

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

55th Legislative Day

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Speaker McPike: "The House will come to order. The Chaplain for today is Reverend David Patterson of our Savior's Lutheran Church in Seneca, Illinois. Reverend Patterson is the guest of Representative Weller. The guests in the balcony may wish to rise and join us for the invocation."

Reverend Patterson: "Good morning. Psalm 85: 'You have been gracious to Your land, oh, Lord. You have restored the good fortune of Jacob. The Lord will indeed grant prosperity and our land will yield its increase. Righteousness shall go before Him and peace shall be a pathway for His feet.' Let us pray. Heavenly Father, on this spring morning, we rejoice and give You thanks for Your gift of life, the wonder and beauty of nature that surrounds us proclaims Your glory and praise. Today, we give You thanks for providing this state and nation with good government: dedicated, honest and hard-working officials who have been called and ordained to serve and care for Your children here on earth. May You continue to bless the Members of this Legislative Body with Your gifts of wisdom, courage, integrity and a sure sense of Your righteousness so that decisions that will affect the environment, the economy and the quality of life for those within this present generation and future generations to come. These decisions can be made in confidence and boldness thereby establishing Your will and justice here on earth. To these leaders of the state, we would also ask that You remind them how precious and dear their service is in Your sight, and when their work is completed, may You bless them with Sabbath, a sense of fulfillment and rest, satisfaction and achievement. As Memorial Day approaches, we remember the sacrifice of the many fellow Americans who gave their lives on behalf of this great nation,

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established on the principles of freedom, equality and justice. May their legacy, an example, empower each of us to fight oppression wherever it exists, to work for peace and justice throughout the world, and ensure that the burning beacon of democracy continues to shine forth throughout the world, giving hope to those who still suffer in the blind darkness of iron-fisted tyranny. We pray this asking that Your will be done today and always, in Jesus Christ, Our Lord and Savior. Amen."

Speaker McPike: "We will be led in the Pledge of Allegiance by Representative Deering."

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

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

Matijevich: "Mr. Speaker, on this side of the aisle, Monroe Flinn is excused."

Speaker McPike: "Representative Kubik."

Kubik: "Mr. Speaker, on this side of the aisle, Representative Barnes is excused due to illness. Thank you."

Speaker McPike: "Mr. Clerk, take the record. 116 Members answering the Roll Call, a quorum is present...(sic - Government) Regulations, Second Reading. Appears House Bill 40, Representative Lang. Representative Currie, House Bill 488. Representative Doederlein, Ma'am would you like to call 1322? If any Member doesn't want to call his or her Bill, they can put it on interim study. It would help us clear the Calendar. Government Regulations, Third Reading. House Bill 8, Representative Anthony Young. Representative Lang on House...House Bill 8. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "House Bill #8, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker McPike: "Representative Anthony Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 8 is the Bill that deals with the...number inmates. On the Bill is Amendment #1 with Representative Homer, which limits the aspects of the Bill, and, also Amendment #2 from Representative Petka. I'd be happy to answer any questions, and move for its adoption."

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

Young: "How 'bout five more votes for Postponed Consideration?"

Speaker McPike: "Representative Hartke to explain his vote."

Hartke: "If it gets five more votes, I would ask for a verification."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Bill, there are 38 'ayes' and 62 'nos', and House Bill 8, having failed to receive the Constitutional Majority, is hereby declared lost. House Bill 2184, Representative Lang. House Bill 2489, Representative Tenhouse. Tenhouse. Representative Ropp."

Ropp: "Mr. Speaker, what Order of Business are we on, please?"

Speaker McPike: "Government Regulations, Third Reading. Mr. Tenhouse, did you want this Bill called? Agriculture and Environment, Third Reading. Representative Granberg. Representative Satterthwaite, 1135. Representative Kulas. Representative Morrow. Consumer Protection, Third Reading. Representative McGann, House Bill 370. Representative Morrow, did you wish to call your Bill? Wait a minute, Mr. McGann, Representative Morrow is here. That's House Bill 2451. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2451, a Bill for an Act to amend the

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Environmental Protection Act. Third Reading of the Bill."

Speaker McPike: "Representative Edley, are you seeking recognition? Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2451 provides that as of January 1st, 1992, no person may purchase any toxic automotive paint unless he or she has a hazardous waste generator I.D. number. Amendment #2, which was adopted on the floor, would provide that in lieu of a person having an I.D. number, they could just sign a form stating that the purchase of the paint will not be used for any commercial use, and then Amendment #3, which was also adopted on the floor, changes the word from 'toxic' to 'hazardous waste generating'. I move for the adoption of House Bill 2451."

Speaker McPike: "And on the Motion, Representative Black."

Black: "Thank you very much, Mr. Speaker. First an inquiry of the Chair. Our records indicate that Floor Amendment #3 has not been adopted to this Bill. Would you ask the Clerk to check?"

Speaker McPike: "Mr. Clerk. Amendments 1, 2 and 3 are adopted."

Black: "Alright, thank you very much. Then, Mr. Speaker, would the Sponsor yield for a question?"

Speaker McPike: "Yes."

Black: "Thank you. Representative, we apologize for the confusion. We didn't show Amendment #3 being adopted, but...that it is, doesn't now your Bill change automotive paint that you have previously referred to as 'toxic' paint, now automotive paint will be referred to as 'hazardous waste generating'?"

Morrow: "Yes, this Amendment #3 was brought to me by the chemical people, who felt...or...informed me that they had a problem with the wording 'toxic', so they asked could they...in the Bill could they change the wording of 'toxic' to 'hazardous

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waste generating', and, I agreed to change the wording and with that they signed off on House Bill 2451."

Black: "Well, in your opinion, doesn't that definition really, even, broaden the scope of the Bill?"

Morrow: "No, I don't believe so, no."

Black: "Okay. Thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, I think you ought to really take a good look at this Bill. I don't think it's an environmental Bill or a pro-environment Bill, if it was, I think, we'd hear from the IEPA. I think we'd hear from the Illinois Environmental Council and other groups. What I think this Bill does is to impact many of us in areas that do not have the growth factor or the population level that the sponsor does. I really think if you look at this Bill very carefully, and in all due respect to the Sponsor, what this does is to put some very costly requirements on an automobile body shop, someone who's going to paint your car or paint some damage to your car. The big operators can handle this paper work and absorb the cost. The small 'mom and pop' operations, the single owned the single-proprietor-owned business in my district, that have been struggling to make a living for a number of years, are not going to agree with the intent of this Bill, and, I rise in opposition. This is not an environmental Bill. I see it, right or wrong, as a Bill that's anti-competitive, and I would ask for your 'no' vote."

Speaker McPike: "Representative Edley."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. Will the Sponsor yield for questions? Representative Morrow, has the Automotive Wholesalers of Illinois signed off on this Bill?"

Morrow: "Yes, they have."

Edley: "Is the intent of this Bill to restrict the usage by

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farmers? Are they included as...as commercial operators?"

Morrow: "No, they're not."

Edley: "So, a farmer that might have a tractor or a wagon, and he does a number of those kind of paint jobs, would not be covered by this Bill? Is that your intent?"

Morrow: "No, as long as they're not using it for commercial reasons. No, they wouldn't be covered."

Edley: "Okay, thank you very much."

Speaker McPike: "Representative Morrow to close."

Morrow: "I just move for the passage of House Bill 2451."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 66 'ayes' and 45 'nos'. Representative Wennlund. On this Bill, there are 66 'ayes' and 45 'nos'. Preston 'aye'. On this Bill, there are 67 'ayes' and 47 'nos', and House Bill 2451, having received the Constitutional Majority, is hereby declared passed. House Bill 370, Representative McGann. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 370, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill."

Speaker McPike: "Representative McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. House Bill 370, we had discussion, 'cause the Amendment we placed on the Bill last week became the Bill, and this is an answer to a previous statute that was found unconstitutional, and, with the work of constitutional lawyers we came back with this Amendment, which became the Bill, in order for us to be able to control some of the problems that are existing in individual communities relative to liquor licenses and the problems of...establishment. I would answer any questions and I

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would ask for passage of House Bill 370."

Speaker McPike: "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 72 'ayes'...73 'ayes' and 39 'nos', and House Bill 370, having received the Constitutional Majority, is hereby declared passed. House Bill 1858, Representative Farley. Representative Hartke, 1981. Representative Granberg. Mr. Granberg. Economic Development, Third Reading. Representative Giglio, House Bill 570. Representative Wyvetter Younge, 1580. Representative Steczko, 1867. Representative Morrow, 1876. Representative Giorgi. Giorgi. Granberg. Representative Granberg. Housing, Third Reading. Representative Anthony Young. Representative Levin, 785. Interim Study is available for anyone. Representative Turner. Mr. Turner. Representative Turner wishes to call his Bill, House Bill 2151. Read the Bill, Mr. Clerk. Representative Turner."

Clerk O'Brien: "House Bill 2151..."

Turner: "Thank you, Mr. Speaker, I would like to have permission to bring back House Bill 2151 and withdraw Amendment #1."

Speaker McPike: "The Gentleman asks leave to return it to Second Reading. Leave is granted. The Bill is on Second Reading. Are there any...Your Motion...Are there any Amendments, Mr. Clerk, adopted to the Bill?"

Clerk O'Brien: "Amendment #1 has been adopted to the Bill."

Speaker McPike: "Representative Turner moves to table Amendment #1. Question is, 'Shall Amendment #1 be tabled?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it. The Amendment's tabled. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Read the..."

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Turner: "Can I have leave to have this Bill heard immediately?"

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

Clerk O'Brien: "House Bill 2151, a Bill for an Act to amend the Illinois Affordable Housing Act. Third Reading of the Bill."

Speaker McPike: "Representative Turner."

Turner: "Thank you, Mr. Speaker. House Bill 2151, now that the Amendment has been withdrawn, is a shell Bill that we intend to send over to the Senate, that we're going to put the 'Chaz' Amendment on. We're working with the Illinois Housing Development Authority to develop an Amendment for the 'Chaz', and, so we're sending it over to the Senate...and, at that point, we're going to amend the Bill in the Senate, and I move for the adoption of House Bill 2151, which is a shell Bill."

Speaker McPike: "Representative Wennlund on the Motion."

Wennlund: "Thank you, Mr. Speaker. Question of the Chair. Has the House given leave to consider this Bill on Third Reading after it was just read on Second?"

Speaker McPike: "No, the Bill was not amended. The Amendment was tabled. So, the Gentleman did not have to waive any rules."

Wennlund: "Thank you."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 74 'ayes', 39 'nos'. House Bill 2151, having received the Constitutional Majority, is hereby declared passed. Representative Levin, did you wish to call your Bill, 785? Elementary and Secondary Education, House Bill 691, Representative Jesse White. The Bill's on Second Reading. Are there any Amendments?"

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Clerk O'Brien: "House Bill 691, a Bill for an Act to amend the Critical Health Problems Act. Second Reading of the Bill. No Committee Amendments."

Speaker McPike: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker McPike: "Third Reading. Municipal, County and Conservation Law, Third Reading. House Bill 579, Representative Brunsvold, 579. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 579, a Bill for an Act to amend the Wildlife Code. Third Reading of the Bill."

Speaker McPike: "The Chair has an announcement. The State Retirement System for the General Assembly, Mr. Rudy Kink Jr., Mr. Rudy Kink Jr., with the retirement system, is in Room 314 to the rear of the chamber. If you would like to review your Retirement System, he will be available today in Room 314, to the rear. It's where Tim Mates' office usually is. Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. I'd like to bring this back to Second Reading for an Amendment."

Speaker McPike: "Representative Brunsvold."

Brunsvold: "I'd like to bring this back to Second Reading for an Amendment."

Speaker McPike: "The Gentleman asks leave to return to Second Reading. Leave's granted. The Bill's on Second Reading. Mr. Clerk, any Amendments?"

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

Speaker McPike: "Representative Olson. Mr. Olson. Amendment #2."

Olson, R.: "Thank you, Mr. Speaker. Amendment #2 is essentially a rewrite of House Bill 666 which failed to get out of committee. Amendment #2 or House Bill 666 addresses the problem..."

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Speaker McPike: "Excuse me, Mr. Olson, excuse me. Representative Brunsvold."

Brunsvold: "Mr. Speaker and Representative Olson, my Amendment 3, as drafted, would strike your...would strike the Bill and everything after the enacting clause, and we had agreed on the language for 666, so, if we could back up a little bit and maybe drop your Amendment here and we'll add it to a Senate Bill?"

Olson, R: "And you will add it when?"

Brunsvold: "Your Amendment, we agreed on for 666. But, my Amendment 3 does not...will strike everything after the enacting clause, so, putting this Amendment on will do no good."

Olson, R: "Okay, thank you."

Brunsvold: "Let's do it later."

Olson, R: "Thank you."

Speaker McPike: "The Gentleman withdraws Amendment #2. Further Amendments?"

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

Speaker McPike: "Representative Brunsvold."

Brunsvold: "Thank you. Amendment #3, there was debate on the floor a couple of weeks ago about pre-empting home rule as it deals with functions, licensing and regulation of taking the wildlife. Well, this Amendment clears up that, and we now pre-empt home rule, and this Amendment, I've talked to the liaison from Chicago, and they can see no reason why they should be in the business of regulating wildlife anyway. So, I would ask for the adoption of Amendment #3."

Speaker McPike: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. I rise in support of the Amendment. There's no reason why that this Amendment shouldn't go on. The problem with hunting wild game is

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uniform throughout the state, and it should be treated uniformly. It's an excellent Amendment, an excellent Bill, and we agree."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Does the Gentleman have leave to call the Bill at this time? Leave is granted. The Attendance Roll Call will be used. The Motion carries. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 579, a Bill for an Act to amend the Wildlife Code. Third Reading of the Bill."

Speaker McPike: "Representative Brunsvold."

Brunsvold: "The Amendment 3 is the Bill, and, I ask for passage of House Bill 579."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 110 'ayes', and no 'nays'. House Bill 579, having received the Constitutional Majority, is hereby declared passed. Representative Ackerman wanted to vote 'aye', and his switch wasn't working, and, let the record reflect, he would have voted 'aye' on that Bill. Representative Steczo on 705. Representative Lang, 763 or 64? 764. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 764, a Bill for an Act to amend the Counties Code. Third Reading of the Bill."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. This is a shell Bill for Cook County. It's now been cleared with the other side of the aisle, and, I ask your support."

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Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 98 'ayes' and 2 'nos', and House Bill 764, having received the Constitutional Majority, is hereby declared passed. 794, Representative Hartke, is this your Bill? Representative Brunsvold. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 794, a Bill for an Act to amend the Downstate Forest Preserve District Act. Third Reading of the Bill."

Speaker McPike: "Question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there's 109 'ayes' and no 'nays'. Marinaro 'aye'. On this Bill, there are 110 'ayes' and no 'nays'. House Bill 794, having received the Constitutional Majority, is hereby declared passed. House Bill 798, Representative Hartke. Out of the record. 799. 800. Mr. Clerk, House Bill 800, read the Bill."

Clerk O'Brien: "House Bill 800, a Bill for an Act to amend the Counties Code. Third Reading of the Bill."

Speaker McPike: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker and Members of the House. House Bill 800, Amendment #1, amends the County Code to require...to allow that townships that have a recycling plan that's more stringent than the county plan, that the county can accept this as part of their plan. That is Representative Klemm - Hartke - Steczo Amendment. Amendment #2 says that, 'Counties, if the Office of the Coroner becomes vacant and a coroner is appointed to that position, the county board must fill that coroner's position within 60 days.' It further says that, 'If the

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sheriff who is serving as the coroner before this Act takes effect, must be reappointed in order to receive additional compensation.' I'd be happy to answer any questions."

Speaker McPike: "The question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Representative Black."

Black: "Just to explain my vote, Mr. Speaker. It would appear that...this Bill...Amendment #2 was adopted, I assume, and it has a \$6,000 kicker in here for sheriffs who perform the duties of a coroner, and that is somewhat controversial in some counties. So, people should be aware of that. A 'no' vote or 'present' vote might be advisable."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 81 'ayes' and 28 'nos', and House Bill 800, having received the Constitutional Majority, is hereby declared passed. House Bill 801. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 801, a Bill for an Act to amend the Counties Code. Third Reading of the Bill."

Speaker McPike: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. House Bill 801, Amendment #1, amends the Counties Code to provide that, 'if a person who violates an ordinance pleads guilty and agrees to pay the fine or any fine or cost associated with the offense, he or she would not be required to appear in court'. That is Representative Ewing's Amendment. Amendment #2 is a repeat of the Klemm - Hartke - Steczo Amendment dealing with township recycling plans. I would appreciate your support on House Bill 801."

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? The Clerk will take the record. On this Bill, there are 111 'ayes' and no 'nays'. House Bill

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801, having received the Constitutional Majority, is hereby declared passed. House Bill 833, Representative Brunsvold. Read the Bill, Mr. Clerk. Mr. Brunsvold."

Clerk O'Brien: "House Bill 833, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker McPike: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 110 'ayes', no 'nays'. House Bill 833, having received the Constitutional Majority, is hereby declared passed. Representative Novak. You're recorded as 'aye', Sir. Representative Brunsvold, in your explanation of vote, you had forgot the vote. Let the record reflect that Representative Brunsvold and Representative Munizzi would have voted 'aye' on that Bill. House Bill 872, Representative Turner. Representative Turner, do you wish to call the Bill? Yes. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 872, a Bill for an Act to amend an Act concerning group homes for child care. Third Reading of the Bill."

Speaker McPike: "Representative Turner."

Turner: "House Bill 872 creates the Group Home Anti-Discrimination Act, and this Act provides that any transfer, sale, lease or use of real property that permits the use of this property as a residence, but not as a group home, is prohibited. The Bill seeks to change the current law and it states, 'a group home differs from a residence because the occupants of the group home are not related by blood or marriage, and the group home is really a business'. This Bill further amends the Municipal Code, by providing that no group home may be excluded from a residential area because the residents are not related or

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because the group home is really a business, and I move for the favorable adoption of House Bill 872."

Speaker McPike: "And on the Bill, Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. May I ask the appropriate number of people to remove this from Short Debate, please?"

Speaker McPike: "Yes, proceed, proceed, Mr. Regan. You can have all the debate you wish."

Regan: "Will the Sponsor yield for a question, please?"

Speaker McPike: "Yes."

Regan: "Art, I hate to come up, but I just found out about this Bill, just this morning, and there is something that affects my district and all of your districts, extremely important in regards to your legislation. We have had in our area a group home that has been fought constantly to be placed in a residential district at a dead end road, where it's unsafe for the children to be there, and, frankly speaking, the type of children that are going to be placed there are unsafe for the children that live in the area. I've had discussions and meetings and seminars on this area, and we have...The county of Will has stopped the home last year because the type of children that would be there and the area that they are going to go. I'll read the target population to you, Ladies and Gentlemen, please, ages 14 to 20 years old in one home. Their history of low self-esteem, depressed, withdrawn, problems with the family, problems with school, failures, truancy, problems with the law, delinquency, inability to verbalize feelings, inappropriate anger, lack of impulse control, aggressive, inappropriate sense of right and wrong, history of multiple placements, history of frequent displacement disruptions. These children that go into group homes and foster homes are really the most troubled children. I feel sorry for

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them but they cannot go to a foster placement home because of their problems, mental and otherwise. The county agreed, the villages all around my district agreed, within a mile and a half, that this was not a place to place these type of children, amongst young children, 13 that live on this street. This year they tried it again. This year the board is going to stop them again. They now say that we've moved it, instead of male children to female children and this is the population they're going to serve this year, ages 13 to 20: assaultive behavior, chronic adjustment problems, delinquent behavior, drug and alcohol use resulting in a pattern of child's behavior, inability to develop attachments, pregnant mothers, problematic sexual behavior, multiple incidences during the last 12 months of inappropriate sexual behavior, prostitution, sexual abuse, perpetrator, inappropriate sexual involvement older and younger individuals..."

Turner: "Oh yeah, we're going to need some help on...We've got time he's asking a question."

Regan: "...suicide attempts, running away, multiple incidences with the police reports, withdrawal behavior, frequent episodes isolation behavior. These children need specific help, Ladies and Gentlemen, but, they do need not the specific help of six of them living in a neighborhood with 13 adolescent children. Now, I'd ask that this goes beyond home rule, jumps over home rule, jumps over the county...regulations...to impose regulations on zoning and variances, jumps over municipalities and takes and strips away all the rights of the locals in regards to placements of troubled youth homes. Now, I...the Municipal League is opposed to it, the county boards are opposed to it and the villages are opposed to it. The only people that are in favor of this, and I don't blame them, are the Department

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of Children and Family Services which has a big problem on their hands placing these disturbed children in homes. One of the areas that these children are going to come to, the Wolpers Road, are from the Hedrick House which was torn apart, burned. The social people who worked there were beat up. The police were beat up. Thirteen girls were arrested and these girls are coming to Wolpers Road, and they can come to your road, to your neighborhood, next door to you, without any input whatsoever if this Bill passes. I certainly would ask for a 'no' vote."

Speaker McPike: "Representative Rice."

Rice: "Good morning. In response to the learned brother on the other side of the aisle, my first question is, what do you mean by types of children? Second, we recognize that many of these children need a little love and they happened not to come in all...they come in all colors, kinds, creeds and whatnot. My question to this Body, this august Body, how do we straighten these children out other than putting them in a loving home, middle class America? As an opponent and a worker dealing with the Commission on Youth Welfare, we found that many times that we put these children in a decent environment they changed their behavior. They become modern people. The young lady that went to the moon happened to come out of one of these kinds of homes. We can cite cases on top of cases where given the opportunity they will become productive citizens. Let us ask your indulgence and vote for a fine piece of legislation."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the Legislature. This is a situation that clearly needs to be dealt with because we do have a number of young people who are disturbed and troubled, but one of the primary concerns that this Bill should address, that it does...it doesn't, is that it

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really takes away the authority of local units of government or the county board or the city, to establish certain places for these people to be dealt with, and I think we all need to understand that this is a problem that needs addressing, and I'm not always sure that the proper housing is a way, that we need to go back into the youngster's earlier years. We need to attempt to provide parenting courses for these parents who undoubtedly do not know how to take care of kids and they also find themselves having very low self-esteem. We have programs now where these young people can go into foster homes. We need to make sure that those programs are well cared for, and, certainly, it...is a sad situation when we are saying, 'Okay, you have to put these kids in a particular area and that local units of government do not have any authority.' It just is not the way to do it and this Body ought to address it in other fashions and certainly earlier in a child's life, rather than just say, 'Okay, we're just going to put them up and put them right down in the middle of a particular area.' That clearly may not be the best, not only for the kids nor the safety of other neighboring children or families. I urge a 'no' vote."

Speaker McPike: "Representative Wennlund: "Wennlund: "Thank you, Mr.

Wennlund: "Thank you, Mr. Speaker. First, I have an inquiry of the Chair. Does this require 71 votes?"

Speaker McPike: "No, it requires 60."

Wennlund: "It pre-empts home rule?"

Speaker McPike: "This is a 60 vote pre-emption."

Wennlund: "To the Bill, Ladies and Gentlemen of the House, what we're talking about here is a Bill that would pre-empt home rule and prevent cities, villages and counties in Illinois from zoning property that would prevent the intrusion of

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group homes with people from 18 to 21 years of old with criminal backgrounds from moving into residential neighborhoods. There's no question that these people have to have some place to go, but there are some circumstances in life when 'not in my back yard' has real meaning and this is one of them. It's the intrusion of this type of group home with people with criminal backgrounds, moving next door, moving in and out for periods of six to eight months. This is serious business, and, I think that everyone in this House ought to know that a 'yes' vote on this Bill, coming back home, is going to create a lot of havoc in each and everyone of your districts. Because you're not going to have the answers as to why that group home moved in and is there, and when there are young children growing up on...in that neighborhood and adjacent to them with children, not children, these are 18-to-21-year-olds with criminal backgrounds, aggressive behavior, moving into those neighborhoods. You should make note of that and it's a 'no' vote is the proper vote on this Bill."

Speaker McPike: "Representative Williams."

Williams: "Thank you, Mr. Speaker, Ladies and Gentlemen of this Body. I think that the real question is, and I understand the concerns of the opponents in this particular piece of legislation, for we all have concerns and fears about our family, but the reality of it all is that, as much as we'd like to live in an isolated world, we don't. As much as we'd like to guard ourselves and our little homes and our little communities and against everything and every evil and every bad thing that's out there, we can't. We have a problem in our society that says that there are a number of young people who do not have the ability to find shelter, who do not have the ability to create or be in an

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environment where they can get the sort of proper training, the sort of proper, what I would call mentors, the sort of proper environment that might change them as opposed to putting them into situations such as...Audi Homes, detention centers, other situations that only aggravate the problem more. We need to have some policy that would allow the establishment of these homes for the purpose of changing individuals. The reality of life is that if we don't change the problem is going to come back to us one way or the other. Don't think, by closing your residential doors, that crime won't hit you. Don't think that if a person is out to do wrong that he's going to stop at Schaumburg or stop at Winnetka or stop downstate somewhere and say that, 'I won't commit a crime in that community,' because crime is crime and they're going to do it wherever. We must try to change the attitudes, both of ourselves and this community and this society. I think that we need to explore this idea and to come up with a solution and this is a start. So, I urge an 'aye' vote."

Speaker McPike: "Representative Weller."

Weller: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to this legislation. The previous speaker had indicated that the local community wasn't accepting those who are in need. In fact, the local community has risen in support of the establishment of a group home for the disabled. There is an editorial in the local newspaper just within the past week or ten days in support of a group home for the disabled. We're talking about an issue of local control dealing with the site of a facility that's going to provide a group home for people between the ages of 18 and 21 with criminal backgrounds. It's a totally different issue, and that's why I rise in opposition to this legislation. A 'no' vote's an

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appropriate vote, and, I ask for a 'no' vote."

Speaker McPike: "Representative Turner to close."

Turner: "Thank you, Mr. Speaker and Ladies and Gentlemen of the Assembly. We've heard the previous speakers and it is apparent that there is a special kind of child out here that they referred to as 'types of children'. I thought children were children, and many of us who think that our 'little darlings', who at age eight or nine, are perfect little beings, when they grow up to be 14 and 15 become, some of them, those types of children that, I think, some of the previous speakers were referring to. There was some mention about the kids in these homes being 18 to 21. I beg to differ. The age of those kids are between the ages of 14 and 20. These are normal children that we, right now, as the state have a responsibility for taking care of these children. I say if we're going to take care of these kids, we ought to put them in an environment where, at least, we can have monitored and have some control over their living arrangements. They are not going to be placed in homes where you've got 20 kids in the house where there's only three bedrooms. They will have to go along with code restrictions and code violations, so that you'll have ample bedrooms for the ample number of children. They will also have a guardian there, in the home, to monitor their activities. I'm not saying they're perfect children because they come from broken homes, they have all kinds of...they have problems, but I don't think their problems are any different than kids who come from homes where they have two parents, and so, to distinguish these kids as being someone with the plague or someone that is entirely different, I think is a misnomer on our part and that we should be much bigger than that. Federal Law requires that you cannot exclude them. Something has to be done. The

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Department of Children and Family Services has requested that something be done. I think this attitude of 'not in my backyard' is the wrong attitude, and I ask that the Members of this Assembly, please, in their hearts, think about those young children because they soon grow up to be adults. Some of those adults, not all, are going to go to the penal institution, some of them are eventually going to move into your neighborhoods, like it or not, and I would strongly encourage this Body to give me an 'aye' vote on this Group Home Discrimination's Act, and I move for the favorable adoption of this Bill."

Speaker McPike: "Question is, 'Shall House Bill 872 pass?' All in favor vote 'aye', opposed vote 'no'. Representative Regan, for what reason do you rise?"

Regan: "If it goes to 60, Sir, I'd like to verify the Roll."

