay then will be much greater than in just terms of dollars and cents. We all realize that the current Medicaid system is broken, and, until now, no one has come up with a way to fix it. Now we have one...House Bill 1000. This Bill will restructure our Medicaid payment system. It's a plan for paying hospitals fairly, for treating our health care poor, and by doing this, it helps guarantee that these same hospitals will continue to be there for all people whenever they are needed. Opponents of this Bill speak to our fiscal responsibility, but what is fiscally responsible about turning our backs on an industry that has come to us and asked us to pass a Bill that allows them to tax themselves in order to leverage federal dollars to help cure the problems that they face. They're not asking us for one dime. I now ask, what greater priority we can set for our state than the health and welfare of its people, all of its people. For this reason I ask that you vote 'yes' on REFORM. Vote 'yes' for House Bill 1000."

Speaker Laurino: "Representative Homer has moved for the adoption of House Bill 1000. All those in favor indicate by voting 'aye', opposed, 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill, having

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received 89 'aye', 16 'nay', and 8 voting 'present', having received the required Constitutional Majority is hereby declared passed. To some of our guests in the balcony, in the visitors' quarters, there has been found some medication in a blue pouch, and that pouch has 'Excellence '91' on it. Can you...if you are from the gallery and you wish to claim your medicine, please come down to the House floor and talk to the doorman. Thank you. The Chair will now proceed to page 21 on the Calendar, under Elementary and Secondary Education, House Bill 215, Representative Currie. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 215, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Laurino: "Representative Currie."

Currie: "Thank you, Mr. Speaker. I would ask leave to hear this Bill on Third Reading today. It was amended earlier in the day, but I believe there will not be an objection to that Motion."

Speaker Laurino: "Lady asks for immediate consideration to this Bill, House Bill 215 be...be considered on Third Reading today for immediate consideration. Representative Cowlshaw, were you seeking recognition? Oh, thank you. Does the Lady have leave? Using the Attendance Roll Call, Motion is adopted, and the Lady has leave to have the Bill heard on Third Reading. House Bill 215, proceed Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. House Bill 215 would incorporate two recommendations from the Auditor General with respect to reporting requirements from the State Board of Education. The reporting requirements would be deleted because they are duplicative of other reports that are currently filed by the State Board. I'd be happy to answer your questions and would appreciate your

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support for the Bill."

Speaker Laurino: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker. Will the Sponsor please yield for a question?"

Speaker Laurino: "Indicates she will."

Cowlshaw: "Thank you very much. Representative Currie, as I understand it, Amendment #2 it simply a technical correction, so if Amendment #1 is really, essentially now the Bill. Is that correct?"

Currie: "That is correct."

Cowlshaw: "And what Amendment #1 does is make some nonsubstantive changes in the provision for special education transportation reimbursement and so on."

Currie: "No."

Cowlshaw: "But there is no significant change made by that language. Is that correct?"

Currie: "No, what Amendment #1 does is to incorporate two substantive recommendations from the Auditor General's recent report of the state board that would result in deleting several reporting requirements that now apply to the State Board of Education. In effect, that's all this Bill does, but it is a Bill that the state board needs in order not to be required to file reports that only duplicate other reports filed by the state board in more relevant public fashion. So, it has nothing to do...nothing to do with special education reimbursement."

Cowlshaw: "All right. Thank you very much, Representative Currie. These, then, are just some reporting requirements that either you want to modify or lessen, so as to create less of a paper burden on the State Board of Education. If that is the goal, I would certainly be understanding of that. However, I just do want to inquire, according to my analysis of this Amendment, the State Board of Education

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would no longer have to maintain lists of the text materials used in public schools. Now, I understand that we already have a list of texts that are acceptable, that list is maintained by the State Board of Education. Is this prior requirement then really duplicative?"

Currie: "Yes, because, Representative, under other statutory authority the school districts are required to file those lists with the superintendents of instruction, the regional superintendents. The information is available there and there is no value in asking the state board separately to collect and list the names of all those texts."

Cowlshaw: "Thank you very much. To the Bill, Mr. Speaker,..."  
Speaker Laurino: "Proceed."

Cowlshaw: "...I believe that this Bill does something that we ought to try to do for every division of government and that is to reduce the amount of paper work, to reduce those things that are duplicative, but without reducing in any way, public access to the information. Representative Currie has explained that the local school districts are already required to have these text material lists, and if they are available at that local level, there is certainly no need to duplicate them at the state level, and I rise in support of House Bill 215 as amended."

Speaker Laurino: "Further discussion? Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. For the purposes of information, for the Members on this side of the aisle, I've spoken with Representative Currie. She has assured me that this is not a future vehicle Bill, it will not be used for anything else. I've spoken with Dave Carey from the State Board of Education who assures me that this, in fact, is the Bill, and we support the Representative's Bill and ask for a favorable vote."

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

Currie: "...Roll Call."

Speaker Laurino: "The Lady from Cook moves for the adoption of House Bill 215. All those in favor indicate by voting 'aye', those opposed vote 'nay'. The board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 112 'ayes', 1 voting 'nay', 0 voting 'present', having received the required Constitutional Majority, is hereby declared passed. Proceed to page 20 on the Calendar, House Bill 125, Representative Keane, under Insurance, Third Reading. Representative Keane? Is the Gentleman in the chamber? Out of the record. 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. Third Reading of the Bill."

Speaker Laurino: "Representative Stern."

Stern: "Mr. Speaker and Members of the House. House Bill 133 called the Family Building Act deals with the subject of infertility and would require health insurance coverage, which deals with pregnancy benefits, to also include coverage for infertility technology. It has been amended to deal only with companies of more than 25 employers and religious institutions who object to participating are automatically removed. The testimony at the committee, I could only tell you, was very moving and very important. Infertility affects 2.3 million people nationwide. It is a subject very important to the people who are immediately involved and the cost to the policy holder is negligible. According to our Department of Insurance it's \$1.43 per premium, per female, per month on a group policy. I will be happy to answer your questions. I just would repeat

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this is very important to those whom it would benefit."

Speaker Laurino: "Further discussion? Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I agree, this was a moving testimony in committee. And we have a group of people who have problems conceiving children. And we all agree that this is a worthwhile idea. But the fact of the matter is, why should all of us as citizens and taxpayers of this state have to pay for something that people chose to do on their own. Now it is an emotional issue but this is another mandate. We are mandating insurance companies which then must provide this benefit. That benefit then is passed on to all the people that are paying insurance. Now my colleagues on both sides of the aisle, we have debated over the course of the last couple of years, they increase costs of health insurance. And we've tried to blame this and we've tried to blame that and we've said this is wrong and that's wrong. Well this is another example of what is wrong. We are mandating. Now the Sponsor claims it's a little bit of money. Well, it's not just a little bit of money. This is a very expensive procedure and very few people actually get to conceive children using this benefit. So, in fact, they must continue to try and do it. Now there is a limit. We know there's a limit on how many times they can try and do it. But it means that they will try until that limit is hit then there is no more with that health insurance contract. But that means that you and I are paying for that expensive procedure. We are then saying to the citizens of this state, 'if you want health insurance you've got to pay more money for it.' This is a mandate. Tomorrow we'll put another mandate on, the next day another mandate. And we now have unaffordable health insurance in this state. Why? Because we have not taken the time to be

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responsible in our job to say 'no' to these kinds of mandates, even if they're worthwhile. Well intended, we have driven this state's health insurance costs, so that they're so expensive, most people have trouble paying the premiums. This is an example of why. I must respectfully ask my colleagues to vote 'no' on this Bill."

Speaker Laurino: "Further discussion? Representative Schoenberg. You're on, Sir."

Schoenberg: "Thank you, Mr. Speaker, Members of the House. With all due respect to my colleague who just spoke in opposition to this Bill just moments ago. The cost of the Family Building Act would be negligible. If we used the experience of other states, for example, in the State of Maryland this costs .08¢ per family per year, in Massachusetts \$1.70, in the State of Delaware .60¢. To provide families who might not normally have, to provide couples who might not normally have the opportunity to have the blessing and the pleasure of children and to have families to argue costs is simply not a fair, and it's certainly not a justifiable argument for this very justifiable and meritorious Bill. I would urge the Members to support this Bill wholeheartedly. The cost is negligible and we provide all kinds of other insurance coverage for family related services. We should do this as well. Thank you."

Speaker Laurino: "Further discussion? Representative Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House. I too rise in support of this fine piece of legislation. The reason I support it is I'm supporting it for the women out there and the men out there who want to be parents. I don't know how many of you have ever faced the consequences of trying to have children. But I stand before you as one who did. In my time we did not have invitro fertilization. But I will

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tell you something it was just a beginning of a wonderful concept for couples who want to be parents. Marriage and love and children go together. You can hear the comments about this being against life. It is a pro-life concept. I don't know about you, you're hearing about a mandate. What is a mandate when you can have a child? How can you place a mandate on children. As these children grow up the joy and happiness that you have is something that you cannot put a dollar on. How many times are we talking about doing this? Four times or a little bit more. If you could help a couple to have children, I just think it would be the most wonderful thing that could go on on earth today. I right now have experienced the joys of my children by becoming a grandmother for the second time last Monday. That would never have happened if it wasn't for the pill that I had to take to get pregnant. And they only discovered it many, many years ago and that was just the beginning. Ladies and Gentlemen, there are men and women out there that love each other. You want to talk pro-family. This is keeping the family together. This is creating a joy in their life. I urge you and I ask you to have consideration for the couples who are not as lucky as some of the others and vote for this Bill. Thank you."

Speaker Laurino: "Further discussion? Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This legislation was heard on two different occasions in the Insurance Committee. Representative Wojcik was exactly correct in her evaluation of the real identity of the Bill. There comes a point in time when, we in the General Assembly get stuck on phrases and clauses. We have heard today that it is a mandate. We have heard that it is a costly mandate. The cost of this program is \$1.43 per policy holder. I do not consider that



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to be an outrageous sum for this most important coverage. I listen to my colleagues make the same statement, when Representative Lolita Didrickson was in this House promoting provisions for mammography. Today, if it were not for that fact that the General Assembly decided, in their wisdom, it was the right thing to do and not to eliminate 50% of our population from the coverage that would be less expensive in the future because of the current philosophy of no mandates. I have not been one who has been providing mandates for any proposal. I've been one that has supported the bare bones and the affordability and the availability of insurance coverage. This issue is not an expensive issue. This issue is one which has a heart tug to it, no different than mammography now which is accepted and basically very important. I stand in support of the Lady's legislation. I think she's done an excellent job. She's accommodated the concerns of the committee, as it pertains to the number of individuals under the coverage, and those individuals by number 25 or more in a major plan would be exempted. She's done everything possible to provide this good legislation for the people in this State of Illinois who are in need and want very dearly the invitro fertilization provision in health care. And I stand in support and recommend my colleagues vote with their hearts as well as their heads. Thank you."