Speaker McPike: "Very well. Have all voted? Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker. You know, I'm just appalled that people would be voting against this type of legislation. I recently had a home that was purchased by some special education folks down in my part of the country, and, you know, they tried to do the same thing in this home. They had plenty of bedrooms to take care of the kids. These kids were all specially handicapped kids that needed special attention, needed special love and care, and for you to stand there and say that you're going to discriminate against kids in the State of Illinois, you are absolutely wrong."

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of this Bill for many of the reasons that have already been expressed, and, also, because these are children that are most in need of our

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concern and our assistance, and to be able to treat them as a business or as a pariah and to bar them from one community or another, when these children are in need and there aren't a lot of places they can be cared for or places they can live, I think that's disgraceful, and for that reason I'm voting 'aye'."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. To explain my vote, I think there's some misunderstanding that this is only aimed at the developmentally disabled or those young people who are in special education categories. It's far, far broader than that. These, by the Department of Children and Family Services, have been explained to us as children, actually young adults, who have been found unable to access or function in a standard child care living arrangement, and...they have often problems with the law, resentment of authority, delinquency, problems in the courts. I don't think anybody here should be painted with a broad brush that we're trying to discriminate against special ed. kids or developmentally disabled. This Bill goes far beyond what some of you have indicated it does, and perhaps a 'present' vote, until we can be sure of what we're doing on a pre-emption of home rule, would be the advisable vote."

Speaker McPike: "Have all voted? Representative Davis."

Davis: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, I don't think that to desire that some people have no place to go is very noble. Many of us in this Body say, 'There, but by the grace of God, go I.' None of us in this room are responsible necessarily for the good things that happen to us as children. It was just by the fortunate circumstances of our birth that we are here. I don't think any community would be forced into having a group home. This merely makes those kinds of

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establishments legal. It does not say that you must have one or you must take one or your community must agree to accept one. It merely says, 'the establishment of them, in those communities that wish and desire such, that they would be acceptable and not classified as against the law'. I think it behooves all of us in this Body to just ask ourselves, if that were me, if it were my child, would I want some community, maybe not mine, but some community to reach out with a hand of support, or do we want to always say that 'If you haven't made it like I have and if you don't have all the things that I have and if you've got any kind of juvenile problems, then don't come my way.' This Bill in no way says that any community must have a group home. It merely establishes the law that says, 'If one is accepted in a community or if you desire to have one, it is not operating illegally along these lines'. Thank you."

Speaker McPike: "Mr. Turner, just let it go?"

Turner: "Put it on Postponed Consideration."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 52 'ayes', and the Gentlemen asks the Bill be placed on Postponed Consideration, and it shall be done. Representative Steczo, 1479. Terry Steczo, 1479. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1479, a Bill for an Act to amend the Park District Code. Third Reading of the Bill."

Speaker McPike: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 1479 was heard the other day and contained two items, one with regard to filing annexations, the other with regard to park district annexations and, what we commonly know as, holes in doughnuts. If everybody will recall, this Bill was pulled back to Second Reading yesterday and

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amended to take out the controversial language based on holes and doughnuts. So, all House Bill 1479 does now is, when there's a certified copy of an annexing ordinance and a map for an annexed territory filed, it gets filed with the county clerk and recorder of the county where the annexation takes place, rather than the county where the district lies. This is a common sense procedure change we need to make, and, Mr. Speaker, in this case, I believe the Bill is non-controversial, but I would answer any questions and, if not, ask for your 'aye' votes."

Speaker McPike: "On the Bill, Representative Hasara."

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

Speaker McPike: "Yes."

Hasara: "Representative, I assume this is the Bill that originally had 'hole in the doughnut' expansion legislation?"

Steczo: "Correct."

Hasara: "And, I am told that that language has been taken out and this has absolutely nothing to do with expanding 'hole in the doughnut' legislation. Am I correct?"

Steczo: "The Amendment that was approved yesterday excluded all of the hole in the doughnut language."

Hasara: "Okay, is this to be a vehicle Bill in any way, Representative?"

Steczo: "No, no, this is an actual need that the park districts have indicated that needs to be done."

Hasara: "Okay, so we have your assurance that it is not a vehicle and it does not expand 'hole in the doughnut' annexation."

Steczo: "Representative Hasara, from this point on, in this Session, doughnuts are going to be left at Mel-o-Cream, not on the House floor."

Hasara: "That's fine with me. Thank you, Representative."

Speaker McPike: "Representative Black."

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Black: "Mr. Speaker, she asked my questions, thank you."

Speaker McPike: "Question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there's 113 'ayes' and 1 'no'. House Bill 1479, having received the Constitutional Majority, is hereby declared passed. House Bill 1920, Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1920, a Bill for an Act to amend the North Shore Sanitary District Act. Third Reading of the Bill."

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, this is...take it out for a minute."

Speaker McPike: "Representative Giorgi, there's an Amendment filed, do you wish to bring this back to Second Reading? The Gentleman asks leave to return the Bill to Second Reading. Leave's granted. The Bill's on Second. Mr. Clerk, any Amendments?"

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

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, has Amendment #1 been withdrawn?"

Speaker McPike: "Amendment #1 is not on the Bill."

Giorgi: "Alright, Mr. Speaker, Amendment #2 is just the...clears up the Mandates Act for pay raises for sanitary district members. I move for the adoption of the Amendment."

Speaker McPike: "Question is, 'Shall Amendment #2 be adopted?' All in favor...Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker. I didn't...didn't...hear a word that he said in explanation of the Amendment. Could you ask the Sponsor..."

Speaker McPike: "Yeah, sure, one more time, Representative Giorgi."

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Giorgi: "This Amendment complies with the Mandates Act which says, 'no reimbursement by the state shall be required for the implementation of any mandate created by this Amendatory Act'."

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

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading."

Giorgi: "Mr. Speaker, leave to hear it on Third. No? Thank you very much for your consideration."

Speaker McPike: "Representative Black."

Black: "Thank you very much, Mr. Speaker. We're trying to get some clarification. We'd ask the Gentleman to take it out of the record, otherwise we'd have to object to immediate consideration."

Speaker McPike: "He's not going to call the Bill right now."

Black: "Alright, thank you very much. Thank you."

Speaker McPike: "Representative Giorgi, did...Let's take it out of the record for now. Public Utilities, Third Reading. Representative Turner. I'm sorry, we missed one Bill on this Order, House Bill 798. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 798, a Bill for an Act to amend the Township Law. Third Reading of the Bill."

Speaker McPike: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. House Bill 798, Amendment #1 by Representative Peterson provides that a supervisor of a town must report to the town board of trustees 30 days before, rather than on the Wednesday preceding, the annual town meeting to account for all moneys received or disbursed by his or her office. It is requested by the townships and it is purely technical in nature."

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

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

Speaker McPike: "Yes."

Ropp: "Representative, didn't this Body pass legislative intent a few years ago that would go contrary to what the intent of this Bill is?"

Hartke: "Not that I'm aware of, Representative Ropp."

Ropp: "Well, maybe it was before you got here. Anyway...this Body said that, in fact, I believe it's still in litigation, that establishes the fact that...where townships and cities are co-terminus."

Hartke: "You're on the wrong Bill."

Ropp: "Well, that's the Bill that I have, 798. 798?"

Hartke: "Yes, I don't know what you're reading."

Ropp: "Okay, I'll...thank you."

Speaker McPike: "Question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 106 'ayes', 5 'nos'. House Bill 798, having received the Constitutional Majority, is hereby declared passed. House Bill 763. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 763, a Bill for an Act to amend the Counties Code. Third Reading of the Bill."

Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is another Cook County shell Bill, cleared with the other side of the aisle. I ask you for your green votes."

Speaker McPike: "Question is, 'Shall this Bill pass?' All in favor vote 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 83 'ayes' and 9 'nos'. House Bill 763, having received the Constitutional Majority, is hereby

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declared passed. House Bill 799. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 799, a Bill for an Act to amend the Township Law. Third Reading of the Bill."

Speaker McPike: "Mr. Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. House Bill 799 is a Committee Bill, and it contains three pieces of legislation: one by Representative Saltsman, the second by Representative Leitch and a third by Representative Mulcahey, dealing with various issues with County and Township Law, and I'd be happy to answer any questions."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker. This is the Bill that I...and I think it applied to the the previous Bill on 789 but...It's been the policy of this Body that co-terminus cities and townships should not be required to make these payments to adjacent townships. I think we've established this some six or eight years ago, and I think that it would be unfair for us to go against our word when we already established this some time ago. If I'm not mistaken, too, we...have made this intent some time ago and...certainly in my area, with the City of Bloomington, this is not what we...support. I do not believe that the township officials are in support of this and would urge a...'no' vote."

Speaker McPike: "Representative Klemm."

Klemm: "Thank you, Mr. Speaker. You know, some time ago we had worked very diligently to try to take care of the townships that were going to be losing some territory. Those townships that, in good faith, had made some financial investments and had spent some moneys in an area, and we said it's really not fair for another municipality or another local government to come and snatch that away and

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not maybe try to redeem and repay, if you will, in some small measure some of the improvements and costs and ideas and suggestions and things that the townships have done in the past. So, what we did was make a compromise on this a few years ago. We worked on it on bi-partisan support at that time, I served on the committee at the time, and it seems like, now, what we're doing is undoing what we worked so hard for in the past. I don't know what the problems are that the Gentleman is trying to correct on Amendment #3, because that's the Amendment that is some concern. It would seem to me there might be a better way than trying to affect all the townships that possibly are going to be affected by this change in Illinois, if there's one or two townships that the Gentleman wants to help. I would think there would be a better way of doing it, and as long as we have Amendment #3, which seems to undo all the hard work that many of us cooperatively had spent time on a few years ago, that as long as we're having Amendment 3 on there, I would stand in opposition to House Bill 799."

Speaker McPike: "Question is, 'Shall...Representative Giglio."

Giglio: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Giglio: "Representative Hartke, is this for all the townships in the state?"

Hartke: "I feel that it affects about 25 townships."

Giglio: "Pardon?"

Hartke: "I've been told that this affects about...which Amendment are you talking about?"

Giglio: "I'm talking about the Bill. Is the Amendment the Bill?"

Hartke: "No, there are three Amendments on this Bill. One by Representative Saltsman, one by Representative Leitch and a third by Representative Mulcahey. I think you're questioning the Amendment dealing...that was put forth by

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Representative Mulcahey and that affects 25 townships in the State of Illinois."

Giglio: "And it would allow just those 25 townships to have a referendum for revenue bonds to build senior citizen housing is that...I'm looking at the digest here?"

Hartke: "Oh, you're looking at Amendment #1 then. Yes, it would."

Speaker McPike: "Further questions? Anything further? 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? Have all voted who wish? Representative Mulcahey."

Mulcahey: "Thank you, Mr. Speaker. Just for a little clarification. There was a problem that came...regarding this legislation that was passed back in 1986, regarding the word 'on, before or after', and the problem was developed when a court in Zion, Illinois interpreted the word 'after', meaning after when the municipalities could annex these townships, August 12th was the date, and this allowed that the townships collect real estate taxes on the parcels of land which Zion had annexed according to Public Act 841261 which was passed back in 1986. This Amendment simply provides clarification, and it was not the intention of the State Legislature, us, back in '86, to have real estate taxes transferred from the municipality to the township for parcels of land that were automatically annexed. It's a matter of wording that's all it is, and we're simply doing it to clarify the error in judgment that the courts have been making around the state."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. Mr. Hartke."

Hartke: "Let's put it on Postponed."

Speaker McPike: "On this Bill, there are 56 'ayes', 53 'nos'."

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The Gentleman asks to put the Bill on Postponed Consideration, and it will be done. Public Utilities, Third Reading. Representative Turner. Mr. Turner on 244. Representative Deering, 992. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 992, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill."

Speaker McPike: "Representative Deering."

Deering: "Yes, House Bill 990...Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 992 amends the Public Utilities Act and it provides that the state shall not participate in certain telephone programs unless cost is not incurred by the state consumers. Amendment #1 is offered by Representative Capparelli to provide for per diem pay for the ICC. Amendment #2, offered by Representative Curran, provides for an elected ICC. I'd entertain any questions."

Speaker McPike: "The question is, 'Shall this Bill pass?' And on that Motion, Representative Cowlshaw."

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

Speaker McPike: "Yes, he will."

Cowlshaw: "Representative Deering, I believe that there was an Amendment to this Bill that provided for the election of the members of the Illinois Commerce Commission in seven districts throughout the state. Is that Amendment still part of this legislation?"

Deering: "Yes, Representative, it's Amendment #2."

Cowlshaw: "Very good. If you are planning to try to have the members of the ICC elected in seven districts, could you tell me, please, whether those seven districts correspond with something that already exists out there as a district, or would we need to create seven new districts? For example, do these correspond with Appellate Court Districts

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or something like that or would they have to be new?"

Speaker McPike: "Whose Amendment was it, Representative Deering?
Was it Representative Lang's Amendment?"

Deering: "Representative Curran's."

Speaker McPike: "Representative Curran."

Curran: "Thank you, Mr. Speaker. I'll attempt to answer the
question. The Amendment did not set forth that those lines
would correspond, necessarily, to any other lines. All the
Amendment did was to say that there should be seven
districts and that those districts would have to live under
the provisions of the...Civil Rights Act of 1965."

Cowlshaw: "Alright, given the current population of Illinois,
Representative, could you tell me, approximately, what you
estimate that the population of each of these districts in
which an individual would be running for election to the
Illinois Commerce Commission would be?"

Curran: "I would guess, just doing quick arithmetic now, it
probably would probably be 1.7 million or 1.6 million,
something in that area."

Cowlshaw: "Alright. To the Bill, Mr. Speaker. It seems to me
that to expect someone to run for a position, as a member
of the Illinois Commerce Commission, in an area that
consists of more than a million people, invites the
candidacy only of those who are independently wealthy or
who are able to raise very large sums of money because that
is a very large district in population in which anyone
could run. I have been opposed to this concept for a very
long time for that very reason. It seems to me that this
kind of proposal encourages only the very, very well-to-do
to be members of the Illinois Commerce Commission, and it
seems to me that they would understand the rest of us even
less well than the current members, and, for that reason, I
rise in opposition to House Bill 992."

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Speaker McPike: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I rise in strong support of this Bill, particularly, the Commerce Commission Amendment, and the last speaker talked about how elected members of the Commerce Commission would have to be independently wealthy. We don't have to be independently wealthy to be Members of the General Assembly, and there is no reason these people would have to be either. If you want a Commerce Commission that works, ours isn't currently working, I think we all agree that there's problems there. The fact that we have so many Bills on our agenda dealing with the Commerce Commission and utility rates, there must be some problems there, when we have some of the highest utility rates in the nation. The way to do that...the way to resolve these problems is to have a Commerce Commission that's responsive to constituents and responsive to people's needs. The way to do that is to have elected members, so that they have to stand for re-election, so that they can be voted out of office, as we can, if we aren't doing the job the people elect us to do. I strongly support House Bill 992."

Speaker McPike: "Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker, Members of the House. I rise in support of House Bill 992, particularly the portion that would require an elected Illinois Commerce Commission. There are few decision makers in this state whose decisions affect the pocketbook of our constituents more heavily. Many of our constituents pay more in utility bills than they pay monthly in mortgage payments. It seems to me that our constituents ought to have an opportunity to have some say over those individuals who so deeply affect their pockets, and I would urge your support of this legislation."

Speaker McPike: "Representative McCracken."

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McCracken: "Thank you, Mr. Speaker. I rise in opposition to this measure. You know, in addition to calling for an elected Commerce Commission, another Amendment adopted to the Bill would pay these elected commissioners \$100 per day, plus expenses. Now, if you expect a person with a 1.7 million member constituency to run and hold office on that basis, you're kidding yourselves. It's just another indication of how unrealistic this is. The Amendment which causes controversy was put on by fewer than 60 votes the other day. I should have allowed it to be called immediately and we would have defeated it at that time. It's no better today with the passage of a short period of time. It has been a failure where it's been tried, it would unduly politicize what is already too politicized a regulatory process. It would open it up to the demagogues from either side of the aisle who seek to profit politically from its...it's issue. It's a bad idea, an idea not supportable on the merits. It is not supportable based on the experience of other states that have tried it. It should be defeated and exposed for what it is, a political hoax."

Speaker McPike: "Representative Giglio moves the previous question. The question is, 'Shall the previous question be put?' All in favor say 'aye', opposed, 'no'. The 'ayes' have it. The previous question is put. Representative Deering to close."

Deering: "Yes, thank you, Mr. Speaker, Ladies and Gentlemen of the House. I feel that the Bill, in its original form, and the Amendments are a good Bill, that it deals with...the affecting people's lives throughout this state. We've just seen a fiasco, with the 15¢ surcharge on the phone bills, that the Commerce Commission...changed their attitude on and...suspended it for awhile. I think if we're dealing with people's livelihood, let the people decide who should

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be qualified to run that for them, and I ask for a favorable vote."

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

Klemm: "Well, thank you, Mr. Speaker. You know, in my district and all over across the state, people are telling me that the politicians are spending, spending, spending. They can't control their...insatiable appetite to increase taxes, and now we're going to try to say, 'Let's politicize the Commerce Commission,' so that we can end up having more politicians make more promises that, 'I'm going to save you money.' They get elected and it will go on and on and on again. It seems to me that what we need to do is have an impartial group. We may not like all those that are serving now but I don't think you throw out everything, and put more politicians in who can't even control our own state spending alone. So, I think, certainly, this is a terrible Bill to end up having elected Commerce Commissions, and, I vote 'no'."

Speaker McPike: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Due to the fact that I have a conflict of interest on House Bill 992, I will vote 'present'."

Speaker McPike: "Representative Curran."

Curran: "Thank you, Mr. Speaker. You know, when Members talk about politicizing this body, the Illinois Commerce Commission, I think we forget all that is being asked here. The only thing that is being asked here is that the same people who had the good sense, I suppose you would presume, to analyze the issues, to analyze the personalities and then to elect you, you would put those same people in the position of being able to make the decision about what

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their utility rates are going to be like for the next decade. Ladies and Gentlemen of the House, if you believe that those people, your constituents, the voters in your district, made a good decision bringing you to the House floor, why not allow them to make a decision about their own utility rates? We need more 'aye' votes up there."

Speaker McPike: "Representative Turner."

Turner: "Thank you, Mr. Speaker. In the past, I have supported the concept of the elected Commerce Commission, but I think the...some of the Amendments that were put on this, Bill in particular the one which now says that these members will only make \$100 for each meeting, is a bit ludicrous. I think the fact that we lose a lot of good elected officials here in this Assembly because we say the pay is not ample pay. We have Members who leave the bench because they say that it is not economically feasible or viable for them to serve on the bench, that to do this is just another step, and, in fact, there's an old saying who says that, 'Whose bread you shall eat is whose song you shall sing.' To try to elect Commerce Commissioners at \$100 a day, you'll be surprised at whose food they'll be eating. I think this is a bad Bill, and we ought to vote 'no' on it. No reflection on the Sponsor but I think the Amendment has dirtied his Bill, and I encourage the rest of the Body to vote 'no'.

Speaker McPike: "Representative Preston."

Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in favor of House Bill 992. I think an elected Commerce Commission would be more responsive and accountable to the people they are supposed to be representing, and one of the previous speakers, who I highly respect and I know is a very thoughtful, deliberative Representative, but yet was throwing some aspersions on being, God forbid, a politician. Well, I,

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for one, am not ashamed of being in that role. I'm very proud to be a political figure, someone who's in elective office. I hope I serve the people and I hope you do as well, and I think having someone who is responsive and accountable to the voters is not someone who should be ashamed of themselves, but somebody who should be very proud, and I would like to see more 'aye' votes."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Bill, there are 52 'ayes' and 49 'noes'. Mr. Deering, the Gentleman asks to be put on Postponed Consideration. That's his right. The Bill is on postponed. Yes, Representative McCracken."

McCracken: "Inquiry of the Chair."

Speaker McPike: "Yes."

McCracken: "Could I have verified that to take it below 47 votes?"

Speaker McPike: "It was at 52, and yes..."

McCracken: "I'll keep that in mind. We can stop these Postponed Considerations."

Speaker McPike: "Yes, you can. It's on Postponed. Representative Phelps...Representative Phelps, is the Coal Bill ready? No. Out of the record. 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 McPike: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would ask for favorable consideration of House Bill 2488. Amendment #2, which we discussed a few days ago, became the Bill. You may recall that we passed legislation in 1989 that put time limits on how long the Commerce Commission had to deal with complaints filed by business and consumers. That legislation was sponsored by

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Representative Mulcahey. Unfortunately, those time limits have not been filed. The purpose of that legislation was to have a level playing field since when consumer...when utilities file for rate increases, there is a time limit for commission action there. What House Bill 2488 does is to simply provide a remedy at the end of the 12-month period or any extension that's mutually agreed upon, if the Commission has not rendered a decision at that point, any party may go into court to get a mandamus for the Commerce Commission to conclude the hearings and render a...decision. It's fundamental fairness. We've worked with various utilities on this, and I think the general feeling is that this is the best remedy for this problem...which treats everybody the same, and if there are any questions I'd be happy to answer them, and ask for your favorable..."

Speaker McPike: "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', no 'nays'. House Bill 2488, having received a Constitutional Majority is hereby declared passed. Returning to a Bill that was taken out of the record on Municipal Law is House Bill 1920. Bill's on Third Reading. Gentleman asks leave to return it to Second Reading. Leave is granted, the Bill is on Second Reading. Mr. Clerk, which Amendments are adopted to this Bill?"

Clerk Leone: "Amendment #2 has been adopted."

Speaker McPike: "Representative Giorgi, there's only one Amendment on the Bill, and that's Amendment #2. Your Motion is to table?"

Giorgi: "Mr. Speaker, I move to table Amendment #2."

Speaker McPike: "The Gentleman moves to table Amendment #..."

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Giorgi: "Whatever's proper."

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

Clerk Leone: "No further Amendments."

Speaker McPike: "Mr. Clerk, are there any Amendments adopted to this Bill?"

Clerk Leone: "After reviewing the record, House Bill 1920. Amendment #1 was withdrawn previously; Amendment #2 was adopted on May 22nd and has now been tabled."

Speaker McPike: "Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

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

Clerk Leone: "House Bill 1922...correction, House Bill 1920, a Bill for an Act to amend the North Shore Sanitary District Act. Third Reading of the Bill."

Speaker McPike: "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 82 'ayes', and 28 'noes'. House Bill 1920, having received a Constitutional Majority is hereby declared passed. Representative Giglio in the Chair."

Speaker Giglio: "Representative Walsh. Mr. Clerk, let the record indicate that Representative Walsh wants to change his vote to 'present' on the previous Bill. Representative Rotello and Representative Marinaro. Representative Cronin."

Cronin: "Yes, Mr. Speaker. With respect to the last Bill, I just would like the record to reflect that I intended to vote 'no' on that."

Speaker Giglio: "Let the record indicate, Mr. Clerk. Representative Persico."

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Persico: "Let the record show that I intended to vote 'no' on the last Bill as well, please."

Speaker Giglio: "Let the record indicate Representative Persico's desire to vote 'no', Mr. Clerk. Chair would like to make an announcement that anybody wishing to have their Bills placed in interim study, please come up to the well and inform the Clerk. The Bill wants to be on the Calendar. It's on the Calendar, and you want to put it on interim study, please come up to the well and inform the Clerk. Alright, Chair would like to go to Real Estate Law, Second Reading, and then we'll go to Third Reading, and the following Reps. have Bills: Turner, Woolard, Shirley Jones, Levin, Flowers and White. So on that Order appears House Bill 909, the Order of Second Reading. Representative Turner. Out of the record, Mr. Clerk. Representative Woolard, 1926. Out of the record. 2405, Government Operations, Third Reading. 2405, Representative Ryder. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2405, a Bill for an Act to amend the Illinois Securities Law, Third Reading of the Bill."

Speaker Giglio: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I'd ask leave of the Assembly to return the Bill to Second Reading for purposes of an Amendment."

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

Clerk Leone: "Floor Amendment #2 is being offered by Representative Ryder and Shaw."

Speaker Giglio: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This Amendment #2 is a result of negotiation with several interested parties, and I think it is a result of an agreement. It does incorporate the

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provisions of House Bill 2406, 2407 and 2408 into this Bill as well as some modifications requested by the securities industry and staff. I'd move for the adoption of this Amendment."

Speaker Giglio: "Any discussion on the Amendment? Representative Lang."

Lang: "Thank you, Mr. Speaker. We stand in support of this Amendment. It is an agreement worked out by both sides, and it's a good Amendment. Move for its passage."

Speaker Giglio: "All in favor of the Amendment signify by saying 'aye', opposed, 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendment's adopted. Are there further Amendments?"

Clerk Leone: "No further Amendments."

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

Clerk Leone: "House Bill 2405, a Bill for an Act to amend the Illinois Securities Law. Third Reading of the Bill."

Speaker Giglio: "Alright leave the Bill on Third Reading. Bill will remain on the Order of Third Reading, Representative Ryder. Going back to Real Estate Law, Representative Woolard. Representative Woolard in the chamber? Representative Turner. Do you want to call 909? It's on the Order of Second Reading. Out of the record. Representative Shirley Jones. Third Reading. Real Estate Law. Are you ready with House Bill 1312? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1312, a Bill for an Act concerning utility payments. Third Reading of the Bill."

Speaker Giglio: "Lady from Cook, Representative Shirley Jones."

Jones, S.: "Mr. Speaker and Members of the House, House Bill 1312 creates the Tenant Utility Payment Disclosure Act to

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provide for disclosure to tenants of amount charged by landlords for utility service. I worked with the landlord...I mean worked with the utility people, and also the realtors on the Bill, and we worked out...together where this Bill would be...sufficient to both sides of the aisle, and it's agreeable Bill, and I would ask for a favorable vote."

Speaker Giglio: "Any discussion? Hearing none, all those in favor signify by voting 'aye', opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 114 voting 'yes', none voting 'no', and House Bill 1312, having received the required Constitutional Majority is hereby declared passed. Representative Levin on House Bill 1929. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1929, a Bill for an Act to amend the Condominium Property Act. Third Reading of the Bill."

Speaker Giglio: "Representative Levin."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You may recall that yesterday we brought this Bill back from Third to Second and stripped the Amendment which became the Bill. So the posture of this legislation is that at this point it is a shell, pursuant to an agreement with Illinois Realtors, where we will send the Bill over to the Senate if this Body so agrees, in order to come up with the specific language on the subject of the option of a individual...of a tenant to purchase his unit. This comes out of the problem in my district. We've been working with the Realtors and the home-builders...that was embodied in the first Amendment that we put on. We're going to continue to work together...in the Senate and I simply ask for your support for this shell so that..."

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Speaker Giglio: "Any discussion? Hearing none, all those in favor signify by saying 'aye', opposed...all those in favor vote 'aye', opposed, 'no'. The voting is open. Have all voted? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 107 voting 'yes' and 1 voting 'no', and House Bill 1929, having received the required Constitutional Majority is hereby declared passed. Representative Flowers. Representative Mary Flowers. Out of the record. Representative Jesse White. Representative White. Out of the record. Oh, I'm sorry. Representative White, 2594? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2594, a Bill for an Act in relationship to condominiums. Third Reading of the Bill."

Speaker Giglio: "Gentleman from Cook, Representative Jesse White. Representative White."

White: "Mr. Speaker and Ladies and Gentlemen of the House, I'd like to have leave to bring this Bill back to Second Reading for the purpose of an Amendment."

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

Clerk Leone: "House Bill 2594, on the Order of Second Reading. Amendment #2, being offered by Representative White."

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

White: "Mr. Speaker and Ladies and Gentlemen of the House. Amendment 2 is a cleanup Amendment, and it's technical and takes care of all the technical problems that exist within the Bill, and I move for its adoption."

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

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Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Gentleman asks leave...alright,
Third Reading. Read the Bill on Third Reading, Mr. Clerk."

Clerk Leone: "House Bill 2594..."

White: "I'd like to have leave...Mr. Speaker, I'd like to have
leave for immediate consideration of this Bill."

Speaker Giglio: "Leave the Bill...leave the Bill on Third
Reading. It's on...it's moved to Third, but leave it on
Third. Don't call it. Representative Obrzut.
Representative Obrzut. Out of the record. Representative
Matijeovich. Transportation, Third Reading. House Bill
153. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 153, a Bill for an Act concerning
transfer of property. Third Reading of the Bill."

Speaker Giglio: "Representative Matijeovich."

Matijeovich: "Mr. Speaker, Ladies and Gentlemen of the House.
House Bill 153 is a Bill to convey 160 acres from the State
of Illinois to the City of North Chicago for purposes of
economic development. The city, under the Bill as amended,
would purchase the property for \$800,000, which is \$100,000
more than the state purchased the property 25 years ago
from the Forest Park District. The initial purpose of the
state for...purchasing it was for the re-routing of Highway
41. That re-routing has never materialized, and today it
is no longer feasible. The City of North Chicago, through
its community economic...development director, and economic
development consultant have come up with plans for an
upscale corporate industrial corridor. The economic
development plan for the property would truly complement
the property use...of contiguous property. The village of
Lake Bluff, which is immediately adjacent to the City of
North Chicago, a week ago passed a resolution endorsing and

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supporting the purchase of the property by the City of North Chicago. This Bill, Ladies and Gentlemen of the House, has evolved. I have been up front with the House in the two years that I have been tryinf to do something for the city of North Chicago. Two years ago, I presented a Bill that initially would have been for direct purchase, but I amended the Bill so that the Department of Transportation would transfer the property to DCCA, for the purposes of economic development. That Bill passed both Houses, and was vetoed by the Governor, and I didn't override it because I lived it up to my word. Someone would say, 'Why did I come up with the figure of \$800,000?' I've also been up front with the fact that two years ago the property was assessed at \$4,500,000, however, the City of North Chicago really can't afford that much, and at \$800,000 the State of Illinois still gets the money back that it purchased initially for the property. Also, the fact is that the property has been sitting there for 25 years doing nothing. If this...there is no doubt about it. If the state had not initially purchased that property, it would have long since been developed economically, and the city would have received an assessed valuation and taxation on the property, so the city has lost some through the years, too. The state now, after 25 years, says it's going to reroute that highway. Both the City of North Chicago, the Village of Lake Bluff, the County of Lake, the property owners, Abbott Laboratory, AMLEE...Industrial...Properties, all oppose that rerouting, so it will never be used for that purpose. The truth of the matter is, this should have been called surplus property long ago. My school district...let me tell you how much this is needed. A year ago, when we consolidated our school district, the assessed valuation of the North Chicago High School District was

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only \$80,000,000. We have lost our industrial base. It has been \$80,000,000 for ten years, yet the adjoining high school property...assessed valuation is \$800,000,000. All we are trying to do with this Bill is to allow the City of North Chicago to use its property for economic develop (sic development). We are not looking for incentives like we have done for many others. We are just looking for what ought to really be in North Chicago for their use. I would urge the passage of this Bill. I believe this probably is the most important Bill that I have ever introduced to help my district, and it would not only help my district, it would help the State of Illinois. It would help economic development. I urge you and plead with you to give me your vote."

Speaker Giglio: "Further discussion? The Lady from Cook, Representative Parcells."

Parcells: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, although I respect the Sponsor of this Bill very much, I think you should be aware of some very important things. One of them is that IDOT and CMS are very much opposed to this Bill. Once this land is gone, it can never be repurchased. Right now I have on my desk, which any of you can look at, a map of the plans of this particular plot, that IDOT has the plans on the books. You were all given a book just a few weeks ago that showed that there is money in it...in their 5 year plan for the project. They want to move that intersection, the intersection which the Representative spoke about, is an extremely dangerous intersection. There have been 262 accidents there, with four fatalities at that intersection, and it's very necessary that they move it. That is more accidents and more fatalities than at Clavey Road which we recently just did because it was so bad there were 223 accidents and 2

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fatalities. This is double that number. Now, IDOT has told the Representative that there will be some land left over which he is welcome to use...about 50 acres that they would be happy to negotiate on, but they must be able to move this intersection. They have it in their plans. They aren't holding it for no reason at all. They need this land to redo this intersection, and it's very necessary not to take it away from them, because once it's gone, they can never have it again, and I ask for your 'no' vote for this Bill."

Speaker Giglio: "Further discussion? Representative Matijevich to close."

Matijevich: "Well, Ladies and Gentlemen of the House. Let me tell 'ya how stupid that plan is. Do you know where that plan runs through? It runs through a...fire station that was just built. It was just built. It had been state property. The Department of Transportation doesn't even know that they gave that two acres to the City of Chicago to build a fire station. This plan that they have come up with...nobody can live with it. The village of Lake Bluff is already against it. The County of Lake is against it...City of North Chicago's against it, and not only that, they would have to spend another \$20,000,000 at least, because they have to purchase property from Abbott Laboratories which they're not going to get. The plan is stupid, so they're going to keep the property for another 25 years and do nothing. Don't we believe that property that's doing nothing ought to be declared surplus? It should have been, long ago. Let's do with it what we ought to. Put it back on the tax rolls. That's where it belongs. I urge your 'aye' vote."

Speaker Giglio: "Question is, 'Shall House Bill 153 pass?' All those in favor vote 'aye', opposed, 'no'. The voting is

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open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 68 voting 'yes', 42 voting 'no', and House Bill 153, having received a Constitutional Majority is hereby declared passed. Representative Steczo, on House Bill 519. Out of the record. Representative Keane on 1121. Is Representative Keane in the chamber? Read the Bill, Mr. Clerk. We're on Second Reading, Revenue."

Clerk Leone: "House Bill 1121, a Bill for an Act to amend an Act in relationship to taxation. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed. Floor Amendment #2 is being offered by Representative Bernard Pedersen and Pullen."

Speaker Giglio: "Representative Pedersen on Amendment #2 to House Bill 1121."

Pedersen: "Hang on a minute, Jim. I'd like to withdraw Amendment #2."

Speaker Giglio: "Withdraw Amendment #2. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Representative Laurino, House Bill 1634. Representative Laurino, House Bill 1634, property tax redemption. It's on Secnd Reading. Hold it. Out of the record. Representative Currie, 1830, earned income tax credit. Second Reading, Revenue. Representative Currie. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1830, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. Amendments #1 and 3 were adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Are there any Floor Amendments?"

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Clerk Leone: "Floor Amendment #4 is being offered by Representative Homer. Representative Homer on Amendment #4. Withdraw Amendment #4. Further Amendments. Representative Kubik, for what purpose do you rise?"

Kubik: "Yes, Mr. Speaker. Just a question. Perhaps the Clerk can clarify. Was Amendment #3 adopted?"

Speaker Giglio: "I believe 1 and 3 were adopted in committee and no Motions filed. Amendment #4 has been withdrawn."

Kubik: "#3 was adopted on the floor, Representative Currie tells me."

Speaker Giglio: "Clerk informs the Chair that Amendment #1 was adopted in committee and Amendment #2 was withdrawn, and Amendment #3 was adopted on the floor in April."

Kubik: "Thank you, Mr. Speaker."

Speaker Giglio: "Amendment #4 is withdrawn. Now are there any further Amendments?"

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

Speaker Giglio: "Representative Homer on Amendment #5. Withdraw Amendment #5. Further Amendments? Amendment #5, Representative Homer. Withdraw Amendment #5. Further Amendments."

Clerk Leone: "Floor Amendment #6, offered by Representative Homer."

Speaker Giglio: "Withdraw Amendment #6. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Giglio: "Third Reading. Representative Turner. Representative Turner in the chamber? Out of the record. Representative Currie on House Bill 2194. Out of the record. Representative Schoenberg, 2363. Out of the record. How 'bout Revenue, Third Reading? Representative Currie, House Bill 1102. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1102, a Bill for an Act to amend the Illinois Income Tax Act. Third Reading of the Bill."

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

Currie: "Thank you, Mr. Speaker and Members of the House. This is a Bill that would provide for easy forms for the Illinois Income Tax. The Department of Revenue has some serious reservations about the Bill, and I have agreed to work with the Department on the Bill in the Senate. I recognize that the Bill in its present form should not go to the Governor, but I think there's some good ideas here, and I'd appreciate your support for the Bill."

Speaker Giglio: "Any discussion? The Gentleman from Warren, Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker. I'm wondering if the Sponsor would be willing to repeat that. I couldn't hear a word over here, and I...the noise level is getting a little worse as the morning goes on. Perhaps if we could have a little order we could hear some of the Sponsors make their explanations."

Speaker Giglio: "Your point is well taken. Ladies and Gentlemen, we're getting into final week, and there's a lot of commotion, a lot of people on the floor. All those not entitled to the floor, please leave. All those people wanting to have their Bills called, please come to the chamber. Representative Currie, would you like to repeat the synopsis of the Bill?"

Currie: "Thank you, Mr. Speaker. It's an effort to find an easier, simpler form for the Illinois income tax. The Department of Revenue does have serious reservations about the Bill in its present form, and I agree with the department that in its present form this Bill should not go to the Governor, but I would like to move the Bill to the Senate so I can continue to work with the department."

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

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

Speaker Giglio: "Indicates he will."

Wennlund: "Representative Currie, is this a possible Vehicle for an income tax increase?"

Currie: "Well, it's not my intention. I do try to...intend to do something substantive with this legislation, but I would only do so working with the department."

Wennlund: "Thank you for answering the question. I understand it's not the Sponsor's intention, however, all Members of the House should be alert of the fact that a...vote in favor of this Bill may be a vote in favor of possible income tax increase, and may be viewed that way and the vehicle Bill amending the Income Tax Act may in fact be a vehicle for an income tax increase."

Speaker Giglio: "Representative Kubik."

Kubik: "Thank you. Would the Sponsor yield?"

Speaker Giglio: "Indicates she will."

Kubik: "Representative Currie, what...is the reason that we're sending the Bill to the Senate? I mean...what is the vehicle for?"

Currie: "That's the only place it can go at this time, unless it goes nowhere at all. There are only two chambers in the Illinois General Assembly. This is one and that's the other."

Kubik: "Well, I mean, what do we want to do over in the Senate? What is your intention..."

Currie: "Well as I said...like to continue working with the department and see if we can do something with this idea, and I recognize that the department is not happy with the Bill in its current form, and I have agreed with the Department that I would not try to move it through the Senate unchanged, so I just think it's an idea worth pursuing, and the department understands what I'm about and

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the Department does not object to passage of this Bill."

Kubik: "Your intention though is to, work on an easy tax form, is what I understand."

Currie: "That's the way the Bill is introduced, right."

Kubik: "But, as I also understand it, this type of an idea was floated in Decatur a few years ago, and actually created more problems than it solved."

Currie: "That's why the Bill in its present form is not acceptable to the department, and I appreciate their reservation, and I agree that the Bill should not go beyond the next chamber without resolving that, so...I mean, I think it's a straightforward proposition. Either you'll help me move the Bill to the other chamber, or you won't."

Kubik: "Well, Mr. Speaker, to the Bill. That's about as direct as she could put it, and in this case we're not going to help her move it to the Senate, so I would caution our Members. This is an income tax vehicle, and this time of year it can end up in some very interesting places, and come back to us in a very interesting form, so, I would keep an eye on this Bill and I would...if I were you, I'd vote either 'present' or 'no' at this point in time. Thank you."

Speaker Giglio: "Representative Giorgi."

Giorgi: "Mr. Speaker, to allay the fears of the other side, they just sent a Bill over here last week that has to do with taxes. You may want this Bill, because you may not want that Bill. You got to realize what's happening. The Senate sent you a missile, Minority Leader is going to be the Sponsor of it. Don't be fearful. These things will all be worked out. Support this Bill."

Speaker Giglio: "Further discussion? The Lady from Cook, Representative Currie to close."

Currie: "Thank you, Mr. Speaker and Members of the House. It's a

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straightforward proposition. Let's see if we can find a way to make the...form requirements for paying your income tax in the state a little easier. That's all this Bill is about, don't be frightened by other extraneous arguments. If you want to try to work on a way to make it easier for your people to deal with their tax problems on April 15, vote 'yes' on House Bill 1102."

Speaker Giglio: "Question is, 'Shall House Bill 1102 pass?' All those in favor vote 'aye', opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there's 62 voting 'yes', 41 voting 'no', and House Bill 1102, having received the required Constitutional Majority is hereby declared passed. Representative Bugielski, House Bill 1982. Representative Bugielski in the chamber? Out of the record. Representative Currie on House Bill 2190. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2190, a Bill for an Act to amend the Disabled Persons Rehabilitation Act. Third Reading of the Bill."

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

Currie: "Thank you, Mr. Speaker and Members of the House. I'd like leave to bring this Bill back to Second Reading for purposes of an Amendment."

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

Clerk Leone: "House Bill 2190 on Second Reading. Amendment #2 is being offered by Representative Homer."

Speaker Giglio: "Representative Homer on Amendment #2 to House Bill 2190. Withdraw Amendment #2, Mr. Clerk. Are there further Amendments?"

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

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Homer."

Speaker Giglio: "Withdraw Amendment #3. Further Amendments?"

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

Speaker Giglio: "Withdraw Amendment #4. Are there further Amendments?"

Clerk Leone: "Floor Amendment #5, offered by Representative Currie - et al."

Speaker Giglio: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This Amendment provides for three additional checkoffs on the Illinois income tax. These were all individual Bills brought to the Revenue Committee by Representatives Balthis, Levin and Weller, and we've incorporated these three proposals in this Amendment to become House Bill 2190. The three are: assistive technologies for disabled people, help for people with AIDS, and a program to provide checkoffs for treatment help for young Illinoisans suffering from drug and substance abuse. I'd be happy to answer your questions and would appreciate your support for the Amendment."

Speaker Giglio: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Amendment. It is an Agreed Amendment between Representative Currie and our side of the aisle. It includes three checkoffs which were sponsored by our Members. I would urge support on this particular Amendment. Thank you."

Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye', opposed, 'no'. The Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Currie."

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Currie: "I would ask leave of the House to hear the Bill on Third Reading at this time."

Speaker Giglio: "Does the Lady have leave by the Attendance Roll Call? Hearing none, leave is granted. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2190, a Bill for an Act to amend the Disabled Persons Rehabilitation Act. Third Reading of the Bill."

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

Currie: "You've heard the provisions of the Bill. They were all contained in the Amendment. That's all that's in 2190, help with assistive technology for the disabled and so-forth, so I'd appreciate your support for this Bill."

Speaker Giglio: "Question is, 'Shall House Bill 2190 pass?' All those in favor vote 'aye', opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 108 voting 'yes', none voting 'no'. Representative Hultgren, 'aye'. Representative Trotter 'aye'. Representative Bernard Pedersen, 'aye'. On this question, there are 111 voting 'aye', none voting 'no', and House Bill 2190, having received the required Constitutional Majority is hereby declared passed. Returning to Third Reading. Jay Hoffman and Art Turner. Representative Hoffman on 816. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 816, a Bill for an Act to amend an Act relating to employee compensation. Third Reading of the Bill."

Speaker Giglio: "Gentleman from St. Clair, Representative Hoffman."

Hoffman, J.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 816, I believe, is a very, very important piece of legislation. What it would do is the

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reservists who went to the Persian Gulf and served for us, that they work for an educational institution or work for a municipal government, they would receive the difference...the difference in pay between what they actually made while serving in the Persian Gulf, and what they would have made working in their other job. I talked with principals superintendents and I've talked with mayors as well as county board chairmen. They all agree to this important piece of legislation. They think that we owe something to the people who served for us. We owe them for going to the Persian Gulf and fighting for us. I think that this piece of legislation would address an issue in this state that...when we call on somebody to serve, we're not going to let their family life, we're not going to let their financial situation deteriorate, that we thank them for what they did, and this is a very, very important piece of legislation, and I ask for your 'aye' vote."

Speaker Giglio: "Any discussion? The Gentleman from Lee, Representative Myron Olson."

Olson, M.: "Representative Hoffman, would you respond to a question, please?"

Hoffman, J." "Yeah."

Olson, M.: "I noticed that Floor Amendment #2 forbids any home rule unit, other than Cook County, City of Chicago from utilizing...why did you leave them off the hook?"

Hoffman, J.: "My understanding is that they have already done this, and also...the reason I left the state out of the Bill, was because they have done it, also. I don't see any reason to...do it."

Olson, M.: "Chicago in their wisdom has already adopted the suggestion that you're implementing here?"

Hoffman, J.: "I believe Cook County, yes...I think the City of Chicago, too."

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Olson, M.: "Alright, well then I assume that means that..."

Hoffman, J.: "That's my understanding."

Olson, M.: "Alright. Then I assume that if they are in a position to do this, the City of Chicago...will not be looking for \$100,000,000 this spring to come to them as a part of the surcharge which they've been getting for the last couple of years. Is that fair to say?"

Hoffman, J.: "I don't think that has anything to do with it."

Olson, M.: "Thank you very much."

Speaker Giglio: "Further discussion? Representative Hoffman to close."

Hoffman: "Mr. Speaker, Ladies and Gentlemen of the House. This piece of legislation would protect the people that have gone to the Persian Gulf and served for us. This piece of legislation would not only protect their families, but their financial well-being. I think they have done a great service to us and our country, a great service to the State of Illinois. They have taken time out of their everyday life to serve for us. I ask for an 'aye' vote on this piece of legislation."

Speaker Giglio: "Question is, 'Shall House Bill 816 pass?' All those in favor vote 'aye', opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 103 voting 'yes', 10 voting 'no', and House Bill 816, having received the required Constitutional Majority is hereby declared passed. Representative Turner. Out of the record. The next Order of Business will be Government Operations. On that Order Second Reading, appears House Bill 208, Representative Schakowsky. Out of the record. Representative Currie, House Bill 318. Representative Currie. Out of the record. Representative Edley, House Bill 578. Out of the record."

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Representative Capparelli, 1311. Out of the record.
Representative Richmond, House Bill 1498. Second Reading.
Out of the record. Representative Ronan, House Bill 1853.
Tanning facilities. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1853, a Bill for an Act to regulate
tanning facilities. Second Reading of the Bill. There are
no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1 is being offered by
Representative Ronan."

Speaker Giglio: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker. House Amendment #1, Floor
Amendment #1 was prepared by the Illinois Department of
Public Health to clarify...my intent with this legislation
shifts the responsibility...the funding mechanism and the
funding responsibility to local departments of public
health, and they've been in contact with the local
departments who support the Amendment..."

Speaker Giglio: "Any discussion on the Amendment?"

Ronan: "...so at this point I'd move for the adoption."

Speaker Giglio: "Hearing none, all those in favor say 'aye',
opposed, 'no'. The Amendment's adopted. Further
Amendments?"

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

Speaker Giglio: "Representative Ronan."

Ronan: "Floor Amendment #2 is a...clears up a wording problem
that was in House Amendment #1, so it's just a technical
Amendment."

Speaker Giglio: "Any discussion on the Amendment? Hearing none,
all those in favor say 'aye', opposed, 'no'. The
Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #3 offered by Representative Ronan

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and Kulas."

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Speaker Giglio: "Representative Ronan on Amendment #3."

Ronan: "Mr. Speaker, we have a problem. Amendment #2 should have been the technical Amendment. I now want to table Amendment #2, and I want to adopt Amendment #3. I'd like to withdraw Amendment #2."

Speaker Giglio: "Mr. Clerk, alright..."

Ronan: "...like to make a Motion to table Amendment #2 that has just been adopted."

Speaker Giglio: "Mr. Clerk, you heard the Gentleman's Motion. Table Amendment #2. Are there further Amendments? All those in favor say 'aye', opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendment #2 is tabled. Are there further Amendments?"

Clerk Leone: "Floor Amendment #3, Ronan."

Speaker Giglio: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker. This is a technical Amendment for Amendment #1, so I move for the adoption of Amendment #3."

Speaker Giglio: "You're sure?"

Ronan: "Of course..."

Speaker Giglio: "Any discussion..."

Ronan: "...I'm sure, Mr. Speaker."

Speaker Giglio: "All those in favor of the Amendment say 'aye', opposed, 'no'. The Amendment's adopted. Further Amendments?"

erk Leone: "No further Amendments."

aker Giglio: "Third Reading. Representative Giorgi, 1918. Read the Bill, Mr. Clerk."

Leone: "House Bill 1918, a Bill for an Act to amend the Illinois Underground Utilities Facilities Drainage Convention Act. Second Reading of the Bill. Amendment #1 adopted in committee."

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Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Giorgi."

Giorgi: "Withdraw Amendment #2."

Speaker Giglio: "Withdraw Amendment #2. Further Amendments."

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

Giorgi: "Mr. Speaker, withdraw Amendment #3."

Speaker Giglio: "Withdraw Amendment #3."

Giorgi: "Now, Amendment #4 makes it a shell Bill, and Representative Wennlund and I have been working with the people that have to...have been having a lot of problems with the JULIE Bill, and we're going to use this vehicle to solve some of the dilemmas of the state on the JULIE Bills, so I'd like to move for Amendment #4, which makes it a shell Bill."

Speaker Giglio: "Any discussion? Representative Wennlund."

Wennlund: "That's correct, Mr. Speaker. Representative Giorgi and I are working together to work out some difficulties and I..."

Speaker Giglio: "All those in favor of Amendment #4 say 'aye', opposed, 'no'. The Amendment's adopted. Are there further Amendments?"

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

Wennlund: "Withdraw."

Speaker Giglio: "Withdraw Amendment #5. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Alright, Gentleman asks leave for immediate consideration. Does the Gentleman have leave? The Bill's on Second Reading, Representative

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Giorgi. We need one more day."

Speaker Giglio: "The Bill is on Second; we moved it to Third. Now it's on Third. Representative Edley...on House Bill 578. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 578, a Bill for an Act to amend the Medical Practice Act. Second Reading of the Bill. There are no Committee Amendments."

Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative Edley."

Edley: "...Mr. Speaker, Ladies and Gentlemen of the General Assembly. Amendment 1 addresses some of the problems we had in committee that I...gave my word that I would amend on the floor. What Amendment 1 does is provide structure to the Medical Licensing Board when they...have the opportunity to issue a conditional license, and it sets forth some conditions for them to make that...conditional license. First of all, the applicant must have been a lawful, practicing physician for two years in another licensed jurisdiction. In other words, he must have been practicing as a licensed physician in another state for at least two years before he could qualify. He must be sponsored by a licensed physician in the State of Illinois. He must agree to practice in a hospital, a federally designated health care center, or a public health department, and he must show proof that he has malpractice insurance. This is a good Bill. It also requires that these conditional license holders practice in a medically underserved area and that they complete full compliance with the Licensing Act within two years. I'd urge your support."

Speaker Giglio: "Further discussion on the Amendment? Hearing

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none, all those in favor of the Amendment say 'aye', opposed 'nay'. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Trotter and Edley."

Speaker Giglio: "Representative Trotter."

Trotter: "Thank you very much, Mr. Speaker and Members of the House. Amendment #2 adds two public voting members to the Medical Licensing Board, which presently has seven members making a nine-member board. In addition, it makes the two current public members on the Disciplinary Board voting members. It also adds language which defines that the residency requirement for the public members, stating that they should be non-partisan, non-medically affiliated, and so on, and I ask for its adoption."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all in favor say 'aye', opposed, 'no'. The Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. 1985, Representative Kubik. Representative Kubik in the chamber? Representative Petka. Representative Kubik in the chamber? We're on Republican Bills. Representative Black."

Black: "Yeah, thank you very much, Mr. Speaker. With the consent of the Body, I'd be more than happy to handle this for Representative Kubik, who, I'm sure, is just momentarily disposed."

Speaker Giglio: "Does Representative Black have leave? Hearing none, leave is granted. Representative Black on House Bill 1985."

Clerk Leone: "House Bill 1985, a Bill for an Act to amend an Act in relationship to taxation. Second Reading of the Bill. There are no Committee Amendments."

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Speaker Giglio: "Are there any Floor Amendments?"

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

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker. Withdraw Amendment #1."

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

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

Speaker Giglio: "Representative Kubik and Black. Representative Black."

Black: "Thank you very much, Mr. Speaker. I believe that this Amendment has also been cleared with your side of the aisle. It improves the Department of Revenue's ability to collect motor fuel taxes associated with on-highway use of diesel fuel by changing the filing requirements for the sale of diesel fuel to include the reporting of tax-free sales and a tightening of licensing requirements for the sale of motor fuel...Amendment 2."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor say 'aye', opposed, 'no'. The Amendment's adopted. Further Amendments?"

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

Speaker Giglio: "Representative Currie on Amendment #3."

Currie: "Thank you, Mr. Speaker and Members of the House. It's a technical cleanup Amendment that is acceptable to the Sponsor, and I move for its adoption."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment say 'aye', opposed, 'no'. The Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 2065, Representative

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Schakowsky. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2065, a Bill for an Act to amend an Act in relationship to hate crimes. Second Reading of the Bill. There are no Committee or Floor Amendments."

Speaker Giglio: "Third Reading. Representative Williams, House Bill 2239. Excuse me. Hold on, Mr. Clerk. Representative Schakowsky."

Schakowsky: "May I have leave to hear the Bill on Third?"

Speaker Giglio: "No. You have to wait one day. It's on Second. Yeah, 2239, Representative Williams. It's on Second Reading. Mortgage Foreclosure. Alright, take it out of the record. On the Order of Government Operations, Third Reading appears House Bill 595, Representative Rotello. Representative Rotello, 595. 595. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 595, a Bill for an Act in relationship to employer-provided health care. Third Reading of the Bill."

Speaker Giglio: "Gentleman from Rockford, Representative Rotello."

Rotello: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would ask that this Bill would be moved back to Second Reading for purposes of tabling an Amendment."

Speaker Giglio: "You heard the Gentleman's Motion. Representative Black."

Black: "Mr. Speaker, we would object to the Gentleman bringing the Bill back to Second Reading."

Speaker Giglio: "Representative Lang."

Lang: "Mr. Speaker, the only purpose for bringing the Bill back to Second Reading is to table an Amendment. I don't know why that would be such a heinous thing."

Speaker Giglio: "Representative Black."

Black: "Mr. Speaker, if someone would come over and talk to us."

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That is not our understanding, and I rise to object, simply that we have...been led to believe that there are certain Amendments that the Gentleman wanted to add to this Bill that we do not favor. We've been misled, we're certainly willing to talk to your side about that. We'd ask you to take the Bill out of the record and let's see what's going on."

Lang: "Mr. Speaker, to move this back to Second Reading."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker. The Gentleman has come over and explained...we had some erroneous information. We'll certainly withdraw our objection. Let the Gentleman take the Bill back to Second Reading."

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

Clerk Leone: "House Bill 595, on the Order of Second Reading. A Motion to table by Representative Rotello."

Speaker Giglio: "Representative Homer. Representative Rotello. What's your intention? The Bill is on the Order of Second Reading."

Rotello: "Which Amendment..."

Speaker Giglio: "The Gentleman from the Water Reclamation District visiting us today, Mr. Tom Fuller. Representative Fuller from the Metropolitan Sanitary District. No, excuse me. Water Reclamation District. Representative Rotello."

Rotello: "Thank you, Mr. Speaker. We'd like to table Amendment #5. That's the intention here, and then vote on the Bill as..."

Speaker Giglio: "Table Amendment #5. Mr. Clerk, are there further Amendments? Alright, the Gentleman moves to table Amendment #5. All those in favor signify by saying 'aye', opposed, 'nay'. In the opinion of the Chair, the 'ayes'

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

Clerk Leone: "No further Amendments or further Motions."

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

Clerk Leone: "House Bill 595, a Bill for an Act in relationship to the employer-provided health care. Third Reading of the Bill."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker. We appreciate your tabling Amendment #5, but there's still some questions we have about the underlying Bill, and we would object to immediate consideration on Third Reading."

Speaker Giglio: "Representative Black...Parliamentarian informs the Chair that there was no need to bring it back to Second and have immediate leave for immediate consideration. The Bill's on Third Reading. He tabled the Amendment, so read the Bill, Mr. Clerk. The Bill's on Third."

Clerk Leone: "House Bill 595, a Bill for an Act in relationship to employer-provided health care. Third Reading of the Bill."