Speaker Young: "Anthony Young in the Chair. The Lady from Cook, Representative Parcells."

Parcells: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have to rise in opposition to the Bill for a reason that's very different. Emotionally, I'm all for the Bill. I know how wonderful it is to be a mother and probably to be a father. And I would like to extend that right to everybody to be that. But there is another thing

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in addition to the cost of perhaps as much as 28,000 per person that wants to have a child. Last year, in this Assembly, we voted on two pieces of insurance legislation. One, the Sponsor has addressed and done a nice job of saying 'any company that has 25 or less employees does not have to put this in there.' It is not a mandate for them. But there was a second piece of legislation and because of this I don't know how anybody can vote 'yes' to this that piece of legislation said, 'we can not mandate to insurance companies anything that we do not mandate to self insurers'. Now this is an absolute contradiction to that law. We are not mandating to self insurers that they must do this. So, those who are self insured including the State of Illinois would not have to pay any attention to this. But all of the other insurance companies would have to pick up all this cost. I think the cost would be considerably higher, although it would certainly be well worth it, because it is a very emotional thing. But I think we here have to think with our heads as well as our emotions. And we in this Assembly just passed that law last year. And this is a complete contradiction to that law. And I think you better think about that when voting on this. And I suggest a 'no' vote for that reason."

Speaker Young: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Nobody's yet put a number on what it costs for each attempt at fertilization. The average cost is \$5,500 for each attempt at fertilization and only 15 to 20% of these attempts are successful on the first try. Nationwide only one in five women become pregnant. If you think the cost is going to stay at \$1.43 or whatever it is I think you're wrong. And if we put one mandated benefit on top of another in this General Assembly. And we were here last

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year, when they were stripped off from Representative Mautino's Bill, I recall it very well. Mandating another benefit is not only going to end up costing employers more money but it's going to end up costing the people of Illinois more money. The timing is wrong to start mandating these types of benefits in Illinois because we can't afford what we have now."

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

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I wasn't going to speak on this Bill. The prior speaker just said some things that were completely incorrect. The cost of a infertility procedure is nowhere even remotely close to that \$5,000 figure. Many of the procedures are very inexpensive everything doesn't entail surgery. Many of the procedures just have to do with notifying the parents of timing, of the body temperature concerns and don't involve very sophisticated surgical procedures at all and are not terribly costly. So that...you should not think about that at all that is not part of this legislation."

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

Harris: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Not to belabor the debate on this Bill but, for those of us who have a concern and who may be voting 'no', I think it's appropriate to say here that we are not hardhearted individuals who are not sympathetic to the difficulty of a childless parent, childless couple who want to conceive. Indeed our hearts do go out to them. It is not just a dollar and cents factor here in terms of what we're considering. I will say though the Gentleman from Bureau earlier said, 'well, it's only \$1.25 per household'. Well, you know, that's how governments think. It's only a little bit. Well, those little bits do indeed add up and

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there is a cost factor. But aside from the cost factor what about the policy implications. There is a difference between invitro...coverage for invitro procedures and coverage for mammography. And the difference is very simple, mammography can lead to the death of the person afflicted. In other words, it is a serious of serious injury to the person who has that coverage. That's not the case with invitro fertilization. There is no potential harm to the person who can not conceive. And that's not said hardheartedly. And it simply said that our insurance coverage deals with coverage for...health coverage for what could be harm to the individual. I don't perceive that harm in this matter. And I think that those of us who might be voting 'no' don't do so because we are cruel, heartless people, but rather we do have, indeed, some policy concerns which might justify a 'no' vote."

Speaker Young: "Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. This certainly is an emotional issue. And it's an issue I hesitated to rise and speak but I could see that there are points being missed. Points being amplified that aren't true. This an expensive procedure. If this simply was to time when you ovulate you wouldn't need health insurance protection to afford that. What we're talking about here is matching the sperm and the egg maybe 25-30 of them, picking five of the best and hoping for success. The rate of failure is quite high. First time it's 7,000 (5,000 to 7,000), second time it's 5,000 to 7,000, third time it's 5,000 to 7,000 dollars. Certainly, the final act...aspect in success, if it is success, is a child. Well, what we're doing here is adding one more and I believe it's 30 mandates now on the health insurance industry for private health insurance and groups. So, the employers have to pay

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more, the public has to pay more, the insurance industry shrinks because it becomes nonprofitable. Your premiums go up more. Other companies go to self insurance so they don't have to pay any attention to these (\$1.25 - \$1.75 - \$7.50) 30 mandates that are on the Bill now. Self insured people don't have to follow our example here at all. They don't have to pay attention to us at all. If they wish they can put this benefit on right now in any kind of an agreed between the employer and the insurance company. It's available, if your company wants to pay for it, you can buy it. But to force this down the tubes and make everyone pay more for health insurance. The most dangerous thing that faces the state today and employers today and the whole country is the cost of health insurance. I've got to say in my heart I'd like to vote 'yes' but it's impossible to do that with the facts at hand."

Speaker Young: "Representative Stern to close."

Stern: "Ladies and Gentlemen of the House, I want to draw your attention to two infants in the gallery. These are the best lobbyists we have on this Bill and they are waving signs and trying to get your attention. Could you imagine what your lives would be like without your children at home hoping that you're going to get out by June 30th? Children are one of the reasons that people have a feeling of continuity about life and about how important human services of human concerns are. The things that we spend so much time talking about here. Much of what you have heard from the opponents of this Bill is simply inaccurate. Infertility is often the signal that there is some serious underlying illness. Many of the technologies for infertility are not expensive. In this Bill we are limiting the implementation of invitro fertilization to four cycles so there is a limit on what we are asking. We

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have done the things that were asked of us in sparing the small businesses and making it available to those who needed it the most. This is a Bill that can make thousands of people very happy. I urge you to vote 'aye' on this Bill. It is the right thing to do. It is the compassionate thing to do. Please vote 'aye' on House Bill 133."

Speaker Young: "The question is, 'Shall House Bill 133 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Representative Tenhouse to explain his vote."

Tenhouse: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House. I was very reluctant to rise. But today happens to be the birthday of my eight year old daughter. Sharon and I have been married for 19 years and we probably went through more of the infertility problems than just about anyone here in the House of Representatives can talk about it. I can understand the concern of the people and quite honestly the embarrassment you go through, as each month goes by and you're unable to conceive and have children. But I also would like to reluctantly vote 'no' on this particular Bill when we have to realize that we're placing another mandate on businesses from the stand point of the insurance. And, I understand the problem but I also see that as time goes by we're putting more and more mandates on, we're putting more and more costs as far as our health insurance coverage is concerned. And it certainly is not an easy vote for me but I have to cast a 'no' vote."

Speaker Young: "Representative Olson to explain his vote."

R. Olson: "Thank you, Mr. Speaker. In the previous debate it was said in very eloquent terms about the cost. I can remember back to earlier debate, I believe it was last week...debate

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of last spring and the spring before, when people were discussing and promoting legislation to require insurance companies to make reports of when why their insurance was at such and such rate every six months or so, to file all kinds of affidavits and such, basically saying why insurance was going up in costs. In very simple words, Ladies and Gentlemen, this is one of the reasons. And it's been pointed out today that it's \$1.40 but a \$1.40 here and a \$1.40 there and the first thing you know, like Ed Dirksen said about millions, after awhile it adds up to money. Please don't come back and complain about the cost of insurance if you vote for this Bill today. I encourage a 'no' vote."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. On this question, there are 65 voting 'yes', 30 voting 'no', 17 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 125, Representative Keane. Representative Keane."

Clerk O'Brien: "House Bill 125, a Bill for an Act to amend the State Employees Group Insurance Act. Third Reading of the Bill."

Keane: "Thank you, Mr. Speaker. House Bill 125 addresses the retired employees of public community colleges. As you may know, community colleges are under the University Retirement System and they're not under the downstate teachers' retirement system which, as they once were, had their own health plan after retirement. The community college teachers in the State of Illinois are under the State University Retirement System but, once they retire, they are not covered by the hospitalization and other benefits. This Bill would bring them in under that. I'd be happy to answer any questions on the Bill and ask for a

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favorable Roll Call."

Speaker Young: "The Gentleman moves the passage of House Bill 125, and on that question, the Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, will the Sponsor yield?"

Speaker Young: "He indicates he will yield for a question."

Wennlund: "Representative Keane, it's my understanding that the annualized cost would be about 8,000,000 a year?"

Keane: "No, there are two estimates that I have: one is from the Board of Higher Education that says it's 2.5 million dollars and the other one is one that we had received from CMS dated March 19th, it says 4.05."

Wennlund: "4.05 million dollars?"

Keane: "Right, I'd also like to point out to you that we do have over 3 million presently in the community college...in the Community College Fund which could be utilized and is utilized for this purpose."

Wennlund: "My understanding is that because the Bill takes effect January 1st, it would be 4 million but on an annual basis, according to CMS, it's \$8,000,000, and, in addition to that, it's my understanding also that the State of Illinois is currently facing a \$48,000,000 shortfall in the State Employees Group Insurance Program. Is that correct?"

Keane: "I don't know where you got the 8 million. If you look at your Bill analysis and the State Board of Higher Education say that it's 2.5. The CMS has consistently opposed this because they do not want the system to come under the State University Retirement System. I don't know where...which figure is correct but, as you know from your experience down here, one of the ways that an agency protects itself on something like this is to put in an escalated Fiscal Note."