Speaker Giglio: "Representative Rotello."

Rotello: "Thank you, Mr. Speaker. I think this is a good Bill. It helps clarify some of the insurance problems in this state, and I would ask for approval by the Body."

Speaker Giglio: "Any discussion? Representative Lang."

Lang: "Thank you, Mr. Speaker. I'd like to talk about the two Amendments I have on this Bill, both dealing with insurance reform. The first one is a simple Amendment that says that no health insurance carrier can raise health insurance premiums more than once in every six-month period. The purpose of this is to address a problem that your constituents and mine have regarding continual rises in their health premium. It seems to me they ought to be able

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to know over at least six months what their health care premium will be. There's no effort here to limit the amount of the premium, only to limit it for a six-month period and then the insurance company can raise it to whatever figure they wish. The other Amendment deals with policy simplification. It would direct the Department of Insurance and the director to preapprove our insurance policy forms and to make sure they're in simple language that those that have insurance can understand. We need to make sure that our constituents know how to make an insurance claim. We need to make sure they know what their policy says. We need to make sure they know what they're covered for, and to those that say an insurance policy can't be written without all kinds of legalese and gobbledegook, I say you're wrong. I say any contract can be written so that a private citizen can understand them without the need for a lawyer. I urge the passage of House Bill 595."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall House Bill 595...whoops, 'scuse me. Representative Black."

Black: "Thank you very much, Mr. Speaker. I think there were some people on our side of the aisle that had their light on, but be that as it may, let me make an inquiry of the Chair. Since the Gentleman has tabled Amendment #5, it alters the Bill somewhat, and I have filed a Fiscal Note on the Bill as altered by the tabling of Amendment #5, and I think that Fiscal Note would be in order, and we would like to know what that fiscal cost might be under the Bill now that the Amendment's been tabled."

Speaker Giglio: "Representative Lang."

Lang: "Thank you, Mr. Speaker. This request is not timely. The Bill is on Third Reading. Further, the Fiscal Note that

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was filed was a Fiscal Note that dealt with Amendments 3, 4 and 5. Tabling 5 doesn't change the Fiscal Note on Amendments 3 and 4, and I would ask that the Chair declare the request out of order."

Speaker Giglio: "...well taken. Representative Pedersen."

Pedersen, B.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think that we have to understand that Illinois is one of the finest states in the country when it comes to the insurance climate. We have lower rates, we have high competition, but we have sinister forces like IPAC, you know, the people that really would prefer that the insurance business be socialized. You've got the lawyers involved in this trying to put more regulations, more red tape, more junk on the books to effect a very competitive and efficient insurance business. We've talked about these Bills over and over again. These Amendments have been offered for several years. They're nothing but, as I say, lots of red tape. Simplification just doesn't work because every time there's a disagreement on about what the words mean, they have to go to court and that changes the wording if the people involved disagree. So they have to change it to comply with the decisions of the court no matter how simple that these lawyers try to make the language. The no rate increase is just something that...doesn't do anything. The insurance companies that causes the...of the insurance companies have to have a rate increase, they'll get it one way or another. This is just another interference that doesn't work, and as far as a consumer's guide is concerned, you'd absolutely...cannot be on top of what's going on in a competitive market by publishing a voluminous guide by the government that's never really up to date. We have consumer's guides. We have all kinds of private institutions, magazines and what

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have you, that are constantly checking these things. We have all kinds of compendiums that compare rates, compare policies that are there already in the private marketplace, so this is just what you call more regulation, more interference in something that's working well, and we recommend a 'no' vote on this terrible Bill."

Speaker Giglio: "Representative Lang."

Lang: "Thank you. Just a point of order, Mr. Speaker. Amendment #5 was tabled. That dealt with the consumer guide. I want to make it clear to the Body that that is not on this Bill currently. Thank you."

Speaker Giglio: "Representative Regan."

Regan: "Thank you, Mr. Speaker and Members of the House. Here we go again. Amendment #2 on this Bill is readability. This is called consumer protection to draw a contract between a corporation and an individual in laymen's language. I suspect that if you feel that insurance companies are as evil as what...you think they are, that this is damaging the public. Readability means loopholes. Legal contracts must be closed and tight, and through the years, court case after court case, this type of language was placed in insurance contracts to protect the customer and the company. Now I also know that it's going to cost \$60,000 a year, and I think the Insurance Department is strained enough with all the business they've got to do right now, and I would urge a 'no' vote on another one of these lovely Bills."

Speaker Giglio: "Representative Klemm."

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

Speaker Giglio: "Indicates he will."

Klemm: "I noticed in the original Bill, and I don't know if it's been amended out, where it said that if an employer were to

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offer group insurance...or insurance for dependents, that the employee would have the choice of any insurance company for that dependent coverage. Is that part of the Bill?"

Speaker Giglio: "Representative Rotello."

Rotello: "Yes. It is part, Representative Klemm."

Klemm: "So, if I have a carrier that offers employee insurance and also insurance for my dependents, as a policy and almost as a contractual agreement, an employee could just say to me, 'I don't want to include my spouses in that policy that the company has. I want to go out and individually contract with another insurance carrier,' and the company, that small employer, would have to pick up those premiums, is that correct?"

Rotello: "That's correct."

Klemm: "So in other words, a company that has a group insurance to get the best dollar...that an employee could circumvent that entire system and just say well, let me go to this other insurance company irregardless of the premiums, irregardless of whether it's now...becomes an individual policy for dependents, and they would have no choice of saying, 'Well, we have a group policy for everybody; maybe we're part of an association; maybe we're even part of a state plan.' An employee could just arbitrarily have...if you have 10, 20, 30 employees you would have... that company would have to contract with 10, 20 or 30 insurance companies, just because one employee said, 'I want my dependent coverage under one insurance company and my individual coverage under a different insurance company.' Is that correct?"

Rotello: "Representative Klemm, I think it's very clear, the original part of the Bill, says that the employer...won't require that an employee obtain coverage for dependents from a source other than the employer. I think it's just

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straightforward."

Klemm: "Alright. Well, to the Bill...Mr. Speaker. You know..."

Speaker Giglio: "Proceed."

Klemm: "I don't know. It seems to me that...where some of these suggestions come from, and I'm not sure where the Sponsor has picked up this language, but it seems to me that whoever recommended that has never worked or been employed by a private business or even in the public. Can you imagine? You have 20 employees, and you offer through a group insurance program, major medical, maybe dental, maybe all the other programs, and if an employee decides that I don't want that particular coverage for my dependents, which is part of the package, which is part of what either the company is paying totally, that any or all of those employees could individually just say, 'I won't accept that. I either can get it on my own'...'cause the Bill is not clear what it says, or the company would have to go out and individually contract. Not for the entire policy for that individual, but just for the dependent coverage. Now it seems to me that the costs would be astronomical to go into the open market and just get a policy to cover your children and your wife and everything else. I mean, that doesn't make sense, and if you're trying to have a cohesive, comprehensive program to protect employees, that provision would certainly desecrate any common-sense approach for covering employees, and for that reason I have to stand opposed to House Bill 595."

Speaker Matijevich: "Representative Rotello to close."

Rotello: "Thank you, Mr. Speaker. I think that the Bill with the Amendments takes on the discrimination that we see in some insurance coverage, and I would ask...my colleagues to support this concept."

Speaker Matijevich: "Representative Rotello has moved for the

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passage of House Bill 595. Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted? Have all voted who wish? Clerk will take...Gentleman from Cook, Representative Parke, for what purpose do you rise?"

Parke: "I would like a verification of the Roll Call, Mr. Speaker."

Speaker Matijevich: "You...have...that right. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 66 'ayes', 45 'nays', 4 answering 'present', and the Gentleman has asked for a verification of the Roll Call. Would the Clerk read off those who haven't voted?"

Clerk Leone: "Poll of those not voting: Representative Farley is the only Member who is not voting."

Speaker Matijevich: "Will the...leave for John Saltsman to be verified. Leave. Clerk will announce the affirmative votes. Leave for Andy or Tony Young. Either one to be verified, and Bob LeFlore. Young and LeFlore. Leave? Leave for Currie, Barbara Currie to be verified. Leave. Proceed with the Affirmative Vote. "

Clerk Leone: "Poll of the affirmative: Balanoff. Bugielski. Burke. Capparelli. Currie. Davis. Deering. DeJaegher. DeLeo. Dunn. Edley. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Jay Hoffman. Homer. Hultgren. Lou Jones. Keane. Koulas. Lang. Laurino. LeFlore. Levin. Marinaro. Martinez. Matijevich. Mautino. McAfee. McGann. McGuire. Mcnamara. MCPike. Morrow. Mulcahey. Munizzi. Novak. Obrzut. Phelan. Phelps. Preston. Rice. Richmond. Ronan. Rotello. Saltsman. Santiago. Satterthwaite. Schakowsky. Schoenberg. Shaw. Steczo. Stepan. Stern. Trotter. Walsh. White. Williams..."

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Speaker Giglio: "Excuse me. Representative Parke, does Representative Balanoff have leave? Verified leave is granted. Proceed, Mr. Clerk."

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

Speaker Giglio: "Questions of the Affirmative. Representative Parke."

Parke: "Thank you, Mr. Speaker. Monique Davis, please."

Speaker Giglio: "Representative Monique Davis. Is Monique Davis in the chamber? How's the Lady recorded, Mr. Clerk?"

Clerk Leone: "Lady's recorded as voting 'aye'."

Speaker Giglio: "Remove the Lady from the Roll Call."

Parke: "Representative John Dunn."

Speaker Giglio: "Representative John Dunn, Gentleman from Macon. Gentleman...John Dunn in the chamber? How's the Gentleman recorded, Mr. Clerk?"

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

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

Parke: "Representative Art Turner."

Speaker Giglio: "Representative Art Turner. Is Representative Turner...how is the Gentleman recorded, Mr. Clerk?"

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

Parke: "Representative Santiago."

Speaker Giglio: "Representative Santiago. Representative Miguel Santiago. How's the Gentleman recorded, Mr. Clerk?"

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

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

Parke: "Representative Bugielski."

Speaker Giglio: "Representative Bugielski. Representative Bugielski. Representative Bugielski in the chamber? How's the Gentleman recorded, Mr. Clerk?"

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

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

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Parke: "Representative Capparelli."

Speaker Giglio: "Representative Capparelli. Representative Ralph Capparelli. How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call. Does Representative Trotter have leave to be verified, Mr. Parke? Leave is granted. How 'bout Representative Lou Jones? Does the Lady have leave? Leave is granted."

Parke: "Representative Walsh."

Speaker Giglio: "Representative Tom Walsh. Representative Tom Walsh in the chamber? How's the Gentleman recorded, Mr. Clerk?"

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

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

Parke: "Representative Terry Deering."

Speaker Giglio: "Excuse me, Representative Parke. Who is the last one?"

Parke: "Terry Deering."

Speaker Giglio: "Representative Deering. Representative Terrence Deering. How's the Gentleman recorded, Mr. Clerk?"

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

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

Parke: "Representative Flowers."

Speaker Giglio: "Representative Flowers. Representative Mary Flowers. How's the Lady recorded, Mr. Clerk?"

Clerk Leone: "The Lady's recorded as voting 'aye'."

Speaker Giglio: "Remove the Lady from the Roll Call."

Parke: "Representative LeFlore."

Speaker Giglio: "Representative Bob LeFlore is by the Clerk's station."

Parke: "Thank you. Representative Morrow. Ah, there he is, I see him. Representative Williams. Paul Williams."

Speaker Giglio: "Representative Paul Williams is in the aisle

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here."

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Parke: "Thank you. Representative Levin."

Speaker Giglio: "Representative Levin. He's in his chair,
Representative Parke."

Parke: "Thank you. Representative Woolard. Representative
Woolard."

Speaker Giglio: "Representative Woolard. Representative Woolard
in the chamber? Representative Woolard in the Chamber?
How's the Gentleman recorded?"

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

Parke: "Representative Saltsman. Did I verify...that's
right...thank you. I did verify him. Representative
Shaw."

Speaker Giglio: "Pardon me?"

Parke: "Representative William Shaw."

Speaker Giglio: "Representative Shaw. Representative Shaw in the
chamber? How's the Gentleman recorded?"

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

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

Parke: "Representative Ronan."

Speaker Giglio: "Representative Ronan. How's the Gentleman
recorded?"

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

Speaker Giglio: "Remove Representative Ronan from the Roll Call,
and Representative Woolard, remove Representative Woolard
from the Roll Call."

Parke: "Representative Mautino."

Speaker Giglio: "Representative Mautino. Is Representative
Mautino in the chamber? How's the Gentleman recorded, Mr.
Clerk?"

Clerk Leone: "Gentleman's recorded as voting 'aye'."

Speaker Giglio: "Remove Representative Mautino."

Parke: "Thank you, Representative. That's all we have."

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Speaker Giglio: "Mr. Clerk, restore Representative John Dunn. John Dunn is returned. Restore Representative John Dunn to the Roll Call. Representative Shirley Jones. Change Representative Shirley Jones from 'present' to 'aye', Mr. Clerk. Representative Rotello. Representative Walsh has returned. Restore Representative Walsh to the Roll Call, Mr. Clerk. Representative Mulcahey."

Mulcahey: "Mr. Speaker, how am I recorded?"

Speaker Giglio: "Mr. Clerk, how is Representative Mulcahey...voting?"

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

Mulcahey: "Thank you."

Speaker Giglio: "Representative Rotello. Representative Rotello."

Rotello: "Mr. Speaker, I ask that this be put on Postponed Consideration, please."

Speaker Giglio: "Put the Bill on Postponed Consideration, Mr. Clerk. The Minority Leader, Representative Lee Daniels. For what purpose do you rise, Sir?"

Daniels: "Thank you, Mr. Speaker Ladies and Gentlemen of the House. Once a year I have a very special visitor and she's here with us today. This is my oldest daughter, Laurie Daniels. Laurie lives in Bethshan facility for the developmentally disabled in Palos Heights, Illinois, and with Laurie is Joe Lanaga, who runs that facility, so would you join me in welcoming my daughter Laurie Daniels to the General Assembly?"

Speaker Giglio: "Welcome to Springfield. Alright, the next Order of Business will be State and Local Government, Third Reading. Representative Lang, House Bill 17. Representative Lang in the chamber? Out of the record, Mr. Clerk. Representative Homer, House Bill 316. The Gentleman from Fulton, Representative Homer. Read the

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Bill, Mr. Clerk."

Clerk Leone: "House Bill 316, a Bill for an Act to amend a relationship to...Statewide Grand Jury. Third Reading of the Bill."

Speaker Giglio: "Representative Homer."

Homer: "Thank you, Mr. Speaker Ladies and Gentlemen. This is a Statewide Grand Jury Bill that authorizes the Attorney General to convene with the permission of the local state's attorney, a grand jury in order to prosecute, investigate and indict drug trafficking and drug offenses and offenses that...are revealed...in the course of the investigation of those offenses limited to multi-county...situations where there's...offense has been committed in more than one county for the purpose of...going after the drug kingpins and the drug lords who often escape prosecution...under the current system. The Statewide Grand Jury would also have as a priority the seizure of assets and profits of drug dealers so as to utilize those profits and assets to pay for the enforcement of the drug laws and also to pay 25% of those funds to programs established in the communities approved by DASA for the treatment and prevention and education, to help attack the root of the drug problem. This Bill, beyond question, is the most important weapon that can be established for the...for the drug grower that must be waged by the State of Illinois. This Bill would allow the Attorney General, and empower the Attorney General, to utilize the resources of the State of Illinois to attack the problem at its source, to do something about stopping the flow of drugs into our counties and into our communities, and take the profit away from drug dealers, so that they can be used to enforce the drug laws and to help with the prevention, education and treatment that is so vitally necessary if we are going to make inroads into this

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tremendous problem. It's a Bill that should, and I hope will have, support of a bipartisan nature. It's a Bill that's long overdue, and if we're really serious about putting a halt and a limit to the inflow of drugs into our schools and neighborhoods and counties, then we'll enthusiastically support this Bill. I would be willing to attempt to address questions, and I would urge your favorable support."

Speaker Giglio: "Any discussion? Gentleman from Vermilion, Representative Black."

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

Speaker Giglio: "Indicates he will."

Black: "Representative, let me make sure I know all of the Amendments on this Bill. According to our records, number 2, 3, 4, 5, 6, 7 and 8, those four Amendments are all on the Bill, is that correct?"

Homer: "I think that's more than four, but the ones you read would be accurate."

Black: "Alright. Thank you very much. I...also Representative, I...my state's attorney called me this morning...wanted me to ask two questions, so let me do that if I might. My state's attorney is very concerned about this Bill. He feels strongly that it should start...the process should not start unless the local state's attorney requests this Grand Jury. Does...does he have that ability under this Bill?"

Homer: "No. The..the Attorney General initiates the request by filing an application with the Chief Justice of the Supreme Court, who then assigns a Circuit Judge to...to make the decision whether to convene and where to convene the Grand Jury. The Bill does, however, require the explicit approval of the states attorney before a Grand Jury can be

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convened in his or her county."

Black: "Alright, one other question. Does the Bill enable the local state's attorney to sign off or agree to any granting of immunity within this process?"

Homer: "No, the...there was...Amendment number 5 would have specifically required the approval of the state's attorneys in those counties where the offenses were committed; however, that Amendment was withdrawn and what the Bill does provide is that the Attorney General must consult with all such state's attorneys, but there is nothing specific about the veto authority of a state's attorney."

Black: "Alright, thank you very much, Representative."

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

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

Speaker Giglio: "He indicates he will."

Dunn: "There was an Amendment put on the Bill the last time we debated this Bill, and it has been debated previously, which would require the involvement of...two counties before this...Act could be triggered. Is that Amendment still in the Bill?"

Homer: "Yes. The offense...the offense under investigation...would have to have taken place in more than one county or involve transactions in...more than one county."

Dunn: "Mr. Speaker and Members of the House, to the Bill, there...there seems to be an axiom around here that if you rehash a concept enough times, it will ultimately pass whether it has merit or not. The Members should realize that what we are talking about here is a secret proceeding. We are not talking about openness in government. We are not talking about reform. We are not talking about clean

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environment, clean air, clean water. We are talking about secret proceedings. Secret proceedings in which a prosecutor can call a group of people into a room, those people are called the Grand Jury; they are summoned there; they must appear and serve whether they want to or not and the prosecutor inside that room can say, 'I think a crime has been committed by this person or that,' and the prosecutor, who wants to obtain a conviction, can tell the people on that Grand Jury his side of the story. The other side of the story is not told in these secret proceedings. Those who are to become the potential defendants are not invited to the proceedings. They are not entitled to be present; they are not entitled to be represented there by an attorney; they are not entitled to cross-examine witnesses; they probably don't even know the meeting is going on. Now, we have grand juries already in this state and in this nation and in this country. They are somewhat anachronistic but they are still preserved as a means of providing indictment of criminals and...and for the most part, they are used so the criminal won't be tipped off that an indictment is coming and arrests can be made to surprise the defendant. They are anachronistic, however, and they are secret, and this country was formed upon the principles that we want to protect the rights of the individuals. We have a Fourth Amendment to our Constitution protecting us against unreasonable searches and seizures. We fight, fight, fight. We march behind our flag to protect our right to own this and own that, and do this and do that, say this and say that and think as we please. We don't like things done in secret. What this Bill does is provide for the possibility of a Grand Jury, a secret proceeding, to be held anywhere in this state and to call into question a defendant anywhere in this state who

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may live at one end of the state and be called into question by the Grand Jury at the other end of the state."

Speaker Giglio: "Excuse me, Representative Dunn. All those the...that are not entitled to the House floor, will you kindly leave the chambers. This is a very important piece of legislation. The noise level is quite high, and we would ask those that are not entitled to the House chamber, please leave immediately. Proceed, Representative Dunn."

Dunn: "Thank you, Mr. Speaker. I think...a matter of considerable importance to the Body is to understand the history of this legislation. It did not succeed under Attorney General Bill Scott, Republican. It was presented and did not succeed under Attorney General, Ty Fahner, Republican. It was advanced and did not succeed under Attorney General Neal Hartigan, Democrat, and I am a Democrat here opposing my good friend the current Attorney General because I think this is very, very bad state policy, and there have been a lot of other Legislators sitting right here in this room who have agreed with that position because they are afraid of the erosion of individuals' rights that will take place if this legislation is enacted. This legislation is designed to address the narcotics crimes. I don't think it will do anything about criminals in South America. I don't think it will do anything about the drug traffic in South Florida. I don't think it will do anything about drug kingpins because it has no jurisdiction beyond the borders of the State of Illinois; and, furthermore, and very significantly, this Bill is structured so that two counties must be involved before the Grand Jury can be triggered. The largest county in this state is the County of Cook, and, as I indicated the last time we debated this Bill, if someone approaches the shores of the City of Chicago across

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Lake Michigan by boat, goes into the city with drugs, sells them, dispenses them, gets back on the boat out on Lake Michigan - there's only been one county involved. The Statewide Grand Jury is not applicable. A drug kingpin can sell and deal a lot of drugs that way with impunity and thumb their nose at this Statewide Grand Jury proceeding. Furthermore, what if you fly into O'Hare Airport, which is located in the City of Chicago? Come in from the air, land at O'Hare, transact your business, get back on a plane and leave only one county has been involved. So we're talking about enacting a piece of legislation here that probably will have little or no application in the County of Cook. I ask you if it is good to erode and throw out individual rights and freedoms for a Bill which has not much prospect of catching drug criminals to begin with, the kingpins, and very little prospect of being enforced in the County of Cook, and finally, to those of you who reside downstate, this legislation provides that your county (if the Grand Jury sits there), your county will pick up the cost of the Grand Jury proceeding. Your county will pay for the prosecutor. Your county will pay for the police investigators, the sheriff investigators, the court clerks, the baliffs, everything which is attendant upon the convening of a grand jury. Yes, the legislation says that the State of Illinois shall reimburse your county. I don't have to tell anyone in this room how often the State of Illinois says it shall reimburse local governments and fails to do so. This will be another case where that will happen. What if your county's involved with a grand jury proceeding that costs \$100,000, \$200,000, \$500,000, \$1,000,000? Where will your county get the money to pony the money up front even if it ever is reimbursed? Ladies and Gentlemen, this is one of the worst Bills to come

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before this General Assembly ever, and I urge everyone in this room to cast a 'no' vote against this legislation, not just for this Bill but to cast a 'no' vote for the rights and freedoms upon which this state and this nation were founded. A 'no' vote is a correct vote. I urge defeat of this legislation."

Speaker Giglio: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I also rise in opposition. You know, this has a bipartisan history to it. Last fall Governor Thompson amendatorily vetoed this Bill and was very desirous of its passage as amendatorily vetoed. He even appeared in our Caucus asking for our support. In spite of that, I...my feelings on this point were strong enough that I felt I had to stand up to the Governor of my own Party. I opposed it here when our Governor wanted it. I went to the Senate, and I fought against it in the Senate. In the Senate, on the Republican side of the aisle, there was a shouting match between various Republicans and Republican staffers, some in support of it on the Governor's request, some in opposition. This is too important a vote to merely give a partisan accommodation to your Attorney General. My friends on that side of the aisle, do not do it just because it's the easy vote for your Attorney General. It is a political hoax. Both sides historically have been guilty of it. It is so important that this be considered on its merits and not make that easy vote for the benefit of a party or a Member of your Party. It is too important to do that. Look at it on the merits. It is not what it appears to be. It is the first invasion of our civil liberties, civil liberties shared by all of us. Those of you who typically support positions of the A.C.L.U., please think carefully about this Bill. This goes to the very heart of the fight you make on their

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behalf so often. Don't let them down now. In spite of the A.C.L.U.'s opposition, I, too, oppose the Bill. The first time I have knowingly agreed with them in the nine years I've been down here, but it is that important. Do not let partisan differences or your partisan make-up make up your mind on this one. Do not give a vote of accommodation. This is the beginning of the end. This will not fight drugs. This will not help us in the war on crime. We do not suffer from a dearth of grand juries. All this does is give us one more grand jury. No police powers are given by this. There are no extra police officers as a result of this. There is no greater ability to make a drug case as a result of this. This is absolutely awful, regardless of who's behind it. It is only the latest coincidence that the person pushing this Bill is a Democrat. Last fall, when it was the Republican Governor of this state, I also opposed it. I proudly oppose it now."

Speaker Giglio: "Representative Petka."

Petka: "Thank you very much, Mr. Speaker and Members of the House. At a time when the number one issue in this country is...appears to be the use and abuse of drugs and how they're affecting society and especially our youth, we are looking for panaceas for the quick fix to cure the problem. A Statewide Grand Jury is not a quick fix. It will not cure the problem. Reasons have already been cited by speakers in opposition from both sides of the aisle. In my opinion, Mr. Speaker and Members of the House, what we are going to create is simply another bureaucracy, but we're going to be missing the real target. The target should be placing more street agents with more powers and expanded powers to deal directly with the scum of the earth who deal drugs. Isn't it ironic that last week we had an opportunity to send a real message to the drug pushers here

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in the...in the State of Illinois? There was a Bill on the House floor that would provide for life imprisonment for drug pushers, and yet that's got scuttled, but, somehow, a Bill which provides investigative powers to a statewide officer is going to be the most important Bill in the war against drugs. Let's not be confused about it. What we are going to be doing here, Ladies and Gentlemen, is, very simply, this: We are going to be empowering the Attorney General with additional authority, but not the type of authority which is really necessary to get the job done. Let me explain. All cases that are prosecuted in this state are made by street agents and the police. Prosecutors are simply the second step. Without the first step we simply don't have a case to be made. Over ten years ago, the current Speaker of this House lead the charge against the Statewide Grand Jury. For reasons that he cited there, I believe, it is very appropriate now that we once again oppose this concept. If I felt it would do one iota in terms of knocking down one major drug pusher with additional authority that we do not currently possess in the State of Illinois, I'd support the legislation. But my own experience and experience of other prosecutors leads me to believe the opposite is the case. I strongly urge a 'no' vote in this case and...Mr. Speaker, I believe it would be the best 'no' vote cast this Session."

Speaker Giglio: "Further discussion? Hearing none, the Gentleman from Fulton, Representative Homer to close."

Homer: "Thank you, Mr. Speaker. There is, without question, an opportunity here on this vote to do the most significant thing that we have had an opportunity to do to stop or to curtail drugs at the source, the source being those drug lords and drug kingpins who fuel this unsavory, dirty business by selling and passing drugs through a

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distribution network so sophisticated that it exceeds comprehension in many instances through the...through a sophisticated network of distribution down to street-level drug pushers, who then go to our neighborhoods and our schools to sell drugs to our children. Our state's attorneys and law enforcement officials are doing an outstanding job of getting those street pushers and putting them in jail; in fact, our prison population is bulging because of the fine job that they're doing. Yet, drugs continue to come into our communities at an ever-increasing rate, and we haven't made a dent on the problem. And that's because local state's attorneys and local county investigative units lack the resources and the ability to go after the conspiracies and the...sophisticated drug trafficking schemes that exist at the hierarchy and because of the code of silence that exists among many of the street pushers who don't...who don't willingly tell on those who supplied the drugs. What is happening, Ladies and Gentlemen, is that while street pushers are going to jail, the drug kingpins and the drug lords who are making millions and millions of dollars off of our children and the pain that they are inflicting on all of us, are remaining immune from prosecution. We need to tell them this: Your day is over. We're coming after you, and we're going to take those profits you've made and we're going to put them back in our community rehabilitating our kids and educating them and putting money into drug prevention, and we're going to put you, Mr. Kingpin, in prison where you belong for the rest of your life. The time is come to say that war on drugs is going to be waged at the hierarchy, not just with the street-level pusher, and until we do that, there'll be no meaningful impact on curtailing the drug inflow into our communities. Now I can appreciate

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that there are some state's attorneys who are skeptical and don't want their turf invaded. While I was a former state's attorney and I can...like the previous Gentleman relate to those concerns, I've talked to many state's attorneys in this state and I...even the state's attorney at DuPage County who ran for this office of Attorney General who supports this Bill with its' Amendments and know that the good state's attorneys of this state welcome the partnership and support that they'll have with the Attorney General to go after these these...drug kingpins. That's...but there are protections in this Bill for those state's attorneys to veto a grand jury coming in their county and to give them powers to join in the..investigation. This is a very important measure. It's one that should supercede any political considerations. It's an important tool; it's not a new tool. Grand juries are already authorized in this state but this would give a central law enforcement official, the Attorney General, the authority to go after offenses that occur across county lines and to enforce the Narcotic Forfeiture Act to go after these elicit drug profits. Without question, this vote today is the most important vote by which we'll be judged as to whether we're serious about this drug problem or whether we're going to have politics as usual and be willing to give in to the drug pushers so as to protect against some unforeseen political advantage. I hope that everyone will put aside those partisan considerations and join in supporting this important Bill. I would urge a 'yes' vote."