Wennlund: "Well, I understand that, but I understand that it was



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for six months it would be \$4,000,000 and then for a year it would be \$8,000,000 a year, and, it's also my understanding from CMS that the state is already facing a \$48,000,000 shortfall in the State Employees Group Insurance Program and if we add another \$8,000,000 a year onto this...in a time when Illinois can no longer...can't afford to pay its bills and owes \$660,000,000 in health care providers, I think that...that we better take a look here in the General Assembly about what it is we're spending and adding another \$8,000,000 to that annual cost is the wrong thing to do at this time."

Keane: "I would agree with you if the facts were as solid as you indicate or you seem to indicate. As I mentioned, the Board of Higher Ed's annual, annual impact fee is 2.5. The...last year when this Bill was put in CMS said 5 million a year. So, I don't know where the extra 3 million came from. The other point is that of all the people, of all the teaching groups within the downstate teachers or within State University Retirement System, they have been left out. So, as a matter of equity I would think that they should be included."

Wennlund: "Thank you. To the Bill, I agree with the Sponsor. The purpose is good and it needs to be done. My only question is that if we're talking about another \$8,000,000 a year, when we're currently facing a \$48,000,000 shortfall in that fund, I think maybe the timing is wrong."

Speaker Young: "The Lady from Cook, Representative Parcells."

Parcells: "Thank you, Mr. Speaker. Ladies and Gentlemen, I regretfully rise in opposition to this. I know that many of you have community college teachers and have gotten a lot of letters on this, so, it isn't popular to vote 'no', but for some of the reasons that Representative Wennlund mentioned there is enormous cost to this. Here we are

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trying to balance our budget this year and this has an enormous cost. But over and above that, employees of community colleges are not officially state employees. So, if we open this door we're going to have others rushing in and saying, 'Well, pick up our tab, too.' They are not officially state employees, so there's no reason for the state to pay it. In 1989, we passed House Bill 1819 which established local government health plan for community colleges. We have six community colleges doing that right now. The other community colleges can do the same thing and those costs will be paid for in the same fashion that they are for those six community colleges. What they're doing is coming to the state and saying, 'Well, we are teachers.' But they're not the same as our university teachers because they're not paid for by state funds. They're paid for at the local level. I'm afraid that this is just the tip of the iceberg here and, with the state that's already a half billion dollars in debt, I don't know how we can take this on and then also take on all the other groups that are going to come to us that are any way related to the state are going to come in and say, 'Us, too we want you to pay for us, too'. I respect the Sponsor of this Bill immensely and I know that all of you have people who would like this but I don't think it's a fiscally wise thing to do, and I suggest your 'no' vote."

Speaker Young: "Representative Keane to close."

Keane: "Thank you, Mr. Speaker. Just to clear up some misunderstanding. The ICC budget ( the Illinois Community College budget) for the current year includes \$3,000,000 for health insurance for this group of retirees. The proposed budget for fiscal year 1992 includes 3.3 million. This money should be transferred to the CMS budget to pay for the cost of House Bill 125. Last year, the estimate by

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CMS was \$5,000,000. If we have a shortfall it's in the area of under \$2,000,000 or closer to an annual amount as specified by BAG rather than by CMS. I would ask for a favorable Roll Call."

Speaker Young: "The question is, 'Shall House Bill 125 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Representative Black one minute to explain his vote."

Black: "Well, I don't think I'm going to have to explain my vote much, Mr. Speaker, but thank you. We've passed this measure time and time again. I'm pleased to stand in support the Gentleman's Bill. It's a basic issue of fairness, and it looks like most people here understand that concept. Thank you."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. On this question, there are 95 voting 'yes', 16 voting 'no', 1 voting 'present'. House Bill 125, having received the required Constitutional Majority, is hereby declared passed. House Bill 1141, Representative Santiago. House Bill 1141. Out of the record. House Bill 1603, Representative Mautino. Out of the record. House Bill 2105, Representative Balanoff. Representative Balanoff. House Bill 2105. Out of the record. Now I'll go to the Order of Public Utilities...We will go back to the Order of State and Local Government where we left off earlier in the call. The next Bill on that Order, the Order of State and Local Government, Third Reading, is House Bill 575. Representative Currie. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 575, a Bill for an Act to amend an Act concerning comparable worth. Third Reading of the Bill."

Speaker Young: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. I'm sure there's not a person in this chamber unfamiliar with

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issues of the wage gap, of the fact that the average full-time year round woman who works outside of the home in this country earns about 65¢ for every dollar that's earned by someone who is male and a full-time, year-round worker. There's a wage gap for members of minority groups as well. That there is occupational segregation in this country, that is to say that many members of minority groups and women work in a handful of occupations and you can name them as easily as I: secretaries, mental health orderly, librarian, day care worker. The fact that there is occupational segregation helps explain part of the wage gap. The wage gap for members of minority groups and women in this country reflects, in part, a willingness on the part of society to induce in the wage rate settings themselves discrimination that is based upon gender and that is based upon race. In looking at the wage gap several years ago, the State of Illinois did a study to find out how our own workers fare with respect to race and gender and wages. What we found is that 80% of male employees, this was in 1983, made over \$26,000 a year; only 19% of our female employees made salaries that high. In the late 1970s the National Academy of Sciences did a study to try to find out what kinds of things explain the wage gap and their conclusion was, indeed, that half of the wage gap was attributable to wage based gender and race discrimination. As the National Academy put it, 'Work that is done by members of minority groups, women's work is not worth very much.' We have an opportunity through House Bill 575 to address the problem of wage-based, gender and race discrimination as that problem is faced by our own employees, workers who have no place else to turn but us. The Bill, as drafted would require both Central Management Services and the state university system to establish wage

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rates that are based on the value of the work performed, rather than the gender or race of the worker by the year 2000. Other states have done it and they didn't take as long as House Bill 575...the State of Illinois. 16 states have already begun implementing pay equity: states from Florida to Idaho, another 12 or 13 states have begun the studies that will enable them to implement policies that are race and gender equitable in their own work force. The experience is that implementation is not as costly as opponents of this measure would have told you, less than 1% of payroll annually if we are implementing over a nine year schedule. There's no question that the costs are not massive from the perspective of every budget year. Other states have done it. We can do it too. We should do it because the failure of the state and the private sector to implement wage rates that are equitable with respect to gender and...I'd like to take the Bill out of the record please."

Speaker Young: "Out of the record. We will now go to the Order of Public Utilities, Third Reading. The first Bill on the Order is House Bill 164. Out of the record. House Bill 244, Representative Turner. Arthur Turner. Out of the record. House Bill 990, Representative Deering. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 990, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill."

Speaker Young: "Representative Deering."

Deering: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 990 amends the Public Utilities Act. It requires that a cost benefit analysis be performed before participating in a telephone service expansion program, such as a 15¢ surcharge program that we just took a lot of heat over, and the Bill has been amended...has an

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Amendment on it, and I would be glad to answer any questions."

Speaker Young: "The Gentleman moves the passage of House Bill 990, and on that question, is there any discussion? The Gentleman from Vermilion, Representative Black."

Black: "Yes, thank you very much, Mr. Speaker. Could the Chair enlighten us as to what Amendments are now on this Bill?"

Speaker Young: "Amendment #5 is on this Bill."

Black: "That's the only Floor Amendment on this Bill?"

Speaker Young: "That is correct."

Black: "Alright, thank you."

Speaker Young: "Further discussion? Hearing none, the question is, 'Shall House Bill 990 pass?' All those...the Gentleman from Will, Representative Wennlund."

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

Speaker Young: "He indicates he will yield for a question."

Wennlund: "There were six Amendments filed, and the reason I have a question is that the Bill is now Amendment #5? Is that correct? And what does that do, Representative?"

Deering: "Mr. Speaker, can I yield to the Sponsor of the Amendment?"

Speaker Young: "Who's the Sponsor of the Amendment?"

Deering: "Representative Lang."

Speaker Young: "Representative Lang on the Amendment."

Lang: "Thank you, Mr. Speaker. What was the question, Representative?"

Wennlund: "What does the Bill do now as it was amended?"

Lang: "Well, Amendment #5 to House Bill 990 discusses the issue of the charges for advertising for the telephone company. We discussed, when we put the Amendment on the Bill, that currently the electric utilities and the gas utilities can not include in their rate requests, when they go before the ICC, non-competitive advertising. Illinois Bell has been

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doing this for some time. There's a gap in the law. It does not cover Illinois Bell. So that in the last year Illinois consumers were charged, through their rates that they pay, \$62,000,000 for non-competitive phone advertising. It seems to me, and it seems logical to most, that non-competitive advertising should be paid for by the Illinois Bell stockholders and investors. There is no reason for consumers to be paying that, and I must add we're only talking about non-competitive advertising. We're not talking about educational advertising. We're not talking about advertising regarding long distance rates or purchase of products. We're simply talking about non-competitive goodwill advertising for the telephone company. Currently, the gas and electric utilities cannot charge us for that and there's no reason that all of the utilities should not be on the same plane."

Wennlund: "Well, let me ask you this question. Currently, customers in Illinois can choose a phone company or long distance service if they wish. Isn't that correct?"

Lang: "That's correct but that has nothing to do with this Amendment, Representative."

Wennlund: "Well, so there's competition...the bottom line is there's competition in the phone industry, but in the gas industry and the electric industry, there's no competition. Isn't that correct? I mean, I can't...I can't choose rather I have to take Commonwealth Edison if I want electricity."

Lang: "There is no competition for your local home phone service. And for Illinois Bell to advertise on your radio or on your television to call grandma is not something they should charge you for because there's no purpose in that. There is no competition for your personal local telephone service, and, therefore, you shouldn't be charged for

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that."

Wennlund: "To the Bill, Mr. Speaker, Ladies and Gentlemen of the House. This Bill will do nothing to keep rates low for telephone customers. In fact, what it will likely do is to cause an increase in rates. So, its intended purpose will not be accomplished and could, in fact, reverse on the rate payers in Illinois. Telephone companies and long distance services are by their nature competitive, after Judge Green in New York decided that the telephone industry was going to be deregulated and that anybody can get into the business and anybody can set up a long distance service, and, as a result of that, its necessary for the phone company or Illinois Bell to advertise its services because it is in a competitive industry unlike Commonwealth Edison, unlike Northern Illinois Gas, we don't have a choice. But we do have a choice in our long distance services. We do have a choice to determine which phone company we're going to deal with for various types of services. We have Sprint. We have Illinois Bell. We have AT&T. We have all types of phone services available for which it's necessary that the phone companies be able to competitively advertise for the business that's out there. I'm suggest to you that there's a big difference between Commonwealth Edison and Northern Illinois Gas and the phone business. Those two industries are not regulated...they are regulated. They have no alternatives, and they have a monopoly. No phone company has a monopoly by virtue of the deregulation of phone service in Illinois. There's no reason for this and it's going to end up costing the consumers more money in the long run."

Speaker Young: "The Gentleman from Warren, Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker. A follow up to the initial



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inquiry of Representative Wennlund. The only thing that's on this Bill now is the issue of phone company advertising? Is that correct, Representative Deering, there's no other provision in this Bill?"

Deering: "No, it does have a provision in it that before expansion telephone programs can be implemented they have...the telecommunications company has to perform a cost benefit analysis, and if you'll recollect, the ICC most recently suspended the 15¢ surcharge on the phone bills and their excuse was...their reason was that a cost benefit analysis was not done by the phone company at that time."

Hultgren: "That was the underlying Bill?"

Deering: "Yes, and it still is."

Hultgren: "There was an Amendment #6 and in my records I don't know what happened to Amendment #6. Do you recall?"

Deering: "Amendment #6 we never did...I believe it was...it never was brought up for a vote."

Hultgren: "Thank you."

Speaker Young: "The Gentleman from Tazewell, Representative Ackerman."

Ackerman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Bill. The Amendment which is the main part of the Bill had a full hearing in the committee as House Bill 618. It only received four votes in committee, and I don't believe it deserves to become law. This would prohibit phone companies from advertising, and in many instances, prohibit them from informing the public of new services that they might be offering and this type of thing. So, I would oppose this Bill."

Speaker Young: "The Gentleman from Cook, Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of House Bill 990. I think

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the...I just would like to remind my colleagues what the Amendment that was put on does. There has been some confusion. This Amendment does not prohibit any advertising of any kind. It can advertise...there was legislation that would prohibit advertising by utilities that was soundly defeated in our committee. This is not that proposal. This simply says that the telephone company advertising should be treated the same way that gas and electric company advertising currently is, and that if it's image building, if it's a good company, they're nice people and you want to do business with them, as opposed to providing substantive information, that that cost, the cost of that image advertising, should be paid by the shareholder and not the rate payer. That's the way it is now with the electric companies; that's the way it is with the gas companies and that's what this Amendment would do. It doesn't prohibit any advertising of any kind, it just says that as a rate payer we shouldn't be paying for this image advertising of the telephone company. This, in fact, is a position that the Illinois Supreme Court took back in 1973, and it was, in fact, the law for many years that the consumer should not pay for telephone image advertising. When the rewrite occurred of the Public Utilities Act, inadvertently, telephone companies got left out even though gas and electric companies were included, and this is, I think, not a particularly radical proposal, and I urge your support for House Bill 990."

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

Lang: "Thank you, Mr. Speaker. There's been a lot of red herrings coming from the other side of the aisle. This Bill has nothing to do with prohibiting telephone companies from advertising. We currently have a statute that says that the gas and utility...that the gas and electric

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utilities can't do this, and, all we're trying to do is put the telephone company in the same posture. For those who have indicated that their long distance carriers and other things, first of all those are competitive areas, this Bill only deals with non-competitive local telephone service. Secondly, I should say that none of the long distance carriers: AT&T, Sprint, MCI, appeared in committee. In fact, AT&T was contacted and they are not opposed to this measure. So, I don't know who's opposed to this measure. I don't know why but this measure deals with \$62,000,000 in the last year that was added to our phone bills. All of you heard from constituents about .15¢ that was added to their phone bill! Fifteen cents. This type of advertising that we're trying to prohibit, which will not hurt Illinois Bell in any way, cost every consumer in this state 97¢ and yet all of you heard from your constituents about 15¢ on their phone bill. Let's get with it. Let's take care of our consumers. Let's let the Illinois Bell stockholders pay for this advertising just like the Commonwealth Edison stockholders do, just like the Northern Illinois Gas stockholders do, and all the other utilities except the telephone company. Let's be fair. Let's level the playing field for all and let's not have your constituents and my constituents paying for unnecessary advertising in non-competitive areas."

Speaker Young: "Representative Deering to close."

Deering: "Thank you, Mr. Speaker. I ask just for a favorable vote on this Bill."

Speaker Young: "The question is, 'Shall House Bill 990 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. (I can't seem to vote the Speaker.) Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take

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the record. On this question, there are...Representative Hartke to explain his vote."

Hartke: "I don't know if everyone is understanding what's going on here, but this advertising done by Illinois Power that does nothing other than build Illinois Power's image, and it's costing...Illinois Bell, excuse me, image, and it's costing the rate payers and this should not be. This should not be at all. I think there ought to be a lot more green votes up there. This is a measure to protect the consumer, and I really think that we're doing an injustice here."

Speaker Young: "Representative Regan, one minute to explain his vote."

Regan: "Thank you, Mr. Speaker, Members of the House. Advertising brings additional people to use the phones. Usage is needed when you have millions and millions of wires throughout the country. I think that if you take this in a viewpoint that actually reduces rates with more usage. Advertising brings more usage and helps us all level out the cost of our phone service. Stay right where you're at."

Speaker Young: "Representative Deering one minute to explain his vote."

Deering: "I'd like to poll...Mr. Speaker, I'd like to poll the absentees."

Speaker Young: "Poll of the Absentees."

Clerk O'Brien: "Poll of those not voting. Black. Hicks. Laurino. Leitch. Mautino. Mulcahey. Santiago. Anthony Young and Mr. Speaker. No further."

Speaker Young: "Representative Deering requests Postponed Consideration. House Bill 992. Out of the record. House Bill 1405, Representative Wennlund. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "House Bill 1405, a Bill for an Act to amend the Illinois Underground Utilities Facilities Damage Prevention Act. Third Reading of the Bill."

Speaker Young: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What this does is it amends the...fueling system, the statewide one-call system to provide that...when utilities locate along the State of Illinois' right of ways under the jurisdiction of the Illinois Department of Transportation by permit, then the Illinois Department of Transportation and the State of Illinois is not liable when it is digging and constructing along its own right of way. It's a technical Amendment. It's agreed to by all sides on the issue, and I'll be happy to answer any questions but it's a technical Amendment, the language of which was drafted by the department."

Speaker Young: "The Gentleman moves for passage of House Bill 1405. On that question, is there any discussion? The Gentleman from Madison, Representative McPike."

Unknown: "Mr. Speaker."

Speaker Young: "Representative Lang."

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

Speaker Young: "He indicates he'll yield for a question."

Lang: "Representative, is there some immunity provision in this Amendment or in the Bill?"

Wennlund: "No, there is no immunity. What it does is because the State of Illinois issues permits to public utilities to locate within their right of way, as a result of the issuance of that permit, the department feels, from a legal standpoint that there might be liability against the State of Illinois if somebody digs within that right of way and does not call the one call system which is required by the existing Act."

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Lang: "Well, it seems to me, let me read to you what I see in this Amendment. It says, 'Nothing in this Act shall be deemed to provide for liability or financial responsibility of the Department of Transportation, its officers and employees, et cetera, et cetera, et cetera. Now, if that's not immunity what is it?'"

Wennlund: "Well, as a result of the issuance of a permit by the Department. If they issue the permit, then they certainly shouldn't be liable with respect to a contractor that's digging in the right of way because it may cause liability on the department."

Lang: "What if they don't...what if the Department doesn't investigate it properly and then there's an error? Who should be responsible for that?"

Wennlund: "It's in there...the Amendment also requires the department to call the one-call system, and if they do that there's no liability. But they don't want to be liable for a third party who is digging within that right of way, because they have a permit to maintain their utility line along the right of way."

Lang: "But the truth...But the fact of the matter is that if the department issues this permit and they do so negligently, if they don't do what they're suppose to do (do their homework in advance) and the digging is done improperly, the department is immune under your Bill."

Wennlund: "No, no, we're talking about two different things. We're talking about a third party who puts a utility line in the right of way of a state highway and you have another party that comes along by permit. It's to clear up the fact that the Department of Transportation would not be liable if a third party comes in and...injures a line belonging to another utility, a contractor for coming in."

Lang: "I would like to ask you to take this Bill out of the

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record, so that you can make me understand this better."

Wennlund: "Pardon. Why don't you go talk to him? We can clarify that real easy Ferd Zooten is on his way over."

Speaker Young: "Representative Lang, have you completed your questions?"

Lang: "I am still going to request the Representative to take this Bill out of the record because I still have some questions about it, and I hate to use up floor time asking the questions."

Speaker Young: "Out of the record."

Lang: "I assure you we can come back to this, Representative."

Speaker Young: "Out of the record. House Bill 1813, Representative Steczo. Out of the record. House Bill 2056. Out of the record. 2057. Out of the record. 2374, Representative Lang. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2374, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill."

Speaker Young: "Representative Lang."

Lang: "Thank you, Mr. Speaker. House Bill 2374 is a Bill that discusses what the ICC may do with new rate increases that are requested after the Supreme Court or Appellate Court has reversed or remanded a prior illegal rate increase. And what this Bill says is that, 'the ICC may not act, may not act on a new rate increase request by a utility when a previous rate request has been held illegal by the Supreme Court or Appellate Court.' And let's take a look at the reason for this. It makes perfect sense. If the ICC is going to look at new rate increase requests under these circumstances, what they're doing is possibly approving these new rates which are built on old rates that are illegal. When these previous rates are remanded, and we're talking about currently a billion dollars, for instance, from Commonwealth Edison, a billion dollars of rate

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reversals that have been held illegal, why is it appropriate for the ICC to then act on a new rate increase request by Commonwealth Edison? It just strains the imagination to think that the ICC would allow Commonwealth Edison or any utility a rate increase when it's based on figures that deal with a previous rate increase that has been given to them that's illegal. So, what they're doing is 'pancaking' a new rate on top of an illegal rate, and when I add that up I get another illegal rate. So, what we're trying to do is bring some common sense to this. Until the ICC acts on reversals that have been...on rate increases that have been held illegal, let's keep them at a par so that those prior illegal increases can be dealt with prior to the consideration of any new requests, and I would answer your questions."