Speaker Giglio: "The question is, 'Shall House Bill 316 pass?' All those in favor vote 'aye', opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Representative Homer. Representative McCracken."

McCracken: "Speaker, if this appears to get enough votes, either to pass or to be put on Postponed Consideration, I'm asking for a verification. Is it already on Postpone..."

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

Homer: "I'm gonna ask...I would...I would ask leave...I would...ask...Members ...on this side of the aisle who are voting against this Bill or 'present' because of the hostile Amendments put on by the other side of the aisle who now choose to...oppose the Bill to give me enough votes to put it on Postponed so that we can back the Bill up and take off the...the...hostile Amendment."

Speaker Giglio: "Representative Williams."

Williams: "...I...you know, this is one of those things whereas I had agreed to work with this to deal with the Bill. However, there are some hostile Amendments that were put on there that in essence changed the nature of the Bill, and...I thought that those individuals who put those Amendments on would provide the votes, but they don't seem to be doing it, and I don't know if I'm gonna provide 'em either...so the thought is...is that I just wanted to explain to those individuals to whom I had agreed to vote for this that this has been changed quite a bit...and right now if the Amendment comes off I will vote for the Bill...I...you've got enough...okay, well I'll...I'll be there on the verification."

Speaker Giglio: "Representative McCracken."

McCracken: "Only to say, I...I was not a part of putting those Amendments on. I had nothing to do with it and my...my...opposition is unalterable, and I would not like to see that excuse of bad Amendments coming off to give this thing another life."

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Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 52 voting 'yes'...Representative Homer...Representative Homer."

Homer: "...Mr. Speaker, I would ask to put this Bill on the Order of Postponed Consideration."

Speaker Giglio: "Representative Dunn."

Dunn: "Point of Parliamentary Inquiry. Is it...was...how'd this Bill get back here today? Was it on Postponed Consideration already?"

Speaker Giglio: "No...this Bill's on Third Reading Representative...Dunn. Representative McCracken."

McCracken: "Are you gonna give me my verification? I have...I have...I have already asked for it. You just ruled this morning that this can be done to take a Bill off of Postponed Consideration."

Speaker Giglio: "...Representative McCracken, the Chair has always been fair, especially with you.."

McCracken: "I know...I'm...I'm just curious."

Speaker Giglio: "I would never do that to you, now. Representative Lang, for what purpose do you rise?"

Lang: "...On a point of order,...I am not sure if what the rule is on this, but I don't know that we can have a verification on a Postponed Consideration."

Speaker Giglio: "Okay, the...the Gentleman asked for...verification. Mr. Clerk, poll the absentees. Representative McCracken, does...Representative Deering and Representative...Burke and Representative Munizzi - Walsh, Munizzi and Burke have leave to be verified? Representative Munizzi, Burke and Deering - Burke and Deering. Representative Homer."

Homer: "I would like to poll the absentees."

Speaker Giglio: "Poll the absentees, Mr. Clerk."

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Clerk O'Brien: "Poll of those not voting: Trotter and White. No further."

Speaker Giglio: "Poll the Affirmative Vote, Mr. Clerk."

Clerk O'Brien: "Poll of the Affirmative. Balanoff. Brunsvold. Burke. Curran. Currie. Davis. Deering. DeJaegher. Edley. Farley. Giorgi. Granberg. Hannig. Hartke..."

Speaker Giglio: "Mr. Clerk, excuse me. Representative Phelan, for what purpose do you rise, Sir?"

Phelan: "Mr. Speaker, I wish to...change my vote to 'aye'."

Speaker Giglio: "Record Representative Phelan's from 'no' to 'aye'. Representative McCracken, does Representative Stepan have leave to be verified? Stepan...Representative Stepan, right over here, and, Representative...the three...three Gentlemen in the in the rear of the chambers, Representatives Black, Hicks and Granberg and Novak. Representative Rotello wants to be recorded as voting 'aye', Mr. Clerk. Representative Rotello. Representative Bugielski votes 'aye'. Representative Capparelli votes 'aye'. Representative Martinez votes 'aye'. Proceed with the affirmative...Mr. Clerk."

Clerk O'Brien: "Hartke. Hicks. J. Hoffman. Homer. Lou Jones. Keane. Kulas..."

Speaker Giglio: "Excuse me, Mr. Clerk. Representative Flowers, how's the Lady recorded? Representative Mary Flowers."

Clerk O'Brien: "The Lady is recorded as voting 'no'."

Speaker Giglio: "Changes the vote...change the Lady's vote from 'no' to 'aye'."

Clerk O'Brien: "Continuing the Poll of the Affirmative: Lang. Laurino. LeFlore. Levin. Marinaro. Martinez. Matijevich. Mautino. McAfee. McGann. McGuire. McNamara. McPike. Mulcahey. Munizzi. Novak. Obrzut. Phelan..."

Speaker Giglio: "Representative McCracken."

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McCracken: "Yes, before this gets 60 votes...I withdraw the verification solely for the purpose of the Postponed Consideration, but if the votes keep changing I'd like to verify so it doesn't pass. I concede the Postponed Consideration."

Speaker Giglio: "Well you...you...you...you either want to verify the Roll Call, Representative McCracken, or you don't. You want to verify the Roll Call?"

McCracken: "I'd better verify the Roll Call."

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

Clerk O'Brien: "Phelps. Regan. Richmond. Ronan. Rotello. Saltsman. Satterthwaite. Schakowsky. Schoenberg. Steczo. Stepan. Walsh. Williams. Wolf. Woolard. Anthony Young and Mr. Speaker."

Speaker Giglio: "Representative Rice...Representative Rice votes 'aye'. Representative McCracken...Representative McCracken, do you have any questions of the Affirmative Roll Call?"

McCracken: "Yes, I do, thank you."

Speaker Giglio: "Representative McCracken, proceed."

McCracken: "Representative...Laurino?"

Speaker Giglio: "Excuse me, Representative McCracken."

McCracken: "Representative Laurino?"

Speaker Giglio: "Representative Laurino...is Representative Laurino in the chamber? How's the Gentleman recorded, Mr. Clerk?"

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

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

McCracken: "Representative Mautino?"

Speaker Giglio: "Representative Mautino...is Representative Mautino in the chamber? How's the Gentleman recorded, Mr. Clerk?"

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

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

McCracken: "Representative Keane?"

Speaker Giglio: "Representative Keane. Representative Jim Keane.
How's the Gentleman recorded, Mr. Clerk?"

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

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

McCracken: "Representative Hannig?"

Speaker Giglio: "Representative Hannig. He's in the center
aisle."

McCracken: "Representative Levin?"

Speaker Giglio: "Representative Levin. Representative Ellis
Levin. How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call.
Representative Lang, asks leave to be verified? Does the
Gentleman have leave?"

McCracken: "Yes."

Speaker Giglio: "Leave is granted."

McCracken: "Representative Davis?"

Speaker Giglio: "Representative Davis. Representative...Monique
Davis. Is the Lady in the chamber? How's the Lady
recorded, Mr. Clerk?"

Clerk O'Brien: "The Lady's recorded as voting 'aye'."

Speaker Giglio: "Remove the Lady from the Roll Call."

McCracken: "Representative J. Hoffman?"

Speaker Giglio: "Representative J. Hoffman. Representative
Hoffman. How's the Gentleman recorded, Mr. Clerk?"

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

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

McCracken: "Representative Regan...Representative Regan?"

Speaker Giglio: "Representative Regan. Representative Regan is
in the back of the chamber."

McCracken: "Representative Phelps?"

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Speaker Giglio: "Representative Phelps. Representative Phelps is near his chair. Restore Representative Hoffman to the Roll Call, Mr. Clerk. J. Hoffman."

McCracken: "Representative Walsh?"

Speaker Giglio: "Representative Walsh was...was...he had...he was granted leave to be verified, Representative McCracken. He was one of the first ones."

McCracken: "...hearing's been...Representative Hartke."

Speaker Giglio: "Representative Hartke. Hartke's in the back of the chamber."

McCracken: "Representative...Paul Williams?"

Speaker Giglio: "Representative Paul Williams. Representative Williams. Representative Paul Williams. How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove the Gentleman from the Roll Call and, Mr. Clerk, how was Representative Mautino recorded?"

Clerk O'Brien: "The Gentleman was removed from the Roll Call."

Speaker Giglio: "Representative Mautino, how do you wish to vote?"

Mautino: "'Aye'".

Speaker Giglio: "Restore Representative Monique Davis to the Roll Call, Mr. Clerk. Representative Jesse White. How's the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as not voting."

Speaker Giglio: "Representative White wishes to be recorded as voting 'aye'."

McCracken: "Nothing further."

Speaker Giglio: "Representative...Representative Trotter. Record Representative Trotter as voting 'aye'. Representative Homer."

Homer: "...Mr. Speaker, a Parliamentary Inquiry, was it my understanding that Representative Williams was

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removed?...we'll withdraw the inquiry. I would just ask the Chair to recognize Representative Williams."

Speaker Giglio: "Representative Williams. How's the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's been removed from the Roll Call."

Speaker Giglio: "Representative Williams. Restore Representative Williams as voting 'aye'. Representative Keane. Representative Keane votes 'aye'. Representative Preston. Representative Preston. Representative Miguel Santiago. How do you...do you wish to be recorded?"

Santiago: "...I would like an opportunity to explain my vote."

Speaker Giglio: "Proceed."

Santiago: "Mr. Speaker, Members of the General Assembly, last week I had...in fact, Friday, I had a couple of Amendments that address the real problem in combating and fighting the drug problems in the State of Illinois and there were certain comments made that the prisons in Illinois were bursting at the seams, and this Body had a real opportunity to send a clear message...a clear message to the drug lords in the State of Illinois and every other state in the United States, but what happened? The certain individuals...the certain comments that were made, we're not ready to send people to...and give them life in prison, but, I did not have an opportunity to present that Amendment on the floor and guess what happened? Now, we have another Bill that says, 'Let's put people in jail'."

Speaker Giglio: "Representative Miguel, please bring your remarks to a close."

Santiago: "Yes...one more minute, and I have supported this Bill in the past and there's a real need to fight drug dealers in the State of Illinois. This is a watered-down version, but, at least, we're trying to do something; so, therefore, I will vote 'aye' to pass this Bill."

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Speaker Giglio: "Representative...Representative Preston votes 'aye'. Representative McCracken."

McCracken: "I'd like to verify the affirmative now that it appears to have passed. The Motion we verified was leave for Postponed Consideration. Now...yes, that's right, now that it's passed I have a right to verify the apparent passage of Third Reading."

Speaker Giglio: "...Representative Lang."

Lang: "Mr. Speaker, the Gentleman's earlier point was clear. He said to you that if...if it appeared to receive more than 60, he would change his request from a request to verify on Postponed Consideration to a request on the Affirmative Roll Call."

Speaker Giglio: "Your point's well taken. This Bill having received 61 'yes', 46 'no', and House Bill 316, having received the required Constitutional Majority, is hereby declared passed. Representative Stern, House Bill 351. Representative Homer."

Homer: "Thank you, Mr. Speaker. Having voted on the prevailing side on House Bill 316, I now move to reconsider the vote by which House Bill 316 passed."

Speaker Giglio: "Representative Matijeich."

Matijeich: "I move that that lie on the table."

Speaker Giglio: "Representative McCracken."

McCracken: "If you've got the votes, why don't you accord us our rights? If you don't have the horses, then you have to sit on us. Now, I asked for a verification on the pending Motion: I got my verification. When it went over 60, and I made this clear throughout, the Motion was to verify the vote by which it appeared to pass. That was a separate and distinct issue. Now, I...I turn on my light to talk to the...to the Motion to reconsider, and you have to recognize someone else. What are you afraid of? I rise in

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support of the Gentleman's Motion to reconsider. I think that vote should be reconsidered. I want to be heard on the Motion."

Speaker Giglio: "Representative Homer."

Homer: "Mr. Speaker, I withdraw my Motion to reconsider."

Speaker Giglio: "House Bill 351. Representative Stern. Out of the record. House Bill 352, Representative Stern. Out of the Record. House Bill 353, Representative Rice. Out of the record. House Bill 354, Representative McAfee. House Bill 477. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 477, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill."

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

McAfee: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 477 amends the Environmental Protection Act to extend the existing moratorium on the issuance of permits for the development of new hazardous waste incinerators until December 31, 1996. The current moratorium, passed last year, expires in December of this year. I'd like to point out to the Members of the General Assembly that presently Illinois has five commercial treatment and disposal facilities, three in the metropolitan Chicago area and two downstate, not to mention numerous existing on-site incinerators at manufacturing plants. It's important to note that Illinois is a net importer of hazardous waste and has enough capacity for the next 20 years to deal with the hazardous waste; therefore, a moratorium will not result in more landfills in Illinois. This is not a 'nimby' Bill, not in my backyard; this is a 'nimby' Bill, this is not in anybody's backyard. It's a Bill that attempts to place a limit, to say, 'Stop. We've had enough new hazardous waste incinerators and we will not construct any new hazardous waste incinerators as part of

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our plan.' If I were to point out to you, in our own public act what the definition of hazardous waste is, you'd be very concerned, and I would...suspect you would vote for this Bill. Hazardous waste, as defined, is specifically 'quantity or a combination of wastes which has physical or infectious characteristics which may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or pose a substantial present or potential hazard to human health or the environment'. Let me just tell you that in my district in Chicago, in the Clearing Ridge area of Chicago, we have the highest incidence rate of cancer in the City of Chicago. Believe me, Ladies and Gentlemen, we have enough present existing hazardous waste incinerators. We do not need any new hazardous waste incinerators. You only need to look at this morning's Journal Register or watch the news last night to see that we are importing infectious hazardous waste from out-of-state. It happened in Taylorville. Believe me, Ladies and Gentlemen, I urge your support of the mere extension of the moratorium for five years because this does not just impact my district, it impacts your district as well. We don't need any new life-threatening hazardous waste incinerators in Illinois."

Speaker Giglio: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. What this Bill does is it prohibits the construction of any hazardous waste incinerators. Now let me tell you what that means: All of you in downstate Illinois and in rural Illinois, if we prohibit incinerators for another five years what's...what's gonna happen is there's going to be more landfills to bury hazardous waste in Illinois. It's going to have to go someplace and with the increasing needs and, particularly hospital waste,

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which is also considered hazardous, where's it going to go? It's not going to go out-of-state. It's going to go into landfills, and it's not going to be in suburban areas because there's no room left for landfills in suburban areas. It's going to be in downstate rural Illinois which is why the Farm Bureau opposes this legislation. Because they know that by merely prohibiting incinerators to dispose of hazardous waste, which includes hospital waste, and is generated every day, big-time, particularly in the City of Chicago and at the major hospitals in Illinois, that waste is going to go someplace. If it doesn't go to an incinerator, it's going to go a landfill, a new landfill. Maybe one like's in Fulton County. That's where it's gonna go. This is simply not a responsible piece of legislation to deal with the problem. The state-of-the-art in incineration is increasing every day and, in fact, there has not been any proof that hazardous waste incinerators, which are state-of-the-art incinerators, have caused any type of health problems whatsoever. We've just extended and...initiated the moratorium two years ago to last for two years. There is no reason another five-year, long-term extension should be passed, and you know that your hospitals are opposed to this. When you've got a hospital generating special waste, that's classified as hazardous waste like syringes, needles, gauze, contaminated waste, is going to have to go someplace, and if a hospital can't incinerate it, and if it can't go to a special waste incinerator, it's going to have to be buried in a landfill. This is not a responsible approach to the problem of getting rid of hazardous waste in Illinois, and it should be defeated."

Speaker Giglio: "Representative Novak."

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

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House. There's a lot of wisdom in the...in what the previous speaker said about this Bill, and we all know we have a serious problem with what...with what hazardous waste does to the environment and how we incinerate it or how we get rid of it. But, let me reiterate what the previous speaker said: Every Democrat and Republican in this...in this chamber who's from downstate, who's from outside of Cook County, 'cause that's where 90% of all this stuff is generated is...is up in the collar county areas and in Cook County, if we do not let this technology discussion and advancement proceed so the industry can cope with these problems, we don't allow this to happen, landfills are going to be coming down to McLean County, there gonna be coming down to Clark County, there gonna be coming down to Iroquois County and Vermilion County, all these wide-open green spaces because nobody wants it up in Chicago or in Cook County or DuPage County or Lake County where all of it's generated. We got the space down south so we'll take it down here. That's not the right way to do it. The best vote on this is a 'present' vote, to keep this discussion going. We don't need to put moratoriums on this; if we do it, we're stopping the advancement of technology. We have to proceed with this. The best vote is a 'present' vote."

Speaker Giglio: "Representative Hultgren."

Hultgren: "Thank you, Mr. Speaker. Representative...McAfee, will he yield?"

Speaker Giglio: "He indicates he will."

Hultgren: "Representative, I...I've listened to your presentation, and I have to tell you that I'm not really excited about a proliferation of incinerators around the State of Illinois, so I'm sympathetic with what you're trying to do, and I've also listened to the arguments of

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the two people who spoke in opposition to this Bill, and I see a great deal of merit to what they have to say. If in fact we put a moratorium until 1996 on the construction of incinerators, it seems to me that we've got to have some alternative as to what we're going to do with this hazardous waste, particularly the medical waste. How is it that you would propose that that be disposed of during the next five years, during the period of time of moratorium, that you would propose? Where is it going to go for those five years?"

McAfee: "If I may be so bold as to restate what I said earlier and that is basically the five existing hazardous waste incinerators, three of which I've already pointed out are in the metropolitan Chicago area and two downstate, have existing capacity to deal with the present hazardous waste stream. We are not talking about the elimination of existing hazardous waste incinerators but the construction of new hazardous waste incinerators, and we do have enough capacity for the next 20 years with those existing ones to dispose of it."

Hultgren: "Thank you. I...I must have missed that comment that you made earlier. I apologize."

Speaker Giglio: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, about a year ago we passed a moratorium Bill, and I spoke against the Bill. Here we are, one year later, now we want to make it five years. We closed our minds, we closed our ears, we closed our vision for one year and now we're saying, 'Well, let's put the problem off for another five years,' because there is a problem. The solid waste problem in the State of Illinois is one of the major problems confronting this state. This Bill is not going to settle anything. This Bill is a nice P.R. piece to go back

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to your neighborhood and say, 'Well, we put on a moratorium; we don't want incinerators. Well, nobody wants incinerators, nobody wants landfills, nobody wants garbage, but we all make it! What are we going to do with it, ship it to the moon? If you're serious about addressing the solid waste issue in the State of Illinois then we must take a comprehensive look at the whole solid waste problem. Not only piecemeal solutions...piecemeal solutions to problems but we must take an...integrated look at the whole problem. Incinerators are not bad. If you have never been to an incinerator, I would suggest that you go out and visit a state-of-the-art incinerator that is located in the communities with people living close by. Now, the Gentleman mentioned a higher rate of cancer in his district. Can he...can he say that that is because of the air pollution or because of the ozone or because of cigarette smoking or anything else that causes cancer today? Everything causes cancer today. You can't just blame it on the incinerators. Now, if you want to do anything about the...incineration problem then you address the problem that the hospitals have. The hospitals today are burning medical waste in incinerators that don't meet standards. That's where you should be facing, not putting moratoriums on building new state-of-the-art incinerators. So, Ladies and Gentlemen, if you want to address a problem, I suggest that the proper vote on this is a 'present' vote or a 'no' vote, because if we put up...if we close our eyes for another five years, pretty soon this hazardous waste will be coming downstate so, all you people downstate, get ready because in five years it'll be there."

Speaker Giglio: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. What some people are attempting to do is to solve a problem but

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let me tell those of you who are downstaters, by attempting to solve this problem in this manner we're only creating another problem that you all will be having in a short period of time. What this means is by not having...incinerators you will be adding to the landfill space in your counties or be looking for another one because they will just be filled up quicker than you count to 110. Ladies and Gentlemen, this Bill will only create downstate problems if it is passed. If you want another...if you want more downstate landfills, then vote green but, if you want to solve this problem then vote 'no'."

Speaker Giglio: "Representative Balanoff."

Balanoff: "...Yes, Mr. Speaker, Ladies and Gentlemen of the House. Incineration as a technology is just not safe, not in your backyard and not in mine. A five-year moratorium on new hazardous waste incinerators will force us to deal responsible...responsibly with the question of toxins. We must not produce that which we cannot dispose of safely. The answer is to reduce, reuse and recycle. The more disposal options, the less incentive to solve the problem. This is a good Bill and deserves all of our support because I guarantee you that everyone that has spoken out against this Bill if your community ever faced the threat of an incinerator because of public pressure, this would be your Bill. We must dissolve the problem once and for all. The answer is not unsafe burying or burning. It is to eliminate, reduce and reuse. Let's show our constituents that we can be responsible and solve the problem. In closing, remember that incineration as a technology is an unproven one and is just not safe. Please vote 'yes' on House Bill 477, and you should know that I have a toxic incinerator in my community, that I live every single day

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of my life too close. I know firsthand the dangers and the threat to public health that it poses, and to those who have spoken out against this Bill, please join me and environmentalists across this state because we've been much more than willing to work to solve the problem once and for all. Thank you very much, and I really would...I think it's very important that this is a...it's an environmental vote for everybody and they really should understand that."

Speaker Giglio: "Representative McNamara."

McNamara: "...Thank you, Mr. Speaker, will the Sponsor yield for a couple questions?"

Speaker Giglio: "He indicates he will."

McNamara: "...Representative McAfee, is it...is it my understanding that this not include all incinerators, it just includes hazardous waste incinerators?"

McAfee: "It only includes the construction of new hazardous waste incinerators, yes."

McNamara: "And how many...hazardous waste incinerators are in this state right now?"

McAfee: "Those off-site facilities are five in number, three in metropolitan Chicago and two downstate."

McNamara: "Now, in the best estimation, do you think that that is enough to handle the waste the hazardous waste generated in this state?"

McAfee: "Not only is it enough to handle the present 20 year capacity in state, we are a net importer of hazardous waste. We are taking in other jurisdictions' hazardous waste and burning that as well."

McNamara: "So, we're not really talking about more incinerators or more landfills downstate. That seems to be convoluted in these arguments. Is that true?"

McAfee: "This is not an issue that pits downstate versus northern Illinois. This is an issue that affects everybody, and I'm

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not trying to create a situation where there's more landfills. We have enough hazardous waste incineration capacity in Illinois for 20 years."

McNamara: "Thank you, Mr...thank you, Mr. Sponsor. And to...and to this Bill Normally, you know, I stand on the House floor, and I object to...measures that will restrict the building of incinerators. This does not do that. This Bill happens to say that we have enough capacity in our hazardous waste incinerators in this state for the next 20 years; therefore, what we are saying is let's plan our future and wait for five years to plan our future. There's a very good reason for that. If we have excess capacity, what will we be doing to those incinerators? We will be transporting hazardous waste from out-of-state into our downstate incinerators, of which there are two, which is much more hazardous. We don't need that condition. We need to take care of our waste in this state. This is a good Bill. It's a logical Bill. I urge for its adoption."

Speaker Giglio: "Representative Weaver."

Weaver: "Thank you very...thank you very much, Mr. Speaker. This Bill may end up closing some doors that we don't want to close at this point in time. Right now in my district we've got the only site under consideration for a low-level nuclear waste storage facility. We're having a great deal of trouble trying to understand why all of this stuff is coming downstate. If we shut the door to the possibility of incinerator technology improvements, five years down the road we will have absolutely no option but to send this stuff downstate. Chicago doesn't want it, Cook County doesn't want it; we downstate, we don't want it either. But, Indiana's not gonna take it, Wisconsin's not gonna take it, Iowa's not gonna take it, so we're gonna be stuck with it. We're gonna have to put it someplace, and so,

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downstaters, be aware that it's gonna come down our way. This is knee jerk reaction. It's government by passion. We simply cannot shut this door because we don't like the problem. If we don't like air pollution, we don't like airports, we don't like...landfills, we don't like prisons, we can't simply refuse to build anymore. We have a real problem that's gonna have to be addressed. I really hate to see us shut the door on an option that may eventually become one of the saving graces of our...our hazardous waste material. I think the only vote at...at this point is a 'no' vote."

Speaker Giglio: "Representative Lang."

Lang: "Thank you, Mr. Speaker. I think we all agree on this floor that we don't know all we need to know about incineration, and that, in and of itself, might make me vote for this Bill but it wasn't enough. It wasn't enough until I heard the Sponsor tell us that we have enough capacity in the current incinerators we have for the next 20 years. If that's the case, what's the problem with a five-year addition to...the current moratorium? If we have enough capacity for the next 20 years, another five years so we can study the effects of incineration on our environment doesn't seem to be a big price to pay. Accordingly, I urge you to vote 'aye'."

Speaker Giglio: "Representative McAfee. Representative Curran, excuse me."

Curran: "...I would just like to illustrate to the Members that this 20-year figure isn't something that Representative McAfee pulled out of his pants. This 20 year figure comes from the Illinois E.P.A., so, we've got 15 years, after this Bill is over, worth of hazardous waste space. All this talk about this stuff coming downstate is very peculiar to me. If we can get five years to study and

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improve the technology of incineration, that is good for us in Illinois when we have plenty of space for 20 years, and 15 years after this Bill life is over we can still go on for 15 more years and study the problem. An 'aye' vote is what is necessary; an 'aye' vote is what is good for the environment, both upstate and downstate."

Speaker Giglio: "Representative McAfee to close. Represent...Representative McAfee."

McAfee: "One minute, Mr. Speaker. Thank you, Mr. Speaker and Ladies and...Ladies and Gentlemen of the House. We've heard some very impassioned rhetoric from both sides of the aisle, and I can assure you, Ladies and Gentlemen, it was never the intent of the Sponsor nor the intent of the Co-Sponsors to pit downstate versus northern Illinois. I will suggest to you, that this Bill, if passed, will favorably, favorably impact the State of Illinois. We presently have...enough incineration capacity for the next 20 years. We are presently a net importer of hazardous waste. We are taking other jurisdictions' hazardous waste and, not only burning it, but also filling up our landfills. Yes, there is opposition. The opposition from the Illinois Farm Bureau is just as some of the Gentlemen have indicated, but their opposition is a position for all incineration. This does not deal with all incineration. This deals only with hazardous waste. You've heard the definitions of hazardous waste; it is harmful to human life. I submit to you, Ladies and Gentlemen of the General Assembly, this is a Bill not just for my district; it's a Bill for all of our districts. Let's send a message, an oft-used term, but let's do it now, that we're not going to accept cheap ways of disposing of hazardous waste. We need to have them go out and find new technology. We need source reduction; we need recycling. Please, I urge your

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support...favorable support of House Bill 477."

Speaker Giglio: "The question is, 'Shall House Bill 477 pass?' All those in favor, vote 'aye', opposed, '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? Take the record, Mr. Clerk. On this question, there are 66 voting 'yes', 44 voting 'no', and House Bill 477, having received the required Constitutional Majority, is hereby declared passed. Representative Steczo, 517. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 517, a Bill for an Act to amend the Chicago Park District Act. Third Reading of the Bill."

Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 517 is a Bill which...affects the Chicago Park District and is a...is a...is an attempt to reform their current Career Services Program by replacing it with a simple, non-political system for hiring and promotion. ...This Bill has an Amendment which...was an attempt to...work with Friends of the Parks and others to try to put the Bill in as good a shape as possible. It's a Bill that did pass out of the Executive Committee by a 10-0-1 vote, so, I believe, it is non-partisan as well. Mr. Speaker, I would answer any questions that the Members might have, and, if not, would ask for your favorable votes."

Speaker Giglio: "Any discussion? Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We've reviewed the Amendment, we think it's good government, and we support it."

Speaker Giglio: "The question is, 'Shall House Bill 517 pass?' All those in favor vote 'aye', opposed, 'no'. The voting is open. This is final action. Have all voted who wish?"

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Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, 112 voting 'yes', none voting 'no', and House Bill 517, having received the required Constitutional Majority, is hereby declared passed. Representative Currie, 575. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 575, a Bill for an Act concerning comparable worth. Third Reading of the Bill."

Speaker Giglio: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. We began discussion on this Bill last week so I'll try to be very brief this afternoon. This Bill would address the problem of race and gender-based discrimination in wage rates set by Illinois state government. There's a substantial wage gap in this country, women and members of minority groups that work in occupations dominated by women and members of minority groups, earn a good deal less than people who are working either in gender-balanced and race-balanced job classes or than people who happen to be white and happen to be male. The most recent figures I have suggest that the wage gap for women is about 65¢ on the dollar for every...for the average wages for full-time, year-round, women in this country is about 65% of the average earnings of full-time year-round male members of the work force. This Bill deals only with Illinois state government. It does not touch the private sector. It accepts as our responsibility to see to it that the wage rates we pay are fair with respect to race and with respect to gender. The particulars of the Bill would set up a nine year schedule for the Department of Central Management Services and for the state university system to see to it that our wage rates do not discriminate on impermissible grounds. Other states have done it, other cities have done

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it, we could do it, we can do it and we should do it. When we don't pay people the dollars that they deserve for the work they perform, we undervalue their commitment to us and we tell them that ours is not the kind of democracy that most of us, in our rhetoric, suggest it ought to be. When people are on welfare, when they can't make ends meet, it's often because those people have been discriminated against in the wages they pay. Two out of three families that are headed by women in this country live in...live within incomes below the poverty level. Women who are over 65 are three times more likely to live in poverty than men over the age of 65, and, if those women are black, their likelihood of living in poverty is five times that of white men. There's no question that wage rates lead to pension benefits, and if you didn't earn much when you were in the work force, let me tell you, your pension is not going to be worth a whole lot. So, I would ask you, Mr. Speaker, Members of the House, to adopt this Bill as our way of saying, and we've heard a lot of rhetoric about fairness on this floor of late, about our way of saying that with respect to our own employees, we promise you wage rates that are commensurate with the value of the work you perform for us. Tthat we do not pay you on grounds of the color of your skin, on grounds of your gender, but only on the grounds of the value of the work you do for us. So, with that, Mr. Speaker, I urge support for House Bill 575."

Speaker Giglio: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. What this does is it further erodes the collective bargaining process in the State of Illinois. In addition to the fact, in a year of tight budget which is gonna cost...the cost of the evaluation alone is between \$350,000 and \$500,000, the State of Illinois has made great

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pride...great strides forward since 1984, when the average female salary was 78 1/2% of the average male salary. In March of 1991, I'm happy to report that this percentage has increased to 83.9%. This demonstrates the commitment of the State of Illinois to eliminating barriers to sex-based discrimination without comparable worth. What this Bill does is it removes job salaries and classifications from the collective bargaining process. It makes a system of comparable worth which is purely and wholly subjective, and the courts have acknowledged that they're ill-equipped that make these decisions but they may be forced to under this Bill, and how are they gonna do it because it's so subjective? They simply cannot do it. The state could not consider marketplace factors, supply and demand, prevailing wage loss, personnel decisions, job preferences and collective bargaining history. The cost of consistently rejecting the notion that a failure to achieve comparable worth is a violation of law, and the courts have acknowledged that they simply cannot take a subjective system, which this is and you read the Bill, it requires a system of comparable worth to be developed without any guidelines as to how it's gonna be developed, comparing one job as a secretary to another job as a professor of equal worth. It's impossible to do, and it's gonna be costly for the State of Illinois. There are no figures...by which we could even estimate or 'guesstimate' the cost, but we do know this, that at 84%, the State of Illinois has made great strides in achieving comparable worth without this mandated legislation, and I urge the defeat of this Bill."

Speaker Giglio: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I rise in opposition to this Bill as I have since 1984, 'cause it's been around that long, if this...I...if

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this legislation was ever a good idea, which I don't think it was, it certainly isn't a good idea now. It's time has long since passed. In 1984, women were earning 78% of what men earned; they now, by this year, have earned 84%. We're on the move; we're on the way up. I think the Sponsor has missed the real problem. The problem is in the jobs that women have traditionally chosen in the past, not the fact that women dominate a particular job category. Instead of trying to compare unequal jobs and tinkering around with the free-market system, which has been the backbone of this country for over 200 years, we should be encouraging women to step out of their traditional jobs and venture into new areas. The climate has never been better for women to become doctors, lawyers, engineers, architects. Let's not discourage women...by artificially raising their wages through some mystical voo-doo formula that a bunch of guys sit down at a table and work out. This will only hold them in those jobs which are traditional, and they will forever be locked in and this Bill will simply enforce the perception that there is woman's work and there is men's work. Every women in this chamber dared to run and run for a job that had been perceived as man's work. We all won, and we all earn exactly what our counterparts here earn in this job. There is no way to compare a clerk typist with an electrician, a plumber or a truck driver with a secretary. They all need skills; they all have responsibility. An electrician endangers his life; a secretary sits at a typewriter safely. A truck driver's gone for hours; a nurse has a different responsibility. There's no way that you can compare these things, but women can choose to be any of those things. They can drive a truck. There are women truck drivers today; there are women electricians. Choose what it is you want.

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Furthermore, if you vote for this Bill, you'd better be ready to tell your residents and your constituents to pull out their checkbooks because it's a big ticket item. It starts at about 130 million per year, every year, and moves up rapidly from there. This has been tried in two states and it has been disastrously expensive everywhere it's been run, and, lastly, when the private sector hears what we've done here, if this Bill should pass, they will run screaming from the place because they will know that they are next on the list. Collective bargaining will be out the window and our all-knowing bureaucrats will set the salaries for their employees with our new magical formula, and big...big brother will strike again in the private sector. It's been an expensive disaster in the two states where it's been. Let's not do it here. This is a classic case of looking to government to solve a problem and discovering that government is the problem. This Bill would open a Pandora's box that would not only reach into every taxpayer's pocket and eventually hurt business in Illinois, but more importantly it is absolutely counterproductive to women. We should encourage women to embark on new and exciting careers, not artificially boost their salaries, locking them into the old mold. I encourage your 'no' vote on this Bill."

Speaker Giglio: "Representative Laurino."

Laurino: "Mr. Speaker, with all due respect, this Bill has been heard a number of times. I move the previous question."

Speaker Giglio: "You've heard the Gentleman's Motion. All those in favor, signify by saying 'aye', opposed, 'no'. The 'ayes' have it. The previous question has been moved. Representative Currie to close."

Currie: "Thank you, Mr. Speaker, Members of the House. There is a way to accomplish pay equity. There are...are...in every

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large business there are continuing evaluations of jobs to make sure that a cross-job content there is fair value paid for the varying degrees of complexity that goes into the jobs. The only point about House Bill 575 is to see to it that we make sure that we are not undervaluing particular kinds of jobs because they're performed by women and members of minority groups. This is a Bill that goes to the heart of what our democracy is supposed to be about, and that is that your opportunities for success do not depend upon your race, do not depend upon your gender. We know in American society that jobs that are predominately held by women and by members of minority groups are, in fact, undervalued by the employers precisely because these are jobs for blacks, Hispanics and women. Women's worth...work is not worth very much in our society. This Bill would offer us an opportunity to ensure fair play, race and gender justice for our own employees. Just to clear the record, there are a large number of states that have already implemented programs of pay equity, 14 states from Florida to Idaho have already begun that task. The cost in California, Oregon, Michigan, Iowa and Connecticut do not in any way raise the roof or raise taxes. A number...large number of other states have undertaken the studies that will enable them to implement pay equity, too. It's time for Illinois to move forward and to give fair play to the women and members of minority groups that do our work for us. This Bill has the support of the American Association of University Women, the American Civil Liberties Union, the A.F.L.C.I.O., A.S.C.M.E., American Jewish Congress, Associated Firefighters of Illinois, Chicago Council of Lawyers, Coalition of Labor Union Women, Illinois Association for the Education of Young Children and a much larger, longer list that I will not read to you

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this afternoon. I urge your support for fair play for state workers. I urge a 'yes' vote on House Bill 575."

Speaker Giglio: "The question is, 'Shall House Bill 575 pass?' All those in favor, vote 'aye', opposed, 'no'. The voting is open. This is final action. Representative Ropp, one minute to explain your vote."

Ropp: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, if there was ever a Bill that was going to perpetuate total mediocrity, this is it. Whatever happened to the American way, the...the ability that one has to seek and acquire a job based on his talent and be paid for it? Whatever happened to the fact that this Bill, in effect, will tremendously increase the cost throughout the whole process of doing business or...and in the work place. I maintain that should this Bill pass, it will only add to the tremendous cost that ultimately will be passed on to the private sector, as they will see this as a beginning and you're gonna see it just completely ripple on through the whole work place. This is a Bill that clearly does not describe how you compare one's abilities and one's worth. Please vote 'no' on this very bad Bill."

Speaker Giglio: "Representative Schakowsky, one minute to explain your vote."

Schakowsky: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, as young women stand in the gallery today and look down at what we do, I think the State of Illinois wants to say to them that we will guarantee that the jobs they seek that we pay them for will be equally compensated with those jobs that are most often held by men. I want to give you an example of some of those jobs: At the...Western Illinois University a licensed practical nurse gets \$1,206 a month; whereas, a manager of bowling and billiards gets \$1,506. Are you telling us that licensed nurses are worth

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less? We have the superintendent of food services getting \$1,100 and the superintendent of golf courses getting over \$2,000 per month. We have example after example where it's not hard to say that the jobs that women..."

Speaker Giglio: "Please bring your remarks to a close."

Schakowsky: "...that the jobs that women are performing are at least comparable to those by...that are dominated by men. Women deserve better and our state should...we should support House Bill 575. Thank you."

Speaker Giglio: "Representative Parke, one minute to explain your vote."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, the previous Speaker stood up and said something about women having the right to...to have equal pay for their job, and I agree that anybody, whether it's a man or woman, who has the ability to have a job ought to get comparable...salary for the equal performance. But, that's not what this Bill does. What this Bill does is sets up artificial barriers that say that...what somebody can be paid, whether it's a truck driver or secretary. Now, let me point out to this Body that recently we have seen where the free enterprise, where the marketplaces dictated the price. All one has to do is look at...what has happened in the nurses' profession. We can't even get enough qualified nurses because they're so competitive; they're getting such good salaries. You look at the teachers' profession; they're getting comparable pay for their job. We don't need artificial barriers. We do not need bad legislation like this, and, believe me, this replies to state government. I will tell you that the Sponsor in their back pocket has got another Bill to apply this to the private sector. This is a bad idea, I ask you to vote..."

Speaker Giglio: "Representative Parcells, one minute to explain

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your vote."

Parcells: "Mr. Speaker, should this appear to get the...60 votes, I would like to verify it."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there is 60 voting 'aye', 48 voting 'no'. Representative Deering, Representative Deering votes 'aye'. On this question, there are 61 voting 'yes', 48 voting 'no', and Representative Parcells has requested verification. Representative Parcells, does Representative Younge, Wyvetter Younge, have leave to be verified? Leave is granted. Representative Turner. Representative Turner, leave to be verified? Representative Parcells. Representative Turner, does he also have leave, Turner and Wyvetter Younge? Representative McNamara. Representative McNamara have leave and Representative Williams have leave? That's it. Lady says that's it. Representative Currie moves for the Poll of the Absentees."

Clerk Leone: "Poll of those Members not voting. DeLeo and Hicks are the only Members not voting."

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

Clerk Leone: "Poll of the Affirmative. Balanoff. Bugielski. Burke. Curran. Currie. Davis. Deering. DeJaegher. Farley. Flowers. Giglio. Giorgi. Hannig. Hasara. J. Hoffman. Homer. Lou Jones. Shirley Jones. Keane. Kulas. Lang. Laurino. LeFlore. Levin. Marinaro. Martinez. Matijevich. McAfee. McGuire. McNamara. McPike. Morrow. Mulcahey. Munizzi. Obrzut. Phelan. Phelps. Preston. Rice. Richmond. Ronan. Rotello. Saltsman. Santiago. Satterthwaite. Schakowsky. Schoenberg. Shaw. Steczo. Stepan. Stern. Trotter. Turner. Walsh. White. Williams. Wolf. Woolard.

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Anthony Young. Wyvetter Younge and Mr. Speaker."

Speaker Giglio: "Representative Parcels, questions of the affirmative?"

Parcels: "Yes...Representative Phelps."

Speaker Giglio: "Representative Phelps. Representative Phelps is in the center aisle."

Parcels: "Thank you. Representative Farley."

Speaker Giglio: "Representative Farley. Representative Bruce Farley. Is Representative Farley in the chamber? How is he recorded, Mr. Clerk?"

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

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

Parcels: "Representative Keane."

Speaker Giglio: "Keane. Representative Keane. Is Representative Keane in the chamber? How's the Gentleman recorded?"

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

Speaker Giglio: "Remove him from the Roll Call. Representative Mulcahey, for what purpose do you rise?"

Mulcahey: "Could I have leave to be verified?"

Speaker Giglio: "Representative Parcels, does Representative Mulcahey have leave to be verified? Leave is granted."

Parcels: "Representative Ronan."

Speaker Giglio: "Representative Al Ronan. Representative Al Ronan in the chamber? How is the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove Representative Ronan from the Roll Call and restore Representative Keane. Representative Keane is in the well here."

Parcels: "Representative Shaw."

Speaker Giglio: "Representative William Shaw. Representative William Shaw. How's the Gentleman recorded, Mr. Clerk?"

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

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Parcells: "Representative Homer."

Speaker Giglio: "Representative Homer. Is Representative...Homer is over here by the press box."

Parcells: "Thank you. Representative Hannig."

Speaker Giglio: "Representative Hannig? Hannig is in front...Representative Shaw...remove Representative Shaw, Mr. Clerk."

Parcells: "Representative Woolard."

Speaker Giglio: "Woolard? Representative Woolard is by Representative DeJaegher."

Parcells: "Thank you."

Speaker Giglio: "Restore Representative Farley to the Roll Call. Representative Farley has returned."

Parcells: "Representative Brunsvold."

Speaker Giglio: "Representative Brunsvold? Is Representative Brunsvold in the chamber? How is the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "The Gentleman...the Gentleman is recorded as voting 'present'. Restore Representative Al Ronan to the Roll Call. He's in the center aisle."

Parcells: "Representative Munizzi."

Speaker Giglio: "Representative Munizzi? Representative Pam Munizzi? How's the Lady recorded, Mr. Clerk."

Clerk Leone: "The Lady's recorded as voting 'aye'."

Speaker Giglio: "Re...remove Representative Munizzi from the Roll Call and restore Representative Shaw to the Roll Call."

Parcells: "Representative Santiago."

Speaker Giglio: "Representative Santiago? Is Representative Santiago in the chamber? How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove Representative Santiago from the Roll

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Call and vote Representative McGann 'aye'. Representative Deering votes 'no'."

Parcells: "Representative Martinez."

Speaker Giglio: "Representative Martinez? Representative Miguel...oh, excuse me, Representative Martinez...Ben Martinez. How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove Representative Martinez from the Roll Call."

Parcells: "Representative Turner."

Speaker Giglio: "Representative Art Turner? Mr. Clerk, restore Representative Santiago to the Roll Call."

Parcells: "Representative Balanoff."

Speaker Giglio: "Representative Balanoff is in the center aisle talking to Representative Dunn. Mr. Clerk, Representative Munizzi has returned. Re...restore Representative Munizzi to the Roll Call."

Parcells: "Representative Trotter."

Speaker Giglio: "Representative Trotter? Is Representative Trotter in the chamber? How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove Representative Trotter from the Roll Call. Representative Parcells, Representative LeFlore, does he have leave to be verified?"

Parcells: "Yes."

Speaker Giglio: "LeFlore, leave is granted."

Parcells: "Representative Burke."

Speaker Giglio: "Representative Burke is in his chair, and Representative Martinez has returned. Restore Representative Martinez to the Roll Call. Are there any further..."

Parcells: "Representative Satterthwaite."

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Speaker Giglio: "Representative Satterthwaite is in her chair.

Further...further questions, Representative Parcels?"

Parcels: "Yes Sir, I have one more."

Speaker Giglio: "Further questions, Representative Parcels?"

Representative who?"

Parcels: "White. Jesse White."

Speaker Giglio: "White? Jesse...he's in his chair. Any more,

Representative Parcels? Representative Parcels?"

Parcels: "Representative Flowers."

Speaker Giglio: "Who?"

Parcels: "Flowers."

Speaker Giglio: "Representative Mary Flowers. She's in her

chair. Any more, Representative Parcels?"

Parcels: "No further."

Speaker Giglio: "No further. This Bill...Representative DeLeo votes 'aye'. On this question there are 61 voting 'yes', 49 voting 'no'. Representative Deering votes 'aye'. Now there are 62 voting 'aye' and 48 voting 'no', and House Bill 575, having received the required Constitutional Majority, is hereby declared passed. Representative Trotter. Let the record indicate that Representative Trotter returned and wants to return...he wanted to be recorded as voting 'aye'. Representative Young, House Bill 594. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 594, a Bill for an Act to amend an Act concerning consumer credit. Third Reading of the Bill."

Speaker Giglio: "Representative Anthony Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 594 amends the Fairness in Lending Act to prohibit financial institutions from denying or varying the terms of loans on the sole basis of the history of a previous debt when that debt has been paid or fully discharged within three years. It also amends the Human

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Rights Act to include consumer loans in that Act, and finally it makes it a human rights violation for any credit reporting agency to issue on a consumer credit report adverse information that is more than seven years old. That would bring the Illinois standard in compliance and make it identical to the federal standard. We passed this Bill last year. I move for its adoption and be...will be happy to answer any questions."

Speaker Giglio: "Any discussion? Hearing none, the question is...whoop, Representative Black."

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

Speaker Giglio: "He indicates he will."

Black: "Representative, I...I guess I have a problem as...as I think anybody would who has borrowed money. If you can't take some of your past practices into effect...into account, if I...if I...if I've taken bankruptcy twice in the applicable period, I want to go in and finance an automobile, a brand new automobile for a five year term, you come in right behind me and want to finance the same automobile, the same price automobile, for five years, if that person who had abused credit or not...maybe that's the wrong word. If that person who had had a...a really bad experience with managing credit is entitled to the same interest rate as you are as an excellent credit risk, then my fear is, and perhaps you could allay that fear, is that I would assume that your interest rate is going to be higher to cover the risk of the loan that you're now saying we have to make at the same rate."

Young: "Excuse me, Represent...I think you're thinking about one of my past Bills that dealt with interest rates. This Bill does not deal with rates at all."

Speaker Giglio: "Are you...are you positive of that?"

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Young: "I'm positive. This does not deal with interest rates."

Speaker Giglio: "There's nothing in this Bill that would prohibit a bank from offering an interest rate based on the past credit history of the consumer?"

Young: "Alright. They possibly could. The intent of the Bill is to get at the denying based on a debt that's previously satisfied, and in the example you use I would point to language that was put in by the financial institutions that says, 'Nothing in this section prohibits a financial institution from considering the financial ability of the applicant to repay the loan.'"

Black: "Well, thank you very much, Representative. I...Ladies and Gentlemen of the House, I'm not sure that the...that any language has been put in here that the bankers have agreed to or have looked at, and I really think that if you look at this Bill, and...and I...the Sponsor's integrity is above reproach, and I don't think any of us can argue with what the Gentleman is attempting to do, but by his own admission it's not his intent to increase the interest rate on what you might be asked to pay to cover the risk associated with someone who has had a terrible credit history...perhaps through no fault of that individual. Maybe that's not his intent, and I would believe him when he says that, but I think if you really take a look at this Bill, that is what this Bill will do. You will have to pay a higher interest rate to spread the risk factor since a bank would be prohibited from taking a...a consumer's past credit history into account. While his intent might be something that we could take a look at, I'm not sure that that's what this Bill does, and given that fact and given the fact that I don't think the banking community has certainly added any language that takes their concerns away with this Bill, I would give you some strong advice that

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unless you want everyone's interest rate to go up, a 'no' or a 'present' vote would be advisable on this Bill."

Speaker Giglio: "Further discussion? The Lady from Cook, Representative Parcels."

Parcels: "Thank you, Mr. Speaker. Actually Representative Parke's microphone doesn't work, and so he would like to speak from my 'mike'."

Speaker Giglio: "I...I think it does. Excuse me, Representative Parke, put...put him on. Let's see if your...your...put it on."

Parke: "Thank you. It is on, but when I hit it earlier it did not flash so you...you...the electrician fixed it now?"

Speaker Giglio: "It's all fixed."

Parke: "Thank you."

Speaker Giglio: "It's been a...it's been a...it's been a very tiring day, and these wires have been getting hot."

Parke: "Okay. Good, good. That means that the people's business is being done well. I also rise in opposition to this Bill. Let me just reiterate what Representative Black said. Though the Sponsor is well-intended in this legislation, I will just point out to each one of you that if this Bill passes, your constituents, your voters, your taxpayers are going end up having to pay more for credit with this kind of legislation. It's just not common sense. It's not logical. The Sponsor, well-intended, is trying to solve a problem within his community at the expense of the rest of the state. I don't think you want to do that. I don't think that's what we want to accomplish here. I'm sure he's looking for fairness, and so am I, but I don't think this is the way to do it. I know that the Illinois Bankers Association, the community bankers, and the Illinois Credit Union is against this concept, and I would respectfully, ask you not to vote for this Bill."

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Speaker Giglio: "Further discussion? Representative Young to close."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill certainly isn't directed toward any specific community, and it's not about fairness. One of the main portions of this Bill deals with trying to get credit information removed from a credit report after it's been more than seven years old. I would suggest that some of the people on the other side of the aisle might even find bad credit information on their credit report. What it does is it says that you can only go back so far to look at debts that have been satisfied as the basis or ability from denying a person a loan. It does not interfere with the bank's right to look at someone's ability to pay. It's not about fairness. It's about the problem of people being denied credit for things that may have happened 10 or 12 years ago that they didn't even know was on the credit report until after they were denied the credit. I ask for an 'aye' vote."

Speaker Giglio: "The question is, 'Shall House Bill 594 pass?' All those in favor vote 'aye', opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted? Take the record, Mr. Clerk. On this question there are 42 voting 'yes' and 59 voting 'no'. House Bill 594, having failed to receive the Constitutional Majority, is hereby declared lost. Representative Balanoff, House Bill 760. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 760, a Bill for an Act to amend an Act relating to the State Board of Higher Education. Third Reading of the Bill."

Speaker Giglio: "Representative Balanoff."

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

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House...of the House. If you are serious about lowering property taxes in Cook County with no loss of service to taxpayers, then please listen up. House Bill 760 will abolish the useless office of the Cook County Regional Superintendent of Schools. This office currently costs the taxpayers \$1.6 million a year and in the past countless millions more. We have lost interest on money as it was kept in non-interest-bearing accounts. Financial records were kept on ledger sheets. The functions of the office, if any, will be picked up by the State Board of Education at the expiration of the current term. This Bill represents real reform as the moneys saved could be put to good use, into the classroom educating our children where it belongs, not supporting a do-nothing office. Editorials across Cook County have cried out to get rid of this useless office. Cook County Board President Dick Phelan wholeheartedly supports this Bill. As a matter of fact, I know of no opposition to this Bill other than from the Association of Regional School Superintendents whose only purpose, as I can figure it, is to keep themselves on the job. The time has come, and the time is now to rid the taxpayers of this useless office, and I'd be more than happy to answer any questions."

Speaker Giglio: "Any discussion? The question is, 'Shall House Bill 760...whoop, Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would just like to rise in support of this particular piece of legislation and for my...my colleagues on the Republican side of the aisle, I would explain that this particular Bill only affects Cook County. It does not affect any other county in the state, and it affects only Cook County. Furthermore, as Representative Balanoff pointed out...President of the Cook County Board, Richard

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Phelan, is in support of this. I would also point out that the Republican and Democratic Commissioners of Cook County are also in favor of this particular proposal. It is time to abolish this particular office, and I would strongly support this Bill, and I would hope my Republican colleagues would resoundingly support this concept. Thank you."

Speaker Giglio: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Will the Sponsor yield for a question? Representative Balanoff, I know that...that you're indicating that this affects only Cook County, and I'm sure that it does in regard to the abolition of a particular office. However, as I understand, your Bill also provides that the State Board of Education will take over the responsibilities currently executed by this officer, and so would that not place an additional financial burden upon the state if we had to pay for what is not being done by this officer?"

Balanoff: "Well, I'll tell 'ya. I have not been able to figure out what functions, if any, are served by the Cook County Superintendent of Schools. All I've ever been able to figure out is that he keeps track of who applies to be...for general...for a GED, and that certainly could be easily farmed out to the city colleges in Chicago who perform that service. So I'm not sure whether yet...there would be that...you know, any cost. The other part of this is we also are talking about a period of four years before this office will be abolished, so we certainly have time to work those things out."

Satterthwaite: "Well, my point is that there are functions being carried on through the Regional Superintendent's Office in Cook County, as well as in all of the other counties of

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this state. The fact that you may not be aware of what those functions include does not necessarily mean that no functions are carried out there. In the last several days, we have had several meetings with regional superintendents across the state and also with the State Board of Education in regard to the duties of these officers. There are certain functions that are carried out including this...the issuance of certificates for teaching, including GED tests for people who have not graduated from high school, including a number of other functions, and if this officer does not fulfill those responsibilities, someone else is going to have to do it, and someone else is going to have to pay for it. My concern is that while the county might be glad to have this \$1.6 million obligation off their shoulders that I think that we will find that we will have to shoulder those burdens statewide if we do not have the officer functioning in Cook County."

Balanoff: "My...my understanding is that the State Board of Education is currently performing at least 90% of what the Regional Superintendent of Schools in Cook County might be...might be performing so that we are already bearing those costs including certification of teachers, school board inspections and school visits."

Satterthwaite: "Well, again, Ladies and Gentlemen, I'm saying if Cook County does not like what their officer is doing, they have the option of voting him out of office; they have the option of cutting his budget. I do not see, however, that it means that the State Board should take on the responsibilities and the funding for things that throughout the rest of the state are paid for at the county level, and I would certainly think that my downstate colleagues might want to look at it in regard to the additional financial responsibilities placed on the state."

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Speaker Giglio: "Representative McNamara."

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

Speaker Giglio: "He indicates he will."

McNamara: "Representative, on this particular measure, what you are doing is legislatively abolishing the post of Cook County Superintendent, is that correct?"

Balanoff: "That's correct. At the end of its current...this current term."

McNamara: "There...there must be some referendum procedure to allow the people to voice their pleasure or displeasure on this, is...is..."

Balanoff: "At...at this point in time, to the best of my knowledge, there is no referendum procedure to do that."

McNamara: "So arbitrarily you're dictating to Cook County to get rid of a...a form of government that the Cook County people will have no say in. Is that correct?"

Balanoff: "John, let me correct you. We're not dictating. We're legislating, and what we're doing is saving the taxpayers a tremendous amount of money every single year."

McNamara: "Okay. Mr. Speaker, to the Bill. What this Bill really does, regardless of how many semantics we go through, is we arbitrarily eliminate one Cook County, one superintendent, throughout the case...throughout the state. We do that only because some Legislator wishes to abolish that post because they don't get along with him or for whatever given reason. We have eliminated the people of Cook County the opportunity to vote whether or not they wish to do it such as a previous Bill at least gave the idea of a referendum to abolish it. This doesn't even have a sham of going before the public to present this issue. It is absolutely ludicrous that we can decide that we can come down here because we don't like somebody and just eliminate the post totally, and as a previous

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Representative says, this does have an impact on the state, on every one and all of the counties further south. That impact is the costs of this office must then be transferred to the state, and the State Board will pick up those costs and will be less money for those downstaters from the State Board when they have to put more responsibility downstate. I think this is an ill-conceived notion. It abdicates the responsibility of the voters to be able to govern themselves. It's an anti-people, an anti-fiscal responsibility Bill, and I urge a 'no' vote."

Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. I think Representative McNamara hit the...hit the nail right on the head. This Bill has nothing to do with the...the goodness or the...or the ability of the Cook County Educational Service Region Superintendent to perform a duty. It's strictly a personality clash. Many people who are elected school board members or who are school superintendents in...in...in the suburbs simply do not like the individual who happens to hold the office. There's policy disagreements and other disagreements with that individual. The obvious thing to do to change that, if they so choose at election time every four years, is to change the individual, him or herself. However, if we...if this Bill passes and this Bill is signed into law and this office is abolished, the state will then have to assume the...the responsibility for inspecting all the school buildings in Cook County. I'm not sure the state has the...has the...the...the manpower to do that, to process all the teachers' certification in all of Cook County which the Educational Service Region currently does. I'm not sure they have the wherewithal to do that. Instead of sending one check to Cook County that the superintendent cuts up

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147 different ways and sends to all the elementary and secondary districts, the state would have to cut all those separate checks. I'm not sure they have the wherewithal or the willingness to do that. If there's local disputes and local complaints that are normally taken care of now by the Educational Service Region Superintendent, those hearings and disputes would have to be heard in Springfield by the State Board of Education. I'm not so sure our local people want that. So I think that perhaps to let the individual in the office know that there may be disagreement with policy, this Bill serves a purpose. However, I think in terms of policy itself for us in the state this Bill makes very little sense, and I would encourage a 'no' vote."

Speaker Giglio: "Representative Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just don't understand it. Who are we kidding here? I mean, the last speaker makes it sound like it's just a mere oversight and that we just don't seem to have a...an understanding with the superintendent. Let me remind this...this Body that that superintendent is not doing the job. He is not doing the job because I have asked for people to be able to talk to him. I have gone to the other side of the aisle, and I've asked the Senator who works in the City of Chicago, represents the citizens of the City of Chicago, if he would intercede on my behalf for some of my superintendents. He told me he can't even get a phone call returned. This is the same man who invests millions of dollars in non-bearing accounts...non-interest-bearing accounts. He is costing the kids of the City of Chicago and the suburban area millions of dollars because he has a patronage-laden government. This Bill should be passed because it's the right thing to do, because we're talking about patronage,

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and some of those people who are on this floor have patronage jobs in that office, and they don't want to vote against it. Well, I'll tell you it's time for this office to be repealed. That man is not doing the job. The office is not doing the job, and the state ought to assume the responsibility. The state ought to pay for that job that's not being done. Now who are we kidding? This agency should be repealed, and we should get on with good government and providing services to kids, and that's what this Bill is all about."

Speaker Giglio: "Representative Monique Davis."

Davis: "Mr. Speaker. Thank you, Ladies and Gentlemen of the House. I'd like to ask a question of the Sponsor."

Speaker Giglio: "Proceed."

Davis: "If a student completes college and wants to teach in the Cook County area, what should that student do to meet the state requirement of having the state certificate for teaching?"

Balanoff: "Currently they're certified by the State Board of Education."

Davis: "But, I mean how do they go about it?"

Balanoff: "I'm not sure of the exact procedure but the State Board of Education certifies them to be able to teach."

Davis: "Well, they go about it by applying through the Cook County Superintendent's Office who helps them and assists them with a great deal of paperwork. I'd like to ask another question. What happens if somewhere between Chicago and Springfield the paperwork, for some reason, is lost or a counselor does not evaluate credentials from a college correctly, who intercedes for the Chicago or Cook County student who wants to teach in the Cook County area?"

Balanoff: "Well, again, those functions are currently being done by the State Board of Education so...so, obviously they

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would be the one to intercede to make sure that things happen and answer the questions for prospective people that we're looking for...teaching certificates and the like."

Davis: "So you're...you're...you're representing or you're suggesting that we should give additional responsibility to the State Board in...in addition to House Bill 885..."

Balanoff: "No...no...what..."

Davis: "...in which they're going to do all this recognizing and awarding. You're saying, 'Let's give them a whole Cook County Superintendent's responsibility to the State of Illinois. Now I say to you, Mr. Representative, and to the Bill, Sir..."

Speaker Giglio: "Proceed."

Davis: "...either we want to give the same services to the people who live in Cook County as we give to those who live in DuPage County or those who live in Lake County or we don't, and I would not appreciate removing my county superintendent without giving me an opportunity to vote on it, and I don't think that you...if you don't use the service, should make a decision that they're not doing the job. You admit you don't even know what he does. Well, I know what he does. He cuts through a lot of the red tape from Springfield to the State of Illinois, Board of Education, to get certification endorsements for science teachers, endorsements for math teachers, endorsements for coun...counselors in the public school system, and I say that we need this position in Cook County, as well as in the other counties, and when we abolish it for the whole state, then abolish it for Cook County."

Speaker Giglio: "The Gentleman from Cook, Representative Miguel Santiago."

Santiago: "Thank you, Mr. Speaker. I agree 100% with the previous speaker. If you're going to abolish an office, I

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think you should give the people in that county an opportunity to speak out on the issue. I believe like Representative McNamara mentioned, there should be a referendum because..."

Speaker Giglio: "Excuse me, Representative Santiago...excuse me. The Chair would like to introduce the former Governor of the State of Illinois, Governor Thompson. Give him a hand...right here by the well. Will the lobbyist please remove himself from the floor?"

Santiago: "Mr. Speaker..."

Speaker Giglio: "Representative Santiago."

Santiago: "...I think we're in violation of the rules."

Speaker Giglio: "Proceed, Representative Santiago."

Santiago: "Before I...I was interrupted, I...all...all of the...all of the reg...all of the regional superintendents in the State of Illinois under...under the School Code, under Article 3, have specific duties which were outlined by this legislative Body. What we're, in actuality, doing is that we're taking away the rights of the individuals that voted during the last election for the county superintendent, and I am...and I question that judgment. Who are we to take away the rights of people that voted for a certain individual? Why are we going to take that right away? If the people in Cook County do not want the school superintendent, they should vote him out of office. Why are we going to allow certain individuals here, that for some personal reason do not like the individual...they put in a Bill to try to abolish that office, and let me tell you something else. This could set a precedent here in the State of Illinois because someone in your district could come to you and that person doesn't like you and he could have one of the Representatives also sponsor a Bill to abolish your district and your office. That is part of

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the...of the precedent that we're setting here. The other important point is that, as Monique Davis stated, we want equal access to the State Board of Education, and by passing this Bill, you're violating the rights of all those citizens from the same rights that the other people in the State of Illinois have, and who are we, once again, who are we, once again, to take away those rights from those individuals? Another point is that, who is going to perform the duties of that office if that office is abolished? Who is going to perform those duties? The State Board of Education says and the Governor said, 'We don't have enough money to carry out our functions. We don't even have enough money for our own budget. We might have to raise taxes,' and who is going to pay for those employees? There's actually 16 employees in that office right now. Mr. Speaker, could we have some order, please? So, there act...presently about 16 employees in that office right now. There's blacks. There's whites. There're Hispanics. There're Democrats, so on and so forth, and also why...where are these employees going to go? Who's going to pay for their functions? The State Board doesn't have any money. They don't have any money. So how are the people in that county...how are they going to be served? Do we, in this Body...do we in this Body want to discriminate against the people and especially the teachers and the school childrens of Cook County? That should be the question that we should be addressing. Do we want to discriminate against...against the people of Cook County? Do we want to deny them an opportunity like all the other residents of the State of Illinois, and for all of you downstaters, if this goes through, look out because other Bills are going to come down the line that are going to affect your superintendent, and you're going to

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have...every time that someone in your district has a problem with the superintendent what they're going to do is they're going to come to a Legislator and they're going to try to abolish that office. If that's what you want to do and open yourself up for that, then go ahead and vote for it, but if you believe in justice, equality for the people in Cook County you will oppose this Bill. Thank you very much."

Speaker Giglio: "Representative Wojcik."

Wojcik: "Mr...Mr. Speaker, I move..."

Speaker Giglio: "Proceed."

Wojcik: "...the previous question."

Speaker Giglio: "You heard the Lady's Motion. All those in favor signify by saying 'aye', opposed, 'no'. The 'ayes' have it. The previous question's been moved. Representative Balanoff to close."

Balanoff: "Yes, very quickly, because I think the argument certainly has been made. The functions of this office basically are duplicitous. They're already being done by the State Board of Education. This is a way to save taxpayers \$1.6 million every single year, and as I said, put it in the classrooms where it belongs. The Legislature in 1970 created this office so we certainly can do away with it by le...by legislation. The Sun Times, the Civic Federation, the Tribune, Dick Phelan, and a bi-partisan coalition of Cook County Board members support this Bill, and I'd urge your 'aye' votes."

Speaker Giglio: "The question is, 'Shall House Bill 760 pass?' All those in favor vote 'aye', opposed, 'no'. Representative Parcels, one minute to explain your vote."

Parcels: "Thank you, Mr. Speaker. I just wanted to explain for those that maybe didn't read the Bill that this is not a conflict of trust with those who voted for the

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superintendent. The Bill doesn't take effect for four years. So those who voted for the superintendent would have him there for this length of time. Furthermore, that the state does have a right to take this job away in that we created it in 1970 having had county superintendents before. We created it so we, therefore, have the right to eliminate it, and it's the people who are paying for it. The Cook County Board, bipartisan, are saying, 'Get rid of this job right now.' They're the ones that have to pay for it. You do their wishes if you vote 'yes' on this very fine Bill."

Speaker Giglio: "Representative McGann, one minute to explain your vote."

McGann: "Yes, I wish we didn't have as many green votes up there at this time because this whole program of regional superintendents versus service centers are under study at the present time, and the service centers are very important. Regional superintendents have been historic in the state. I don't think we're going to accomplish our goal one way or the other by allowing this House Bill 760 to pass out of this chamber. I do believe a lot more study has to be taken. I think the state superintendent is going to be working on it in the near future...come back to us...we will have something that possibly we do not need, the post of regional superintendent throughout the state, but we would have to put the emphasis on the service centers which will accomplish the goal and the..."

Speaker Giglio: "Please bring your remarks to a close."

McGann: "...consider this vote."

Speaker Giglio: "Representative Matijevich, one minute to explain your vote."

Matijevich: "Mr. Speaker, I was in support of this Bill in committee. We were hearing debate because I never like to

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see the Legislature legislate against personality. The venom in the debate against an individual I thought was improper because it didn't seem to me that we were legislating the office. We were legislating against the individual. I want to say that if...if the next step is removing regional superintendents, I'm against it because all of my term here we have had nothing but Republicans as regional superintendents, and they have all been outstanding, and I don't want this vote to be any indication that we are going to remove or legislate against any others in the state. It is an office, I think, that can do a...a good job, but on this one I am going to vote 'aye'."

Speaker Giglio: "The Gentleman from Effingham, Representative Hartke. One minute to explain your vote."

Hartke: "Thank you very much. You know, I think Representative Santiago hit it on the head. Many downstaters ought to be looking at this. If we eliminate this position I think that our superintendents downstate will be next. I really think that superintendents in general do a good job, and personalities are...are involved in this thing, and I think it's dead wrong. We ought to be looking at this and voting 'no' on this. We need superintendents throughout the State of Illinois, and they...they...they do a great job, and I would suggest all downstaters to change their mind and vote 'no' on this proposition."

Speaker Giglio: "Representative Mautino, one minute to explain your vote."

Mautino: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I recommend most highly that downstate Legislators on both sides of the aisle think about what is occurring in this instance. Two possibilities are available to accomplish the same thing

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that this legislation proposes. Number one, in a home rule city, in a home rule county, the funding mechanism for pension, et cetera, can be rolled over which is another Bill that's before this House into a pension plan that covers those employees and the superintendent of schools there. The second provision is the home rule provision that will allow for abolishment by...by not funding the office. It was my understanding that Mr. Phelan of the county board was going to reduce the total funding as it pertains to this office. It was also agreed, as I understand it from the media, that Mr. Marwick would do this. To establish this in law whereby we abolish the office by which the individual citizens have voted into existence..."

Speaker Giglio: "Please bring your remarks to a close."

Mautino: "...it is absolutely wrong to take that provision away from the citizens. If it can be done, it should be done at the locality where there's a problem, not by this state. Mr. Hartke is exactly correct. If you can do this in Chicago, you can do it anywhere. The downstate superintendents are next, and that's absolutely wrong. I recommend to all downstaters on both sides of the aisle, rethink this philosophy and this vote. Either vote 'present' or 'no', and protect your own tails."

Speaker Giglio: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. I think there is some merit in what the previous speaker said. However, when you look at a school system that all of us have been hearing about for more than a decade with dropout rates in the area of 70% and a number of schools a (sic an) area wide of at least 40%, and you see this going on year after year after year after year after year, why isn't something done about it? We've attempted to do what we

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could legislatively in...in school reform and other areas and yet we don't see a heck of a lot of change. I don't think this is necessarily a good practice but I certainly think that we need to send a message to somebody that it's time for a change in some of these areas in order to attempt to improve the school system so that we can have some major effect on the social ills of the State of Illinois."

Speaker Giglio: "Representative Monique Davis."

Davis: "Yeah. I just wanted to say, Mr. Speaker, that it appears that if this office was up for election and the people in Cook County have just elected someone, I think we overstep our bounds to abolish that one office and not abolish the entire Cook County superintendents across the State of Illinois."

Speaker Giglio: "Representative..."

Davis: "It reeks of bias, and it reeks..."

Speaker Giglio: "Representative Davis."

Davis: "Yes."

Speaker Giglio: "The Chair's been..."

Davis: "They didn't hear me."

Speaker Giglio: "They called...they called the Chair on this one. I...you spoke...you spoke and...on the Bill. Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just rise to correct one of my previous...one of my colleague's previous remarks. House Bill 760...the Cook County Superintendent is not the superintendent of the Board of Education of the City of Chicago. So, I just wanted to correct his remarks that would direct it toward the Board of Education of the City of Chicago. He is the Cook County Superintendent so he covers all school systems that reside in Cook County, not only in the City of

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Chicago. So his remarks were not taken...I...I...I find fault with...with some of his remarks."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 67...Representative...Representative Harris, for what purpose do you rise, Sir? Representative Harris."

Harris: "Please record me as 'yes'."

Speaker Giglio: "Record Representative Harris as 'yes'. Representative McNamara."

McNamara: "I request a verification."

Speaker Giglio: "The Gentleman requests a verification. Representative Balanoff asks for a Poll of the Absentees. Representative McNamara, does Representative Morrow have leave to be verified? Representative Stange verified? Representative Stange. Representative Morrow. Proceed with the absentees, Mr. Clerk."

Clerk O'Brien: "Poll of those not voting: Myron Olson and Rice. No further."

Speaker Giglio: "Representative McNamara, does Representative Shaw have leave to be verified? Where's Representative McNamara? Shaw? It's Shaw, Morrow and Stange so far. Alright, Mr. Clerk, proceed with the Affirmative Roll Call."

Clerk O'Brien: "Ackerman. Balanoff. Balthis. Burzynski. Churchill. Cowlshaw. Cronin. Curran. Currie..."

Speaker Giglio: "Excuse me, Mr. Clerk. Representative Olson, does he have leave to be verified, Representative, and Representative Stepan, Ann Stepan? Stepan and Olson. Proceed, Mr. Clerk. Representative Currie. Representative Currie have leave to be verified? Representative Levin. Proceed, Mr. Clerk."

Clerk O'Brien: "Daniels. DeJaegher. Deuchler. Doederlein.

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Dunn. Ewing. Farley. Frederick. Giorgi. Hannig.
Harris. Hasara. Hensel. Manny Hoffman. Hultgren.
Johnson. Kirkland. Klemm. Kubik. Lang. Leitch. Levin.
Matijevich. McAuliffe...I'm sorry, first McAfee, then
McAuliffe...McCracken. McGuire. McPike. Morrow. Noland.
Bob Olson. Parcels. Parke. B. Pedersen. Persico. W.
Peterson. Petka. Phelan. Preston. Pullen. Regan.
Ronan. Ropp. Ryder. Saltsman. Schakowsky. Schoenberg.
Shaw. Sieben. Stange. Stepan. Stern. Tenhouse. Wait.
Weaver. Weller. Wennlund. Wojcik and Mr. Speaker."

Speaker Giglio: "Representative McNamara, you have any questions
of the Affirmative Roll Call?"

McNamara: "Yes, Mr. Speaker."

Speaker Giglio: "Proceed."

McNamara: "Representative DeJaegher?"

Speaker Giglio: "Representative DeJaegher? Is Representative
DeJaegher in the chamber? How's the Gentleman recorded,
Mr. Clerk?"

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

Speaker Giglio: "Remove...remove the Gentleman from the Roll
Call. Representative McNamara."

McNamara: "Representative Weaver?"

Speaker Giglio: "Representative Weaver. Is Representative Weaver
in the chamber? How's the Gentleman recorded, Mr. Clerk?"

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

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

McNamara: "Representative Balthis?"

Speaker Giglio: "Representative Balthis. Does Representative
Regan have leave? Alright, is Representative Balthis in
the chamber? Representative Balthis, how is he recorded,
Mr. Clerk?"

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

Speaker Giglio: "Remove Representative Balthis from the Roll

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Call."

McNamara: "Representative Doederlein?"

Speaker Giglio: "Representative Doederlein. Is Representative Doederlein in the chamber? How's the Lady recorded?"

Clerk O'Brien: "The Lady's recorded as voting 'aye'."

Speaker Giglio: "Remove the Lady from the Roll Call."

McNamara: "Representative Wait?"

Speaker Giglio: "Wait. Representative Wait. How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove Representative Wait."

McNamara: "Representative Bernie Pedersen?"

Speaker Giglio: "Bernard Pedersen is in his chair."

McNamara: "Representative McCracken?"

Speaker Giglio: "Representative McCracken. Representative McCracken. How's the Gentleman recorded, Mr. Clerk?"

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

Speaker Giglio: "Remove Representative McCracken."

McNamara: "Representative Pullen?"

Speaker Giglio: "Representative Pullen is on the telephone."

McNamara: "Representative Ryder?"

Speaker Giglio: "Representative who?"

McNamara: "Ryder?"

Speaker Giglio: "Ryder. He's in the corner there."

McNamara: "Representative Stepan?"

Speaker Giglio: "Stepan, she was verified."

McNamara: "I'm sorry. She was verified. My mistake. Representative Regan was verified. Representative Shaw was verified."

Speaker Giglio: "Restore, Mr. Clerk, Representative DeJaegher has returned. Restore Representative DeJaegher."

McNamara: "Would Representative DeJaegher really like to be restored as an 'aye' or a 'no'? Alright, Representative

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Wojcik?"

Speaker Giglio: "Representative Wojcik is in the center aisle."

McNamara: "Representative Obrzut?"

Speaker Giglio: "Representative Obrzut is in the back of the chamber. Further questions?"

McNamara: "Representative Kirkland?"

Speaker Giglio: "Kirkland? He's over here talking to Representative Preston."

McNamara: "He's on the Democratic side of the aisle, you say?"

Speaker Giglio: "That's where he's at."

McNamara: "Well, that's where he should be."

Speaker Giglio: "Representative Weaver has returned. Restore Representative Weaver to the Roll Call, Mr. Clerk."

McNamara: "Representative Weller?"

Speaker Giglio: "Excuse me."

McNamara: "Representative Weller?"

Speaker Giglio: "Oh, Weller?"

McNamara: "Right."

Speaker Giglio: "He's over there talking to Representative Noland."

McNamara: "The lights weren't bright. No further."

Speaker Giglio: "No further. On this question there are 64 voting 'yes' and 18 voting 'no', and House Bill 760, having received the required Constitutional Majority, is hereby declared passed. House Bill 185. Call on the Environment. House Bill 941. Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 941, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No Committee or Floor Amendments."

Speaker Giglio: "Third Reading. House Bill 185, Majority Leader Representative McPike. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 185, a Bill for an Act to amend the

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General Obligation Bond Act. Third Reading of the Bill."

Speaker Giglio: "Representative McPike."

McPike: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is the GO Bond vehicle Bill. It reduces the outstanding indebtedness...the bond authorization rather by \$4.00. I move for the passage of the Bill."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 185 pass?' All those in favor vote 'aye', opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 108 voting 'yes', none voting 'no', and House Bill 185, having received the required Constitutional Majority...Ropp, 'aye', Leflore, 'aye'. On this question there are now...LeFlore, 'aye', Ropp, 'aye'. On this question there are 110 voting 'aye' and none voting 'no', and House Bill 185, having received the required Constitutional Majority, is hereby declared passed. House Bill 186, Representative McPike. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 186."

Speaker Giglio: "186."

Clerk O'Brien: "A Bill for an Act to amend the Build Illinois Bond Act. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Madison, Representative McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the Build Illinois Bond vehicle. It reduces the bond...it reduces the bond authorization by \$4.00. I move for the passage of the Bill."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 186 pass?' All those in favor vote 'aye', opposed, 'no'. The voting is open. Representative

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Black."

Black: "Thank you very much, Mr. Speaker. I had a...an inquiry of the chair but it just dawned on me the Gentleman is reducing the bond obligation so it doesn't require 71 votes. A very...very cleverly drafted Bill, Mr. Speaker."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 102 voting 'yes', none voting 'no', 11 voting 'present'. House Bill 186, having received the required Constitutional Majority, is hereby declared passed. Representative Bugielski, House Bill 890. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 890, a Bill for an Act concerning vouchers for education expenses. Third Reading of the Bill."

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

Bugielski: "Thank you, Mr. Speaker. I'd like to bring the Bill back to Second Reading for purposes of Amendment."

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

Clerk O'Brien: "House Bill #1, offered by Representative Myron Olson."

Speaker Giglio: "Representative Olson."

Olson: "Withdraw Amendment #1."

Speaker Giglio: "Withdraw Amendment #1. Further Amendments?"

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

Speaker Giglio: "Representative Shaw on Amendment #2. Representative Bugielski. Representative Shaw. Representative Shaw on Amendment #2 to House Bill 890."

Shaw: "Yes...let's see. Yes, Mr. Chairman...Mr. Speaker, Ladies

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and Gentlemen of the House. Amendment #2 to House Bill 890 is an Amendment where that making sure that if this voucher Bill passed that all...youngsters would have access to...education in all of the schools of Chicago. I think it's a good Amendment, and I ask...I urge for its passage."

Speaker Giglio: "Any discussion on the...on the Gentleman's Motion? Hearing none, all those in favor of the Amendment say 'aye', opposed, 'no'. The Amendment's adopted. Further Amendments?"

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

Speaker Giglio: "Representative Bugielski on Amendment #3."

Bugielski: "Thank you, Mr. Speaker and Members of the House. Amendment #3...just let me make sure I have the right Amendment. Amendment #3 would amend the Bill to...Amendment #3 would amend House Bill 890 as amended by replacing the title with the following: an Act concerning vouchers for educational expenses in the Chicago School District. What it was...it was a statewide...project to begin with and now it comes down to just the City of Chicago, and I ask for the passage of Amendment #3."

Speaker Giglio: "Any discussion on the Amendment? Representative Anthony Young."

Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Amendment. This Amendment would provide for vouchers and vouchers in the Chicago school system...vouchers only in the Chicago school system. What vouchers will do to Chicago's schools is twofold. One, it will take much needed revenue from a system that has a \$300 million shortfall and take that revenue and send it to private schools, and secondly, it will take many of the students, some of the better middle class students from the public school system and send them

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to private schools along with the vouchers. So unless you're prepared to send more money to that school system to replace the money that will leave with the vouchers, you should vote against this Amendment, and, Mr. Speaker, I ask for a Roll Call vote."

Speaker Giglio: "The Gentleman...Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker. Would the Gentleman yield?"

Speaker Giglio: "He indicates he will."

Hannig: "Representative, how would this then affect the downstate schools and their school aid formula...in the school aid formula?"

Bugielski: "Well, right now there's other Amendments coming on too that when we get to those Amendments you would see, but right...right now this is just for the City of Chicago. It's a pilot program in the City of Chicago, excluding the downstate, but there are further Amendments down the line that would...I know that there is another Amendment that another Representative has that would address that issue of funding."

Hannig: "Well, under the current system we put money into the state aid formula. It's distributed to all the public schools throughout the state. Now how would...how would your proposal change that? In other words, what would it...what would it do to the..."

Bugielski: "It would come out of the General Education Fund, unless under the wisdom of the General Assembly we appropriate more money into that fund."

Hannig: "I guess the bottom line I'm just trying to find out is is this going to be a...have a negative impact on the rest of the state and the rest of the state schools?"

Bugielski: "No, I don't see it being as a negative impact because what we're doing is just trying to help the students of the

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state all over. Right now why we brought it down just to the City of Chicago, is because of the schools that we have right now in Chicago, and we're trying to help those students out there, and we have to start looking at all the students throughout the state. It's the same thing the program that they instituted in Milwaukee last year as a pilot program. The students had it...been in there for six months now. Their test scores have risen 30% in only six months."

Hannig: "I...I guess my concern and...and maybe I can talk to you after you...after we do all the Amendments is how it's going to impact all the other schools in the state, but...we'll...I'll ask you that privately."

Speaker Giglio: "Further discussion? Representative Wennlund."

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

Speaker Giglio: "He indicates he will."

Wennlund: "Representative Bugielski, I believe there are approximately 140,000 students in the City of Chicago parochial schools today, approximately."

Bugielski: "No, that is in Cook County. There's 88,000 in the City...88,000 in the City of Chicago."

Wennlund: "And...and this would require the payment of \$1,000 to each of them?"

Bugielski: "Yes, Sir."

Wennlund: "And...and if my math is correct, that'd be \$88 million dollars?"

Bugielski: "Yes, Sir."

Wennlund: "So, where...where does the \$88 million dollars come from?"

Bugielski: "Out of the General Revenue...General Education Fund."

Wennlund: "Out of...out of the amount that...that now goes...this comes out of the City of Chicago public school funds?"

Bugielski: "Yes, Sir."

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Wennlund: "Is that the same system that's \$315 million shortfall as proposed by Superintendent Kimbrough?"

Bugielski: "Well, it would come out of the entire State Education Fund right now, unless there is more money appropriated into education."

Wennlund: "So...so the money comes out of...out of the distributive formula so...so it's an additional hit on the state's common school fund of \$88 million?"

Bugielski: "Yes, Sir."

Wennlund: "Thank you. To the Bill...to the Amendment."

Speaker Giglio: "Proceed."

Wennlund: "Everyone should realize that this represents a hit of \$88 million on top of what is currently distributed under the current School Aid Formula for the City of Chicago to be able to fund this program just for those attending private schools at this point in time...in a state when we currently are \$660 million in debt for health care providers and another almost \$400 million in debt...right at about a billion dollars, and I...I think when we talk about spending \$88 million we ought to read our Comptroller, Dawn Clark Netsch's article in the Tribune today which says that we have to be a little bit more responsible about how we budget for this state, and how we spend money in this state, particularly when we don't have the dollars. So I think you should take that into consideration regardless of how you feel about vouchers, and I happen to feel it's...it's...it's an excellent system, and I think it is working in Milwaukee, and I think it can work, but it can only work if we have the money to fund it, and I think that's what everybody ought to take into consideration."