Speaker Young: "The Gentleman moves for passage of House Bill 2374, and on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I rise in opposition to this Bill. It is one in a series of attempts to hamstring our regulatory process under the guise of dealing with the courts and adequately respecting their jurisdiction and authority. The fact of the matter is this would prohibit rate requests pending during the time of remand, even if they are factually unrelated to the question on appeal. That is one glaring error in this Amendment. What it does is hamstring the entire regulatory process, while any case on any factual pattern is pending at any time. That in effect is what it's saying. CUB can sue, they can stay in court for five years and during that time the ICC will never be able to consider, let alone resolve, what could be unrelated factual issues and which are not clearly covered by the lawsuit in question. This allows the CUB people by



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one lawsuit to tie up the regulatory process for years and ad nauseam. In fact, what is current law is the requirement that the ICC act within certain time periods of remandment and also on cases where it has to take new evidence. In the first situation, it must act within six months. In the second situation, it must act within 11 months. That is already the law. To expand on the ability of one litigant to tie up the regulatory process, in matters which may have no bearing on the court challenge, is absolute nonsense! I recommend a 'no' vote."

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

Ropp: "Thank you, Mr. Speaker, Members of the House. I support the previous speaker's comments in the fact that what this actually does. It really ties up a system so that the Commerce Commission cannot deal with the work at hand, particularly in areas that are totally unrelated. This Bill, should it pass, would say that you cannot in any way deal with any rate increases or even rate reductions. You've seen too often that hearings go on and on and delays and delays, and delays and this just is not what is intended by the existing law. So, I urge you to oppose this because it totally, in any way, shape, or form, does not deal with the process in the manner that we intended it to."

Speaker Young: "The Gentleman from Cook, Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We have a serious problem in Illinois. Since 1985 we have had seven major rate increases reversed by the courts, and, yet, the only money that the consumers have gotten back as a result of the court action: the first money was last fall, \$450 million from Commonwealth Edison; there is another in excess of \$1.3 billion of our money that the utilities, particularly Commonwealth Edison

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continued to collect, continued to hold, even though the courts have already ruled that the rate increases that granted those moneys to the utilities were illegally constituted. When a matter goes back to the Commerce Commission on remand, the previous speaker was correct, there is a time limit. Unfortunately, they're not always following the time limit. On the Commonwealth Edison case they exceeded the 11 months and when the appeal was taken from that action, the court said that, 'Yes, indeed, there is an 11 month limitation but the Commission didn't lose jurisdiction by exceeding what the law said they should have done.' So, we have a situation where there is one appeal that is taken after the Commission acts...It goes back to court, things get delayed particularly by the utility and we have a second appeal, we go back a third, a fourth time. And all this time the utility continues to hold the money, and, in fact, continues to collect new money based on this rate order which the courts have already said is illegal. The intention of this legislation is to say enough is enough. That if the courts have already ruled that an increase was illegal and there is money that the utilities are holding that belongs to us, that before the utility can get another increase, we ought to get that money back. The time limit procedures that we have attempted have not, unfortunately, worked, and it's just fundamental fairness that at some point we ought to give that money back to the consumers. Certainly, we shouldn't be raising rates even more, when they've got our money, before they give it back to us. That's all this legislation does. It's very simple. It only applies to a couple of utilities that have had this situation occur, and I would urge support of House Bill 2374."

Speaker Young: "The Chair would like to recognize two former

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members who are currently judges now. On the Democratic side, former Member and now Judge Clarence Daryl, and, in the center aisle, which is a good place for him, former Member and now Judge Kent Slater. The Gentleman from Will, Representative Wennlund."

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

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

Unknown: "Where's your apron?"

Wennlund: "Representative, is it possible that the second rate case filed could be totally unrelated to the first one?"

Lang: "Yes, but I don't really see the relevance of that."

Wennlund: "Well, it's relevant because although the first rate case, and I understand what you're saying and it would make sense if it dealt with the same type of rate increase, but you may have one increase for a power plant and that may be up on appeal, but you may have another request for an operations...an increase in the operating or maintenance costs that is totally unrelated to the first one."

Lang: "Representative, if you owed me a billion dollars, you better believe I'd want to get that billion dollars from you before you borrowed more money from me, regardless of the reason why you borrowed the money, and that's the point of this Bill. It doesn't make any difference what the reason is. Commonwealth Edison owes the consumers in this state one billion dollars, and it doesn't make any difference if it's for one reason or 20 reasons. It's still one billion dollars owed to your constituents and my constituents, and, I would submit to you, it doesn't matter the reason. All that matters is that one billion dollars is owed to our constituents! That's what's important!"

Wennlund: "Thank you."

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

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

You know, if you went to...the store at your retailer and that retailer...let's say you bought something for \$200 and it was determined that that retailer overcharged you by \$20...if you went back to that retailer, you mean to tell me you shouldn't get your \$20 back before he charges you another \$200 for another purchase! I mean this is common sense. I just can't understand. You know, everyday we're being hit over the head over the fact that we can't pay our bills, that the State of Illinois can't pay our bills. Yet, we are going to protect the public utilities, who aren't paying back to the rate payers that which the court says are overcharges. We don't even make a stir over that. You know, who can the rate payers turn to? Everybody knows the rate payers don't have confidence in the Illinois Commerce Commission. So, without confidence in the Illinois Commerce Commission, all that they can do is turn to the Legislature, and all we are saying in this Bill is that, 'Public utilities pay back to the rate payers that which you owe them. Don't keep their money and draw interest on their money. Pay them back before you start asking for more rate increases.' The courts have already ruled against them. How, in anybody's name, can we protect the rate payers for an overcharge? We can't do it! The only Bill...only vote that you can vote is in favor of this Bill. Give the rate payers a voice! They don't have a voice at all! Give them a voice! Protect the rate payers! And this is a...this is a rail Roll Call that ought to go across this state because you're either are protecting the rate payers and telling the public utilities, pay your bills, pay your bills! You want the rate payers to pay the bills, now you pay your just due

Speaker Young: "Further discussion? Representative Lang to

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close."

Lang: "Thank you, Mr. Speaker. Some in debate talked about this hamstringing the process and having one entity, particularly CUB, bringing the whole process of the ICC to its knees. This proposal won't do that. Let me remind you that this proposal only deals with rate increases that have already been held to be illegal by the Appellate or Supreme Court. It doesn't deal with cases in process. It doesn't deal with cases that haven't been decided. It only deals with cases where the Supreme Court or the Appellate Court had said, 'We have,' (we meaning the rate payers), 'have been overcharged.' Con Ed return a billion dollars to the rate payers. Why should the rate payers have to pay for increases in utility rates when they're already owed a billion dollars? The...Representative over here had gave you a very good example. You aren't going to pay that retailer for new merchandise when they owe you money because they've overcharged you. That's what this Bill is about. This Bill is not about 'red herrings'. It's not about delaying the process. It's about what's fair for consumers. Your people and my people are always talking about the utility rates: 'Why do we pay so much?' We pay so much because the ICC continues to give the utilities rate increases when they owe us money. It's time that we got paid back! This Bill will begin to help us do that. Please vote 'aye'."

Speaker Young: "The question is, 'Shall House Bill 2374 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative McCracken...absolutely. Representative Hicks votes 'aye'. Representative LeFlore votes 'aye'. Representative Lang for...to explain his

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vote."

Lang: "I would just like...I would just like to poll of the absentees."

Speaker Young: "Representative Davis votes 'aye'."

Lang: "Withdraw that request."

Speaker Young: "On this question...Representative McCracken, shouldn't kid. Representative McCracken requests a verification. Representative Lang requests a Poll of the Absentees. Representative Shaw votes 'aye'. Representative Shaw requests leave to be verified. Does he have leave? Representative Flowers votes 'aye'. Representative Deuchler requests leave to be verified. No, not yet. Poll the...poll the affirmative vote, Mr. Clerk. Okay. Poll of the Absentees."

Clerk O'Brien: "Poll of those not voting. Black. Burzynski. Deering. Hartke. Hasara. Kubik. Kulas. Laurino. Leitch. Martinez. Mulcahey. B. Pedersen. Persico. Tenhouse. Walsh. Wyvetter Younge and Mr. Speaker. Poll of the Affirmative."

Speaker Young: "Representative Mulcahey votes 'aye'. Kirkland. Kirkland votes 'aye'. Laurino votes 'aye'. Representative McCracken withdraws his verification. On this question, there are 68 voting 'yes', 22 voting 'no', 10 voting 'present'. This Bill, having received the required Constitutional Majority, is hereby declared passed. House Bill 2488, Representative Levin. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2488, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill."

Speaker Young: "Representative Levin."

Levin: "Yes, could I have leave to bring House Bill 2488 back to Second Reading for an Agreed Amendment?"

Speaker Young: "The Gentleman asks leave to return House Bill

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2488 to Second Reading. Does he have leave? Leave is granted. Read the Bill on Second Reading, Mr. Clerk."

Clerk Leone: "House Bill 2488 on Second Reading. Amendment #2 is being offered by Representative Levin."

Speaker Young: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2488 came out of the House Public Utilities Committee unanimously, and it dealt with the situation of where consumers file complaints against utilities with respect to rates. Those under current law...you know, have experienced that if utilities asked for rate increases there has to be a decision within 11 months. The experience for the Commerce Commission was that where consumers filed complaints against utilities it could go on for years, there was no time limit. We passed legislation a couple of years ago, that Representative Mulcahey was the Sponsor of, that attempted to impose a time limit of 12 months. So, that everybody's treated the same way. Unfortunately, that has not been followed and there is no remedy where these proceedings, some of which could go five, six, seven, eight, nine years and still be sitting. What Amendment #2 does is to provide that where this 12 month time limit is exceeded or any additional time limit that the parties agree to is exceeded and the Commission has not come to a resolution in terms of the hearing, that a party can go into court and get a mandamus that the Commerce Commission should wind up the hearing and come down with a decision. We run this by the various utilities and, to the best of my knowledge, nobody has any problem with this. They think this is a fair approach. I simply ask for adoption of Amendment #2."

Speaker Young: "The Gentleman moves for adoption of Amendment #2. On that question, the Gentleman from DuPage, Representative

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McCracken."

McCracken: "Will the Sponsor yield?"

Speaker Young: "Indicates he'll yield for a question."

McCracken: "I couldn't hear you at the end of your presentation. The utilities are neutral or in agreement or indifferent?"

Levin: "We've run this draft by a number of the utilities. Everybody seems to like it. This is a fair approach to go with. You know, the comment was if there turns out to be any kind of wording problem clean up in the Senate or there seems to be..."

McCracken: "Just to prove I'm not a tool of the utilities, I rise in opposition. I think this is overly simplistic and is a placebo at best. Essentially, it puts the burden on the responding party to acquiesce within 11 months or 12 months, I don't know, our analysis says 12 months, and to think that a mandamus can be granted and to require the ICC to conclude a case within 60 days, again is overly simplistic, I believe. I certainly do agree that it is a reasonable idea. I do not believe this is the way to do it. I would like to conclude cases in 30 days. But the fact of the matter is it takes two to tango' and as often as it being the defendant's fault or the respondent's fault, it can oftentime be the movant's fault or the plaintiff's fault. It's just too simplistic to assume, as this Bill does, that all delays are the result of one, bad faith or ill will on the part either of the ICC or the respondents. That's just not true, as often as it being the respondent's fault it can just as easily be the plaintiff's fault. These are not always simple matters and to say that the court backlog can be solved by waving a magic wand and saying everything will go away in 12 months, is overly simplistic. I just don't believe that this is it. I concede that I don't have an alternative in mind but



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this is no different from those attempts we make every few years to clean up the court system in Cook County. We wave a wand and say, 'Make it go away in 12 months; make it go away in 24 months.' That is not what it takes to get it done. I rise in opposition. I believe this sends the wrong message and puts the burden on the wrong parties. It does not fall equitably on the movant and the respondent. It just does not."

Speaker Young: "Further discussion? Representative Levin to close."

Levin: "Mr. Speaker, this simply provides that all parties before the Commerce Commission should have equal treatment. Right now we provide that where utilities file for rate increase, the Commerce Commission within 11 months must resolve that case. That's what the law says. The law also provides that if the Commerce Commission doesn't that the utility is deemed to be granted that rate increase. They are entitled to protection, and they get it. The law that we passed two years ago said that 'complainants...consumers of major cases should likewise be entitled to have their complaints heard in a reasonable period of time', a period of time that does not drag on forever and set a 12-month time limit. That was Representative Mulcahey's legislation. It also provided that if the parties to that proceeding agreed it could be extended. But it provided for a level...field where the consumers, in effect, would be treated the same way as the utilities, at the end of the time period they would be entitled to a decision. Unfortunately, it hasn't worked. That time limit is in the statute. It's not being followed, and this simply says that if one of the parties at the end of the time has done everything they're supposed to do, they can go into court. Obviously, if the court decides that one of the parties has been delaying and that

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they're responsible, it's not going to grant the order. You have to do equity to get equity, and I think this simply provides for..."

Speaker Young: "Bring your remarks to a close."

Levin: "And I simply ask for the adoption of this Amendment."

Speaker Young: "The question is, 'Shall Floor Amendment #2 to House Bill 2488 be adopted?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment...We'll have a Roll Call vote. All those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 69 voting 'yes', 26 voting 'no', 3 voting 'present', and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Young: "Third Reading. At this time the following Members of the House Reapportionment Committee have gone to the Reapportionment Hearing in Marion. Pursuant to House Rule 101 (i) the following Representatives are excused to attend the meeting of the Reapportionment Committee. Please do not vote their switches. Representatives: Lou Jones. Granberg. Walsh. Giorgi. Woolard. Phelps. Deering. Hartke. Representatives: Myron Olson. Burzynski. Deuchler. Black, Persico. Tenhouse. Weaver and Hasara. Please do not vote their switches. We'd also like to recognize in the chamber a fellow Judge Mike McClusky. On this order...Representative Klemm, for what purpose do you rise?"

Klemm: "Yes, Mr. Speaker, you read off the names of excused Representatives that were left but they also left prior to the vote of the Bill that was passed before you announced them. I think it would be fair that they would be shown

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excused on the Bill that we just debated, also."

Speaker Young: "We just debated an Amendment, Representative, and I was under the impression that they left during the debate on that Amendment."

Klemm: "Well, they wouldn't have had an opportunity to vote on that Bill, and if you don't have the record show that they were excused prior to that vote, they would be shown as being absent on this, and I think it would be appropriate for all those to be shown as excused on that last Bill."

Speaker Young: "Representative, it's against the rules to change a Roll Call, and I would just ask that..."

Klemm: "...Roll Call they didn't vote. They're just shown not here but you're not showing them as being excused."

Speaker Young: "Some people on this side of the aisle said they did vote but we will not change the Roll Call, and I would just ask that no one vote their switches from this point on. Representative Klemm."

Klemm: "Well, Mr. Speaker, I don't like to take the time of the House, but many and most of the Republican Members did, in fact, leave for that reapportionment hearing, and since I voted on the prevailing side on the previous Bill, I'd like to move we reconsider that issue. Mr. Speaker, I'm not trying to take time of the chamber but, really, Members had left. They want to be either voted 'yes' or 'no' but they were asked to leave, not to be voted. They were not...it's unfair for our colleagues who are going to the reapportionment to be not excused on an important issue that they were there. I'm just trying to protect any Member that was here that in good faith was told to leave to go on the reapportionment hearings, they did and then not to be excused on a Bill that we're debating is not fair to whoever was here. It's not just Republicans. It's not Democrats. It's just that we look out after ourselves for

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honesty. This would be an honest thing. If you would excuse those that you listed, fine. We wouldn't have to do it, and I wouldn't have to persist."

Speaker Young: "Representative Matijevich."

Matijevich: "Mr. Speaker, I'm going to lie that Motion on the table because it was untimely. You'd gone to the next Order so..."

Speaker Young: "The Motion...Representative McCracken."

McCracken: "Point of order. A Motion to reconsider is timely on the legislative day. There is no rule that it becomes untimely because you've moved to another Order of Business."

Speaker Young: "But the Motion to table the Motion to reconsider takes precedence and that is..."

McCracken: "Fine, let's vote the Motion to table."

Speaker Young: "That's what we're going to do as soon as I recognize all your lights."

McCracken: "And then we're going to verify it, and then I'm going to make a quorum call, and we're going to go home."

Speaker Young: "The Motion is, Representative Matijevich moves that we lay on the table the Motion to reconsider the vote. All those in favor vote 'aye', those opposed vote 'no'. Vote your own switches. Representative Klemm on the Motion."

Klemm: "I'd like to make a parliamentary inquiry while...before you discuss this. Can I get a ruling from the Chair, or do you want those that have left now to be voting because you don't want them to vote on the issue before?"

Speaker Young: "Vote your own switches. Have all voted who wish? Have all voted who wish? Representative McCracken requests a verification of the affirmative vote. Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 56 voting 'yes', 37 voting 'no', none voting

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'present', and Representative McCracken requests a verification. Representative McCracken."

McCracken: "I'm a little rusty, and I forget the answer to this. Doesn't a Motion to table take 60 votes?"

Speaker Young: "No, a Motion to table takes the majority of those voting."

McCracken: "Well?"

Speaker Young: "Do you still persist in your verification?"

McCracken: "No."

Speaker Young: "On this question, there are 56 voting 'yes', 37 voting 'no', and the Motion to table carries. On this Order appears House Bill 1813, Representative Steczko. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1813, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill."

Speaker Young: "Representative Steczko."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 1813 is Sponsored by myself and Representative Churchill and is intended to be a vehicle for the proposed rewrite of the Telecommunications Act should such a vehicle be necessary. It's my intention to move this Bill to the Senate and leave it there should it be needed at any time for that purpose, and I would answer any questions from the other side although I believe the other side is in agreement."

Speaker Young: "The Gentleman moves for passage of House Bill 1813. On that question, is there any discussion? Hearing none, the question is, 'Shall House Bill 1813 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 72 voting 'yes', 16 voting 'no' and 8 voting 'present'. House Bill 1813, having received

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the required Constitutional Majority, is hereby declared passed. We will now go to the Order of Municipal, County and Conservation Law, Third Reading. That order appears House Bill 579. Out of the record. House Bill 705, Representative Steczo. Representative Steczo. Out of the record. House Bill 762, Representative Lang. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 762, a Bill for an Act to amend the Counties Code. Third Reading of the Bill."

Speaker Young: "Representative Lang."

Lang: "Thank you, Mr. Speaker. House Bill 762, as a matter of fact the next two Bills after it, are all shell Bills for county government. We don't have anything to put into these Bills at the present time, but we're going to send them over to the Senate and figure out what to put into them over there, and we'll get a chance to look at them on concurrence. I ask passage of House Bill 762."

Speaker Young: "The Gentleman moves for the passage of House Bill 762. On that question, Representative McCracken."

McCracken: "Is it really a vehicle? Do you need five vehicles? What's shakin with the Counties Code this year? Am I missing something?"

Lang: "Is this a question you want me to answer?"

McCracken: "Well, I'm curious. Maybe it's rhetorical but why do we need all the vehicles floating around?"

Lang: "There's actually only three vehicles here, not five. Don't panic. That should eliminate 40% of your problem right there."

McCracken: "Touche. But...but...seriously why...I mean sometimes in the Agreed Bill process we will move vehicles to keep them alive in the event their matters are resolved by agreement. That's not this situation, I take it."

Lang: "No, it may in fact be that these Bills won't be used at

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all. They haven't...The people I've been talking to at Cook County and some other counties, I might add, have not indicated to me what they want to do with these. So, I would just like to send them over this way, and feel free, if you don't like what happens, to kill them in the Senate."

McCracken: "Okay, I would...Thank you, I...realize they're going to move out but I would recommend a 'present' vote. We've done this in the past but typically we do it by agreement, and I don't think it's wise of us to acquiesce at this point in the absence of any agreement."

Speaker Young: "Further discussion? The question is, 'Shall House Bill 762 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 57 voting 'yes', 18 voting 'no', 22 voting 'present', and Representative Lang requests Postponed Consideration. House Bill 763. Out of the record. 764. Out of the record. 765. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 765, a Bill for an Act to amend the Clerks of the Court Act. Third Reading of the Bill."

Speaker Young: "Representative Lang."

Lang: "Thank you, Mr. Speaker. House Bill 765 is the Bill that relates to the two Amendments that are on it. The first Amendment was a technical one putting Cook County back into a fee situation. They were inadvertently removed last year when they put DuPage County in. Amendment #2 deals with a stipend for recorders of deeds of \$3500 a year. I ask its passage."

Speaker Young: "Representative Lang."

Lang: "Can we take this out of the record, Mr. Speaker?"

Speaker Young: "Out of the record. House Bill 794. Out of the

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record. 795. Out of the record. 796. Out of the record.  
House Bill 798, Representative Steczo. Representative  
Steczko."

Steczko: "Mr. Speaker, I believe the number is 796."

Speaker Young: "House Bill 796. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 796, a Bill for an Act to amend the Park  
District Code. Third Reading of the Bill."

Speaker Young: "Representative Steczo."

Steczko: "Mr. Speaker, I'd ask leave to bring this Bill back to  
the Order of Second Reading for the purposes of an  
Amendment, please?"

Speaker Young: "Representative Steczo asks leave to return House  
Bill 796 to Second Reading for purposes of an Amendment.  
Does he have leave? Leave is granted. Read the Bill on  
Second Reading, Mr. Clerk."

Clerk Leone: "Floor Amendment 796 (sic - House Bill 796) on the  
Order of Second Reading. Amendment #2 is being offered by  
Representatives Giorgi - Brunsvold - Rotello."

Speaker Young: "Representative Steczo on the Amendment."

Steczko: "Thank you, Mr. Speaker, Members of the House.  
Representative Giorgi has asked that I handle this  
Amendment for him. This provides that the Department of  
Conservation, I believe, shall provide a site in Rock Cut  
State Park for the Winnebago County Vietnam Veterans  
Memorial' and allow the Vietnam Veterans Honor Society to  
erect a memorial of their design and to provide access,  
parking, landscaping, maintenance for the memorial and the  
memorial site. I would move for the adoption of the  
Amendment."

Speaker Young: "The Gentleman moves for the adoption of Floor  
Amendment #2 to House Bill 796. On that question, is there  
any discussion? Hearing none, the question is, 'Shall the  
Amendment be adopted?' All those in favor say 'aye', those



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opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Young: "Third Reading. Representative Steczo now asks leave of the Body to have House Bill 796 heard immediately on Third Reading. By use of the Attendance Roll Call, leave is granted. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 796, a Bill for an Act to amend the Park District Code. Third Reading of the Bill."

Speaker Young: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker. In addition to the provision that we in the House just adopted as Amendment #2, House Bill 796 contains one other provision that we in the Municipal and Conservation Law Committee asked or agreed to amend on this Bill. It was a Bill that Representative Stern had Sponsored regarding the ability of a park district to grant lifetime park privileges to individuals who formerly served as members. We provided the language in here that they have to serve at least two terms in recognition or two terms actually, to be considered for recognition of their contribution to the district. Those are the two provisions that this Bill contains. I would be pleased to ask...answer any questions that the Members might have and if not would ask for your 'aye' vote."

Speaker Young: "The Gentleman moves for passage of House Bill 796. On that question, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. I rise in support of the Representative's Bill, and I want to point out to the Members of the House that park district members serve six-year terms with no compensation. So, it grants the ability of park districts to be able to reward members who serve 12 years on a park district board with no

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compensation whatsoever. It's very worthwhile and the park districts cannot do it now without enabling legislation. I support it and urge every Member to support it."

Speaker Young: "The question is, 'Shall House Bill 796 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Representative McNamara, one minute to explain his vote."

McNamara: "Just as a clarification, park districts are allowed two year terms, four year terms and six year terms according to the state code. There are such...I notice you are shaking your head no. Chicago Ridge Park District has four-year terms. Oak Lawn Park District has six-year terms. Alsip Park District has two and four. I would suggest that you take a look at that and the Senate add it because you may wish to change that number, but I will vote 'yes' because I think it is a fine Bill. I just wanted to remind you of that."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. On this question, there are 90 voting 'yes', 3 voting 'no', none voting 'present'. House Bill 796, having received the required Constitutional Majority, is hereby declared passed. House Bill 799. House Bill 799. Out of the record. House Bill 800. Out of the record. House Bill 801. Out of the record. House Bill 872. Out of the record. House Bill 942, Representative Keane. Out of the record. House Bill 1188, Representative Giglio. House Bill 1188. Out of the record. House Bill 1479, Representative Steczo. Out of the record. House Bill 1920. Out of the record. House Bill 2147. Out of the record. House Bill 2148. Out of the record. On the Order of Real Estate Law, Third Reading. Appears House Bill 136, Representative Hicks. Out of the record. House Bill 1312, Representative Shirley Jones. Out of the record. House

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Bill 2594, Representative White. 2594, Representative White. Out of the record. On the Order of Transportation, Third Reading. 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. Third Reading of the Bill."

Speaker Young: "Representative Trotter."

Trotter: "Thank you, Mr. Speaker. I would like to have House Bill 5 moved back to Second for purpose of an Amendment."

Speaker Young: "The Gentleman moves that House Bill 5 be returned to Second Reading for purposes of an Amendment. Does he have leave? Leave is granted. Read the Bill on Second, Mr. Clerk."

Clerk Leone: "House Bill #5 on the Order of Second Reading. Amendment #1 offered by Representative Trotter."

Speaker Young: "Representative Trotter."

Trotter: "Thank you, Mr. Speaker. Amendment #1 just makes a couple of technical changes in the language. It inserts on line 25, 'a gross vehicle weight rating' after pounds. It changes on line 26, 'two axles' and after 'rental', and on line 27 it changes the language from 'nonbusiness' to 'non-commercial'. This is language that was submitted by the recommendation of the Secretary of State's Safety Task Force, and I would like for a move for its adoption."

Speaker Young: "The Gentleman moves for the adoption of House Bill...Floor Amendment #1 to House Bill 5. On that question, Representative Hensel."

Hensel: "Will the Sponsor yield for a question?"

Speaker Young: "Indicates he'll yield for a question."

Hensel: "I think this does some technical changes which clarifies the Bill but does this remove the opposition that the warehousemen and the movers' association have on this Bill?"

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Trotter: "I really don't know, Sir. They haven't come to me. I know they are part of the speaker's...The task force, the Secretary of State's Task Force and this language was drafted unanimously from that task force. So, it may well do that."

Hensel: "In other words, this Amendment that the 'daily rental vehicles may only be used to transport personal possessions for non-commercial instead of non-business', so, that takes away what they possibly would have for opposing your original Bill?"

Trotter: "That's correct, Sir. Also, they again, as I said, cleared up the weight levels and the two axles. So, it wasn't a four-axle vehicle. So we are...I believe that is the deal."

Hensel: "Okay."

Speaker Young: "Further discussion? The question is, 'Shall Floor Amendment #1 to House Bill 5 be adopted?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Young: "Third Reading. Representative Trotter now requests for an immediate hearing of House Bill 5. Does he have leave? Leave is granted by use of the Attendance Roll Call. Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Could you pull this out of the record one second while we just verify one thing? And we'll get right back to it, Representative Trotter."

Speaker Young: "Out of the record. House Bill 153, Representative Matijevich. Out of the record. House Bill 519, Representative Steczko. Out of the record. House Bill 597, Representative Kulas. Out of the record. House Bill 685, Representative Santiago. Read the Bill, Mr. Clerk."

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Clerk Leone: "House Bill 685, a Bill for an Act to amend the Vehicle Code. Third Reading of the Bill."

Speaker Young: "Representative Santiago."

Santiago: "Yes, Mr. Speaker. Very quickly here, I'm trying to find the Bill. Here we go. House Bill 685. It's a Bill which requires that 'school bus driver applicants in a municipality with a population of over a million people shall be required to submit to a national and state fingerprint check. This Bill was here last year, it passed with a 112 to 4 majority. It's a good Bill. What basically it does, it protects our children from bus drivers that are out there with criminal records, and if you have any questions, I'd be more than happy to answer them."

Speaker Young: "The Gentleman moves for passage of House Bill 685. On that question, is there any discussion? Hearing none, the question is, 'Shall House Bill 685 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Mr. Clerk, take the record. On this question, there are 94 voting 'yes', none voting 'no' and none voting 'present'. House Bill 685...Representative Lang votes 'aye'. On this question, there are 95 voting 'yes', none voting 'no' and none voting 'present'. House Bill 685, having received the required Constitutional Majority, is hereby declared passed. House Bill 718. Read the Bill, Mr. Clerk."

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

Speaker Young: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker. Before I present the Bill, I understand that there's been an Amendment filed that's been printed. Is that indeed the case? It should be Amendment 5 or 6 or something."

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Speaker Young: "Yes, the Amendment has been printed."

Ronan: "What I'd like to do, Mr. Speaker. It's a cleanup Amendment. There's no opposition to it. I'd like to bring the Bill back to Second, adopt the Amendment and then have leave of the House to bring it back to Third for immediate consideration."

Speaker Young: "Representative..."

Ronan: "It's an Amendment proposed by the other side of the aisle, but before I do that I want to make sure that they agree with the concept of us doing that. Excellent, thank you."

Speaker Young: "Representative Ronan asks leave of the Body to return House Bill 718 to Second Reading for purposes of an Amendment. Does he have leave? Leave is granted. Read the Bill on Second Reading, Mr. Clerk."

Clerk Leone: "On the Order of Second Reading, House Bill 718. Amendment #5 is being offered by Representatives Hultgren and Hartke."

Speaker Young: "Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker. As Representative Ronan said this is a cleanup Amendment to make it clear that provision included in the committee's omnibus Bill does not apply to farm vehicles, as offered by Representatives Hartke and myself. I believe it's non-controversial and is bi-partisan."

Speaker Young: "The Gentleman moves for the adoption of Floor Amendment #5 to House Bill 718. On that question, is there any discussion? Hearing none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

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Speaker Young: "Representative Ronan now asks leave of the Body to return House Bill 718 for immediate consideration on Third Reading of House Bill 718. Does he have leave? Leave is granted by use of the Attendance Roll Call. Read the Bill, Mr. Clerk, on Third Reading."

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

Speaker Young: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker. We passed a number of Bills out of the Transportation Committee that were really committee Bills, bi-partisan in nature. This was the first committee Bill. It came out of committee unanimous. It deals with a number of different issues brought by Members on both sides of the aisle. So, I move for the passage of House Bill 718."

Speaker Young: "The Gentleman moves for the passage of House Bill 718. On that question, is there any discussion? The Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. Representative Ronan is absolutely 100% correct to ask for a favorable vote on this. It's a bi-partisan Bill."

Speaker Young: "The question is, 'Shall House Bill 718 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 93 voting 'yes', none voting 'no', 2 voting 'present'. House Bill 718, having received the required Constitutional Majority, is hereby declared passed. House Bill 719. Read the Bill, Mr. Clerk."

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

Speaker Young: "Representative Ronan."

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Ronan: "Thank you, Mr. Speaker. House Bill 719 is our second committee Bill, again similar in scope, bi-partisan legislation agreed to, passed out of committee unanimously. I move for the passage of House Bill 719."

Speaker Young: "The Gentleman moves for the passage of House Bill 719. On that question, the Gentleman from DuPage, Representative Hensel."

Hensel: "Thank you, Mr. Speaker, Members of the House. This is a Bill that we worked on in committee. With the Amendments and the technical changes, I think it's a Bill that everybody can support and ask for your 'yes' vote."

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

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

Ronan: "Yeah, sure."

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

Parke: "I would like to, just for my sake, can you highlight one or two or three of the items that are in this Bill, so I can have an idea of what I'm voting for."

Ronan: "Yeah, let me get my file. This Bill deals with transportation matters...Things that worked well in committee. We sure had no problems with it. Why don't we do this since your staff is standing right in front of me, why don't you talk to your staff person?"

Parke: "Thank you, Representative, I am."

Ronan: "Good."

Parke: "Is there anything objectionable in here? Thank you, Representative Ronan, I have no further questions."

Ronan: "Thank you. Can we hold this for one second? I don't want to take it out of the record. What's our problem? It's something we've got to clean up. In other words, do you think the intent that we want isn't accomplished? Okay, we have a problem with staff on our side. So, I'd



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like to take it out of the record. We'll get back to it tomorrow."

Speaker Young: "Out of the record. House Bill 1183, Representative McPike. Out of the record. House Bill 1184, Representative Hicks. Read the Bill, Mr. Clerk. Representative Hicks. Read the Bill."

Clerk Leone: "House Bill 1184, a Bill for an Act concerning Underground Storage Tank Fund. Third Reading of the Bill."

Speaker Young: "Representative Hicks."

Hicks: "Mr. Speaker, question of the Chair: Is there an Amendment filed on 1184, please? Please take the Bill out of the record."

Speaker Young: "No Amendments filed. Out of the record. House Bill 1184. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1184, a Bill for an Act concerning Underground Storage Tank Funds..."

Speaker Young: "Representative Matijevich, for what purpose do you seek recognition?"

Matijevich: "I'd like to introduce a former House Member and also a former Senator, a good Greek, Senator Sam Maragos...here. He's a great...Judge Maragos."

Clerk Leone: "House Bill 1184, a Bill for an Act to amend an Act concerning Underground Storage Tank Fund. Third Reading of the Bill."

Speaker Young: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I believe 1184 is a Bill that's been agreed to by all parties at this time. This extends the Act that we did a couple of years ago dealing with the Underground Storage Tank Fund. It extends the date from December 31st, 1992 to December 31st, 1997. It also provides in the Bill that all interest money due within the fund would then stay within the fund. I'd be happy to try to answer any

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questions."

Speaker Young: "The Gentleman moves for passage of House Bill 1184. On that question, the Gentleman from Will, Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. I rise in support of the Bill. It extends the very necessary lust fund that provides for the clean up of underground storage tanks. It's an absolute necessity, and it should not expire. Rise in support."

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

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

Speaker Young: "Indicates he'll yield for a question."

Ropp: "Representative, is the purpose for extending this to take care of all the underground tanks? And what is the projection, in terms of years, that it will take to take care of this problem?"

Hicks: "Representative Ropp, you're exactly correct. In this original legislation we were dealing with all the problems that all of us had throughout the state with the underground storage tanks. The original legislation...provided for a fund which would allow cleanup of all the underground tanks across the State of Illinois. We have found that probably there are more tanks than anyone ever suspected there were. That's part of the reason for the extension of the fund, to provide the dollars necessary for cleanups every where in every part of this state. That's the reason for the extension. The actual amounts, I think, are still unknown as to how many and how much will actually have to be expended. But this has been a very good source in which to be able to provide this. I think the legislation was good legislation, and I would hope we would extend it."

Ropp: "I know this is a good program. I guess, I'm wondering is

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there a possibility we may even have to extend it beyond this period when that time draws nearer?"

Hicks: "Well, hopefully, Representative Ropp, in the five years of the extension I would hope that we could end it at that time. I would like to see that tax come off but, as you and I both know, it's extended now past just your corner station, gasoline station. It's now extended even onto the farm and on to anywhere there are underground or even above ground tanks that were registered with the department."

Ropp: "Good. Thank you, Mr. Speaker. It's a good proposal. I think we need this Bill in order to take care of this serious environmental problem. I so move to support it."

Speaker Young: "The Gentleman from Peoria, Representative Leitch."

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

Speaker Young: "Indicates he'll yield for a question."

Leitch: "Larry, is all of this money used strictly for the reimbursements or is there a possibility it could be used to administer the lust program too?"

Hicks: "I believe, Representative, the money currently is used strictly for the cleanup, not for administrative purposes. I don't want to tell you that absolute but it's my understanding that it's used for the cleanup of the site. It's not an administrative Bill in which we are trying to fund the agency itself. It's actually a fund that we use to do the cleanups with."

Leitch: "Well, one of the biggest problems in my district, and perhaps yours, too, is the failure of the EPA to deal with the processing of these in anything remotely close to a timely fashion. I have constituents who've been sitting around for a year, and I'll bet almost everyone in this chamber does as well, and it seems to me as important as

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this legislation is, as important as this issue is, it ought to be important enough to get this thing staffed and financed somehow, so we get some action out there instead of all this incredible delay."

Hicks: "Dave, I think you're exactly right. I think many of us experience the exact same problems. We do have another Bill out there that, hopefully, addresses...that with the Fire Marshall's Office, for example, that addresses the staffing problems with being able to get this fund and be able to do this as quickly as possible and to keep this moving. A year is too long. It's too long in my district; it's too long in yours, and, hopefully, working together we'll be able to make sure this comes about."

Leitch: "Thank you."

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

Olson, R.: "Thank you, Mr. Speaker. Question to the Sponsor."

Speaker Young: "Indicates he'll yield."

Olson, R.: "Representative Hicks, your statement, 'This is not for administrative costs but for cleanup.' If a property owner discovers or knows that there are abandoned underground tanks and he undertakes a removal process, I seem to recall...I believe he has to have a fire marshall out there to witness that, then if there is evidence of contamination, soil samples must be taken. Does the state, through this program of funding pay for those soil samples and their testing or does the property owner pay?"

Hicks: "Representative, as I remember the original legislation and I'm trying to recall exactly how that goes, it depended a lot upon whether those tanks were registered with the State of Illinois or whether they were not registered with the State of Illinois. Also, there is an initial amount of money that has to be paid by the locals, the people who

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actually own the tanks, with the state picking up the subsidy portion of the costs. whether that be involved with just the soil samples, I can't answer that specific part of it, but over the whole part. The answer is yes, Representative Wennlund's telling me. Maybe, Larry, if you know more I certainly would appreciate the help."

Olson: "I'm not real sure which way it is. I know of instances where the property owner has had to pay for the soil sampling, and it's rather expensive per sample. Then if there is contamination found and the soil has to be removed and taken to a specific type of landfill, I also believe that is at the property owner's expense. So, I don't think all of these funds necessarily go for cleanup. I think the property owners still have certain liabilities here. As far as I'm concerned, the whole program is a mess. I've never been able to deal with EPA or the Fire Marshall in trying to resolve some of the problems we've had in these matters."

Hicks: "Representative, I appreciate your problems with that. I certainly have had the same problems that probably most everyone in the room has had. If they aren't responding to you, Representative, though, I guarantee you tomorrow they will respond to you. They've responded to me once I let them know I had a very specific interest in problems. They did so by coming to my district, going to each one of those sites with me, on board with me, and, Representative, I will make the call first thing tomorrow morning and have them here to talk with you tomorrow."

Speaker Young: "Representative Hultgren, were you seeking recognition or was it Master Hultgren seeking recognition? Representative Hicks to close."

Hicks: "Thank you very much, Mr. Speaker. I think it's been debated very well. I move for passage of House Bill 1184."

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Speaker Young: "The question is, 'Shall House Bill 1184 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 81 voting 'yes', 7 voting 'no'. Marinaro votes 'aye'...votes 'present'...Excuse me. 81 voting 'yes', 7 voting 'no'...Representative McAfee votes 'no'. Obrzut votes 'present'. On this question, there are 80 voting...Hoffman votes 'no'...J. Hoffman votes 'no'. Cronin votes 'present'. Representative Hicks, do you want me to take the record?"

Hicks: "Yes, Mr. Speaker, I'd like for you to take the record but first I'd like all targets to please get off the Bill."

Speaker Young: "On this question, there are 78 voting 'yes', 9 voting 'no', 8 voting 'present'. House Bill 1184, having received the required Constitutional Majority, is hereby declared passed. Agreed Resolutions."

Clerk Leone: "House Resolution 503, DeJaegher. 504, DeJaegher. 505, Weaver. 506, Speaker Madigan. 507, Speaker Madiagan. 508, Speaker Madigan, and Petka."

Speaker Young: "Representative Matijevich moves that the Agreed Resolutions be adopted. All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Agreed Resolutions are adopted. Representative Giglio."

Giglio: "Thank you, Mr. Speaker. I'd just like to remind the Body about the Illinois Bar Association's 'doing' right across the street this evening right after Adjournment. Everybody's welcome."

Speaker Young: "Representative Matijevich now moves that the House stands Adjourned until 9:00 a.m. in the morning. 9:00 a.m., and the House does now stand Adjourned. First

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Special Session. The First Special Session will now come to order by use of the Attendance Roll Call for the Regular Session. Representative Matijevich now moves that the First Special Session stands Adjourned until 9:00 a.m. in the morning, and the House does now stand Adjourned."

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