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

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Schoenberg: "Mr. Speaker, Members of the House, I respectfully rise in opposition to this Amendment. I, for one, and I hope my colleagues on the Democratic side of the aisle will share my sentiment that I'm not willing to do President Bush's work for him when it comes to further dividing those who are capable of navigating the educational system and those who are not. Those who are already receiving sufficient resources and have the capacity to go pursue a quality education and those who have the utmost difficulty even pursuing a nominal education. There's another matter I think we have to address as well, and that is the whole issue of constitutionality of the voucher system. The Milwaukee plan was mentioned earlier. That has failed to withstand a court challenge, and I, as a proud graduate of the parochial school system, must nonetheless rise in opposition because our courts have repeatedly tested the ability to fund parochial schools with public funds, and as long as the courts dictate what the parameters of that are, then I'm willing to conform with the courts. Therefore, I urge each and every one of you on church-state grounds and as well as sound public policy grounds to oppose this Amendment. Thank you."

Speaker Giglio: "Further discussion? Representative Ropp."

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

Speaker Giglio: "He indicates he will."

Ropp: "Representative, is this a...an attempt to somewhat alleviate and help get this Bill passed by confining the needs of students to just one geographic area?"

Bugielski: "Yes."

Ropp: "How much money do you think might be taken out of the common school fund from the public school system that could go into the private system if this Amendment passes?"

Bugielski: "It would be roughly around \$100 million which was

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brought out already."

Ropp: "Okay, so \$100 million could go out of the system currently which is being funded for the public school system. Do you really think that the Chicago Public System then could survive with \$100 million less in its present operation?"

Bugielski: "Well, the present...this Amendment that we are talking about right now is not taking \$100 million out of just the City of Chicago. There's an Amendment that follows that takes care of that matter, but speaking of...when you're taking some money out, no, I don't feel that the system would fail, and I don't think that it would hurt, because in the long run what you're doing is you're helping out the parents of both students that go to public and non-public schools. The students that are going to the public schools, you're empowering the parents, giving them the choice of the public school to go to in that district. You're giving them the power of giving money to that...you know, to their schools, and those that are going to non-public schools you're giving them the power of saying the say-so in helping of the costs of the education."

Ropp: "Okay, if...let's say most all or a large number of those current students are going to public schools, would go to private schools, could the private schools adequately handle all the students that may want to go to private school, or would private schools then have to build new facilities?"

Bugielski: "I don't know if they would build new facilities because there's a lot of buildings, and a lot of them are half empty right now, but it would certainly alleviate some of the overcrowding that has taken place in a lot of the public schools in the city right now."

Ropp: "Okay, well, Ladies and Gentlemen..."

Bugielski: "There's a big problem of overcrowding."

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Ropp: "I know this is an attempt by a very sincere and dedicated Legislator to want to deal with a problem, but I think if you're concerned about the total of education in the State of Illinois, we don't pick little pieces of the area and attempt to deal with that. We, as Legislators have a responsibility for the whole state, not just one piece here or one piece there. Thank you."

Speaker Keane: "Further discussion? Representative Williams."

Williams: "Thank you, Mr. Speaker and Ladies and Gentlemen of this Body. I rise in opposition, as you all might guess, because of the fact that this \$1,000 stipend or whatever you want to call it actually represents dollars that leaves out of the public school systems and into the hands, and it's not...they call it education of choice. We have a choice now. You can choose the public schools. You can choose private schools. A thousand dollars will not pay for a private school. So the question becomes, if I'm poor, by giving me \$1,000 to go to a school which I still cannot afford, you've not given me a choice. What you've done is you've taken the resources that's necessary for me to run my school. I spend close to \$5,000 on nursery school. Regular school will not be able to afford at \$1,000. This Bill, the reality of it all, it has one result. We already have a deteriorating, as they say, a tough system in the City of Chicago. This particular Bill will destroy it. This Bill will make Chicago schools unfundable. This Bill will make Chicago schools a place where just the poor, the minorities, those people who have no ability to come out of that system will be left there without the ample resources to provide a simple and total education for these individuals. Yes, if we want to fund those who have the ability to go to school, if we want to say, do we want to...we have an obligation to give people

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who choose not to be part of the public system the resources to go elsewhere, then let's openly say it. Let's go ahead. Let's fund the wealthy. Let's fund those individuals who, for whatever reason...let's face it, the public school system is just for that...those individuals who it was designed for—people who could not afford private schools. At one time this country only did not have public schools. Those individuals who had money went to private schools. Those individuals who have gift...who I say at least not gifted but blessed enough to be able to take their money and go elsewhere, did. After we started public schools those individuals who wanted to go elsewhere and were so blessed, they also left. What we're doing is we're encouraging people to take and get out of the system, leaving the system for the poor, leaving the system for the minorities, leaving the system for those individuals who are down and out. I urge a 'no' vote. This is a bad Bill. This is a bad Amendment, I mean. It's a bad concept at this time. I understand your desires, but I'm saying if you want to separate yourself out, pay for it. Don't ask us to."

Speaker Keane: "Further discussion? Representative Kulas."

Kulas: "I move the previous question."

Speaker Keane: "Representative Shaw."

Shaw: "Thank you, Mr. Speaker. Has...has Amendment #3 been printed and distributed?"

Speaker Keane: "Yes, it has. Further discussion? Representative Santiago."

Santiago: "And...thank you, Mr. Speakers and...and Members of the General Assembly. Well, here we go again with the Chicago Board of Education. The Illinois Constitution under Article 10 says, 'A fundamental goal of the people of the State of Illinois...of the state is the educational

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development of all persons to the limits of their capacities.' That is, the Illinois Constitution under Article 10, the first sentence, and you know what? The Chicago Board of Education has miserably violated, time after time after time, violated the Illinois Constitution, when it comes in regards to the children...to the children in my district. Let me tell you why. There are approximately about 70 schools in the City of Chicago which are severely overcrowded...severely overcrowded. There are some other schools, approximately 83 other schools, which are between 80 and 100% over designed capacity, and most of these schools are in my district, and the children in my district are crying out every day, and we recently saw and read under the Chicago Sun Times that did a series on the Chicago School Board of Education, a series called, 'Schools in Ruins'. Well, they are 100% correct. The schools are in shambles. They are in ruins, and the kids in my district, and the schools in my district, they have the roof falling off. The walls are crumbling. The kids in my district are being taught in the washrooms, in closets. Now I ask you, 'Isn't that a violation of Article 10 of the Illinois State Constitution?' Well, I went to the public school system, and one thing that I did right, I learned how to read, and I'm reading it to you today, and we see time again and again, and again the Chicago Board of Education right now, they're crying foul, 'We need \$353 million to balance our budget.' Whose fault is it? It isn't the fault of the General Assembly. It isn't the fault of the City Council. You know whose fault it is? The Board of Education. They cannot manage. They cannot manage a budget. The Board of Education in Chicago will ruin a one-car funeral because they don't know how to manage, and then they come to me here in this House and

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say, 'You cannot do that. You cannot do that. You cannot vote for a voucher Bill. That's bad for your community.' Well, I don't think they know or they have read or they have gone into my community. They're...I got a call from the Superintendent...'Oh, we build...we...we are building new schools in your district.' Let me tell you what they have done. When I was an alderman in the City of Chicago, I started ten years ago, and I initiated one school. Now they're starting to build a new school...eight years. The people and the children in my district cannot wait eight years. They want an equal education right now, and that's why I support this Amendment because this Amendment will give my kids an alternative. It will give them an alternative to get an equal education, and that's all that my kids are asking for. They want an opportunity to go to a classroom and say...and look around, because as John Dewey said, a great philosopher and educationalist, said, 'The most important aspect in education is what the child learns through experience,' and the experiences they are now getting in that bad environment will hurt us, will send most of these kids into jails, and that's why I beg, and I ask all of you to stand up...stand up. I know you have some problems with the choice, but what other choice do we have? What other choice? We have a choice of a school system with deficit mismanagement, and we're going to allow that? I think we should send a message loud and clear. Enough is enough. Give all the kids an equal opportunity, and everyone here stand up and..."

Speaker Keane: "Bring your remarks to a close, Sir."

Santiago: "Constitution. Thank you very much."

Speaker Keane: "Representative Burke."

Burke: "Thank you, Mr. Speaker. I, too, rise in support of this Amendment whose time, I believe, is...is overdue. Our

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supposed to be doing with regard to straightening out the problems of educating our children. We need to help them out because we need our children to be educated. We want them to be able to read when they graduate. We want them to be able to...to function in society, and they're not getting that now. Giving the parents the choice to do so would certainly help to educate our children. Remember that these are tax-paying people. I urge your support for this Amendment. Thank you."

Speaker Keane: "Further discussion? Representative Balanoff."

Balanoff: "I move the previous question."

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

Bugielski: "Thank you, Mr. Speaker. We heard the talk on the Amendment, and, remember, this is the Amendment making it just apply to the City of Chicago. We're looking for equity. The Bill helps in the education of all of our citizens under the present system. Parents who can choose nonpublic schools must pay double taxation. Under the present system many people cannot choose nonpublic schools because they do not have the tuition. Many of the private schools in Chicago...they're...in elementary schools their tuition is \$900 or \$1,000. So they would be able to afford it under this plan. Another thing, people said that it's going to hurt minorities. Right now, at the present time, this year, the statistics for the private schools in the City of Chicago, 52.34%, that's over 50% of all enrollment in elementary schools, are minorities. So it's not where we are coming out against minorities. We're trying to help the minorities. Most western democracies, except the United States, have solved the problem of double taxation

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for the education of their citizens. Among non-Communist countries of the world, some 65 out of 74 give substantial aid to education. Examples of such...of countries which give substantial assistance include the United Kingdom, Ireland, Denmark, Norway, Sweden, Germany, France, Holland, Australia and Canada. Representatives of countries not providing such aid to all of their children include Russia, China, Bulgaria, Cuba and the United States, and I feel that it's time that we have to start looking at the education of all of our children in the State of Illinois. Education right now...the dropout rate in Chicago is terrible, and as I mentioned before in my discussion in Milwaukee in the six months in their pilot program...they have thought of the same thing...they tried to pass something statewide. They made it just a pilot program in the City of Milwaukee, which we are trying to do here...start with the City of Chicago...that the test scores in six months on these students that are taking part in this program have risen over 30%, and I think that we should give our children in the State of Illinois this chance to better themselves because, remember, our children today are going to be the leaders of tomorrow, and if we don't start doing something today and acting on our children, well, this will be a very sorry state in the next century, and I ask for your favorable Roll Call on this Amendment."

Speaker Keane: "Representative Bugielski moves for the adoption of Amendment #3 to House Bill 890. All those in favor indicate by saying 'aye'. Roll Call? All those in favor indicate by voting 'aye', opposed 'nay'. The Roll...the Board is open. Have all voted who wish? Representative Davis, for what reason do you arise?"

Davis: "I wanted to explain my vote."

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Speaker Keane: "Proceed. You have one minute."

Davis: "Thank you very much. First of all I wanted to ask questions of the Sponsor. I wanted to ask him, 'Will the private parochial schools take special education children?'"

Speaker Keane: "Representative Davis."

Davis: "I wanted to ask him, 'Will they have limited English proficiency classes?' I wanted to ask him, 'Will the parochial school have the behavior disordered classes?' And I also wanted to ask him, 'Will the \$1,000 be in addition to the state aid that is already provided for the students in the City of Chicago?' I also feel that if we're going to privatize education, let's do it statewide. I'm very glad when people are attempting to do good things for Chicago, and this might be a good piece of legislation if we get it above \$1,000."

Speaker Keane: "Representative Trotter, for what reason do you arise?"

Trotter: "Thank you very much, Mr. Speaker. I want to explain my vote."

Speaker Keane: "You have one minute."

Trotter: "I just want you to know that I am adamantly opposed to this legislation. I'm not going to be redundant by reiterating all the statements that were said, previously, by the speakers who spoke very eloquently against this Bill. I just want to remark a (sic-on) a statement that was made over 100 years ago by a great philosopher, a great man named John Ruskin, who observed that the first duty of government is to see that the people have food, fuel and clothes. The second is, that they have means of a moral and intellectual education. Passage of this Amendment would literally rape our school system. It is not the means to a moral and intellectual education, and I would

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like to see more 'no' votes up there. Thank you very much."

Speaker Keane: "Further explanations? Representative White."

White: "Mr. Speaker, Ladies and Gentlemen of the House. I heard the word used 'double taxation'. When in Chicago, if you want to ride the bus, then the bus is subsidized, but if you want to ride the taxicab, then you must be prepared to pay the full freight, and I think that, if public and private schools are to continue on, I think they should be prepared to pay for what they offer, and I just hope that we continue to get as many red votes up there as possible."

Speaker Keane: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Amendment, having received 40 'ayes', 64 'nays' and 8 'present', fails. Further Amendments, Mr. Clerk."

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

Speaker Keane: "Representative Bugielski."

Bugielski: "Withdraw Amendment #4."

Speaker Keane: "Withdraw Amendment #4. Further Amendments."

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

Speaker Keane: "Representative Cowlshaw."

Cowlshaw: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #5 amends this Bill, as amended by Amendment #2, which you will recall, we did adopt. Amendment #2, presented by Representative Shaw, consists of, really, only one sentence. It says, 'A pupil shall be entitled to attend any public, private or parochial school of his or her choice.' Amendment #5, which is my Amendment, puts a comma after the word 'choice' and adds the following words: 'except that the board of education, of any school district, may refuse to accept

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pupils who reside outside the district.' This means that each local school district, throughout this state, if they have a severe overcrowding problem already, would not be legally obligated to accept students for which they do not have any room, whatsoever. I believe that this an important Amendment to adopt if we have any hope whatever, of either finally being approved, or ever being even remotely workable. I think it is important for us to adopt Amendment #5 to House Bill 890, and I move for its approval."

Speaker Keane: "Representative Cowlshaw moves for the adoption of Amendment #5 to House Bill 890. Seeing no discussion, all those in favor will indicate by...hold on a second...all those in favor will indicate by saying 'aye', opposed, 'nay'. The 'ayes' have it, the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Amendment #6, offered by Representative Cowlshaw."

Speaker Keane: "Representative Cowlshaw, Amendment #6."

Cowlshaw: "Thank you, Mr. Speaker. Please withdraw Amendment #6."

Speaker Keane: "Withdraw Amendment #6. Further Amendments."

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

Cowlshaw: "Thank you, Mr. Speaker. Please withdraw Amendment #7."

Speaker Keane: "Withdraw Amendment #7. Further Amendments?"

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

Speaker Keane: "Representative Shaw, Amendment #8."

Shaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #8...attempts to make the Bill a little bit better, in terms of...every minor...required to attend

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school under...under state law, it would entitle them to apply at any school. It's a similar Amendment to Representative Cowlshaw's here and I think it's a good Amendment, and I ask for its adoption."

Speaker Keane: "Representative Shaw moves for the adoption of Amendment #8 to House Bill 890. All those in favor indicate by saying 'aye'. Further discussion? Representative Cowlshaw."

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

Speaker Keane: "He indicates he will."

Cowlshaw: "Thank you very much. Representative Shaw, I believe there are two sections in this Amendment. The first one is a little unlike Amendment #2 because it doesn't say 'every student is entitled to attend', it says they are 'entitled to apply'. So, that would, in fact, not be something that would not be in accord with Amendment #5, which was recently adopted, and of which I was the Sponsor. Is that not correct?"

Shaw: "It was hard for me to hear you, but I believe that you are correct."

Cowlshaw: "Alright. Thank you very much. Then there is a second section, and it is this section about which I have a question, and if you are having difficulty hearing me, I will try to speak more loudly. The second section says that the state board shall distribute funds appropriated for the purposes of this Act, directly to the schools qualifying for the funds. It does not say that any of this money is appropriated to school districts, but rather to individual schools. Is it your intent that the State Board of Education should have to issue separate checks to every individual school building in the entire State of Illinois?"

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Shaw: "Well, it would be left up to the state board on how they wanted to do that. I read the Amendment as it would go to districts."

Cowlshaw: "Frankly, Mr. Speaker, I really don't think there's any need to adopt this Amendment since the first section of it does what Amendment #5 already has done, and, the second section seems to me to be extremely confusing and would be very difficult for the State Board of Education to administer, if they have to send checks to every single individual school building in the entire State of Illinois. We would have a very unworkable system. So, I would suggest that we either ask if the Sponsor might be willing to simply withdraw this Amendment, or, perhaps we could...we could defeat it."

Shaw: "Mr. Speaker, point of clarification. Each...student, who...was entitled to a voucher, would sign the voucher. Say, it would be done similar, the same way that transportation aid, I believe it is, is done today. It would be, virtually, no different, and that program runs very well throughout this state. It just says what school...they will attend. That's all it does...Representative Cowlshaw. It's nothing wrong with the Amendment. If we can handle school aid transportation, certainly, I think, we can handle this, virtually, the same way..."

Speaker Keane: "Further discussion? Representative Shaw moves for the adoption of Amendment #8 to House Bill 890. Representative Bugielski."

Bugielski: "I'd like to ask Sponsor a question, if he'll yield?"

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

Bugielski: "Representative Shaw. Just to clarify, on your Amendment #2, you mentioned that 'a pupil shall be entitled to attend', and now, you're saying in this one, 'a student

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is entitled to apply'. So, you're saying that Amendment #8 supercedes Amendment #2."

Shaw: "Right, because every student who wanted to go to every school in Illinois wanted to go to the same school, it would be impossible to do that."

Bugielski: "So, you're putting 'to apply', that they are entitled 'to apply' to that school."

Shaw: "Right, right. It's a good Amendment, and I ask for a faithful vote on the Amendment."

Speaker Keane: "Representative Shaw, do you have a problem with your microphone? Representative Shaw moves for the adoption of Amendment #8 to House Bill 890. Is there further discussion? All those in favor indicate by saying 'aye', opposed, 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Chair will proceed to page 22 on the Calendar, Public Utilities. House Bill 2342, Representative Phelps. Representative Bugielski, Representative Young has filed a Fiscal Note request on House Bill 890, so we'll remain on Second Reading. Read the Bill, Mr. Clerk. House Bill 2342. Representative Davis, for what reason do you seek attention?"

Davis: "Thank you, Mr. Speaker. I'm sorry, but there was so much noise, was there a Fiscal Note filed on this piece of legislation? Well, I want to...it's held on Second Reading. I want to take this opportunity to welcome Nancy Jefferson from the Midwest Community Council over here. Hi, Nancy!"

Speaker Keane: "Representative, you're not recognized for that purpose. House Bill 2342. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2342, a Bill for an Act to amend certain Acts in the use of Illinois coal. Third Reading of

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the Bill."

Speaker Keane: "Representative Phelps asks for permission to have his Bill brought back to Second Reading. Using the Attendance Roll Call, and hearing no objections, the Bill will be brought back to Second Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "This Bill's been read a second time previously. Floor Amendment #5, offered by Representative Phelps."

Speaker Keane: "Representative Phelps on Amendment #5 to House Bill 2342."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #5 becomes the Bill and it seeks the same objectives as the Bill as amended to continued...to encourage continual of Illinois coal by public Utilities in this state. I'll try to be as brief as I can."

Speaker Keane: "Excuse me, Representative, for what reason do you seek recognition, Representative Matijevich? John, are you seeking recognition? Oh, okay. Proceed, Representative Phelps."

Phelps: "Mr. Speaker, need three minutes, just take it out of the record for a couple or three minutes."

Speaker Keane: "Out of the record. Your Bill will be held on Second Reading, Representative Phelps. The Bill will be held on Second Reading. Out of the record. We'll now proceed to State and Local Government, page 8 of the Calendar. House Bill 1587, Representative Lou Jones. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1587, a Bill for an Act to amend the Illinois Housing Authorities Act. Second Reading of the Bill. No Committee Amendments or Floor Amendments."

Speaker Keane: "Third Reading. Representative Jones, it's been moved to Third Reading. Proceed to State and Local Government. House Bill 762, Representative Lang. The

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Chair's proceeding to State and Local Government. House Bill 762, Representative Lang. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 762, a Bill for an Act to amend the Counties Code. Third Reading of the Bill."

Lang: "Thank you, Mr. Speaker. This is another in a series of shell Bills for Cook County and by agreement with the other side, let's this over to the Senate."

Speaker Keane: "Further discussion? Seeing none, the Gentleman moves for passage of House Bill 762. All those in favor will indicate by voting 'aye', those opposed vote 'no'. The board is open. Question is, 'Shall House Bill 762 pass?' Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 99 'ayes' and 3 'nays' and 9 voting 'present', having received the required Constitutional Majority, is hereby declared passed. House Bill 765, Representative Lang. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 765, a Bill for an Act to amend the Clerks of Court Act. Third Reading of the Bill."

Speaker Keane: "Representative Lang."

Lang: "Thank you, Mr. Speaker. House Bill 765 was a shell. It has two Amendments on it. First one is a technical amendment. Second one is an Amendment that allows for a \$35,000 annual stipend for recorders of deeds. I move for passage of House Bill 765."

Speaker Keane: "Further discussion? Representative Wennlund."

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

Speaker Keane: "He indicates he will."

Wennlund: "Representative Lang. My file indicates that the total GRF cost will be an additional \$66,500 per year? Out of the General Revenue Funds. Is that correct?"

Lang: "I...frankly, don't have that information, but I'll assume yours is correct, for the sake of argument."

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Wennlund: "An additional \$3,500 stipened for...out of the General Revenue Funds for elected county auditors and...who else does this apply to?"

Lang: "This only applies to recorders of deeds, Representative. It applies to recorders of deeds, only, I believe."

Wennlund: "Amendment #1 that went on, appears to apply to the Clerks in Circuit Courts, and...Amendment #2 applies to county auditors and to recorders. Now, our file indicates that we're talking about \$73,500 for the Recorders, and another \$66,500 in General Revenue Funds for...county auditors."

Lang: "Well, you're correct about who it affects. I apologize for my other comment, but I don't have the information as to the amount. I'll assume that your figures are correct."

Wennlund: "To the Bill, Ladies and Gentlemen of the House. Here again, we look at the State of Illinois' Budget. We look at the comments of our Comptroller, Dawn Clarke Netsch, who tells us that the General Assembly has to be responsible in the budgeting process, and it's very simple: You don't spend more that you make, and that's what we're doing again. We're putting an additional, almost \$200,000, out of the General Revenue Fund, that just simply isn't there. When we face...as our Comptroller tells us in the Tribune today, a billion dollars in debt. It is the wrong time, regardless of its purpose. If counties want to provide additional stipends to the county recorders and the county auditors, then let the counties do it, instead of the General Revenue Fund of the State of Illinois, in the toughest budget year we've faced in years, without a revenue source to pay for it. Here we go again. This is not responsible budgeting. This is not responsible legislation in a time when we're facing the biggest budget crunch we've faced in years. It's time we start cutting

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back, stop spending new dollars that we simply do not have.

They're simply not there. I urge a 'no' vote."

Speaker Laurino: "Representative Johnson."

Johnson: "To the Sponsor. Representative Lang, would this \$3,000 annual stipend be paid to the office of the county recorder, or would it be paid to the recorder him or herself?"

Lang: "It's a stipend to the recorder."

Johnson: "You mean to the recorder themselves, for their personal checkbook?"

Lang: "That's correct."

Johnson: "Well, what's...the premise of the Bill, then, is the fact that the office of the recorder has additional duties? Is that correct?"

Lang: "The state...currently, provides stipends to other...county officers and what we're attempting to do here is get some salary parity for the recorders around the state."

Johnson: "Well, my synopsis, anyway, with respect to Floor Amendment #2 says that the reason for this Amendment, the reason for your Bill, is the fact that there's additional duties required by state law for the county recorder of deeds. Tell me what duties those are and what additional amount of time on nights or weekends or holidays, that the Recorder would have to spend, in order to justify the additional salary."

Lang: "The recorders have taken on additional responsibilities relative to real estate, in general. I don't have a list of what those additional responsibilities are. There certainly are some that have been put upon them by the General Assembly, and I don't..."

Johnson: "I don't need a list. Just, generally, what are their additional duties required by state law?"

Lang: "I don't have that for you."

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Johnson: "Is there some indication that because of those additional duties that they have to spend extra nights or weekends or holidays doing their work?"

Lang: "Well, Representative, you're the one who brought up the issue about extra duties, I'm indicating to you..."

Johnson: "No, I'm not, I'm just reading from the analysis, Representative Lang."

Lang: "It's not my analysis, it's your staff's analysis, and I'm here telling you very honestly and openly, that the reason for this Bill is because other county officials around this state have received stipends by the General Assembly, and we're trying to make sure that recorders are properly paid, just as they are, so we're trying to equal that out."

Johnson: "I'm actually reading from page 3 of your Amendment. I'm not reading from my analysis. It says, in addition to all other compensation provided, et cetera, et cetera, the recorder elected in each county shall receive an annual stipend of \$3,500 for additional duties mandated by state law. That's not my staff analysis; that's your Amendment. My question is, not, again, from my analysis, but, from your Bill, what are the additional duties and what additional time is required of the county recorder to have to do these jobs?"

Lang: "Again, let's try not to belabor this point, I don't have that information for you."

Johnson: "Okay. Then, to the Amendment, or to the Bill, I guess, with respect to my good friend, Representative Lang, with whom I usually agree on issues, I couldn't disagree more on this issue. The bottom line is that there really aren't any additional duties required by state law of the county recorder of deeds, and there aren't additional amount of times of work required. The fact of the matter is that if, in fact, the office of the county recorder has assumed a

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lot of additional responsibility that causes them to incur additional costs, and so forth, then we ought to be making this stipend to the recorder's office and not to the recorder. The bottom line of it is, that if these medium paid individuals who make \$10,000, \$15,000, \$20,000 a year, working additional responsibilities in the office, have to work additional time to make the office function, then, we ought to be paying them rather than the individual who's elected who clearly doesn't have (a) any additional duties, and (b) he doesn't have to work any additional time. Nobody's suggesting that the recorder of deeds has to come down on weekends, or nights, or any other time, to do anything other than they're doing now. This is just a pay raise, pure and simple, and that's not too bad, but when you combine it with the fact that we are in the greatest budget crisis, perhaps, in the history of the State of Illinois, and certainly, for the rest of this century. No one can legitimately argue that what we ought to be doing is to vote for this measure, at least, in light of the fact that we haven't seen any additional responsibility levied on the recorder of deeds, or that we're attracting poorly qualified recorders of deeds. We have, in our part of the state, excellent recorders of deeds. I know the recorders of Douglas County and Vermilion County, for example, are superb individuals who certainly ought to get a pay raise, but not in the fashion that this is for mad, and not in the year that we're facing."

Speaker Laurino: "Further discussion? Representative DeJaegher."

DeJaegher: "Representative Lang. In the event the stipend would go through for recorder of deeds, the auditors, to the best of my knowledge, the only office holder in the county who would not have received a stipend increase, would be your coroners. Is that true?"

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Lang: "That's probably true. We already have stipends for treasurers, clerks and sheriffs and coroner may be the only one left."

DeJaegher: "Well, then, don't you think we should have some kind of equity in the Bill? If we're going to address ourselves to these various other county officials, that we're going to grant them stipend increases, would you be unreceptive to or would you be receptive to, possibly, when the Bill goes into the Senate, that that office would also be included?"

Lang: "I have no problem with that, Representative."

DeJaegher: "Would you encourage this?"

Lang: "I certainly will encourage the Senate Sponsor to do that on your recommendation."

DeJaegher: "Thank you."

Speaker Laurino: "Further discussion? Representative Black."

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

Speaker Laurino: "He indicates he will."

Black: "Representative, under the Bill, who is responsible, what governmental entity is responsible, for seeing to it that the stipend is, indeed, paid?"

Lang: "The State of Illinois, Department of Revenue."

Black: "Okay, that's what I thought. Thank you very much. Mr. Speaker and Ladies and Gentlemen of the House. It might be a good idea, the speaker's sincere in his effort, but, as many other speakers have said, let me tell you what's probably really going to happen to this. Call your county treasurer and ask him or her if they have received the stipend that this General Assembly approved, I don't know, 3 or 4 years ago, and I think a couple of years ago we even raised their stipend to \$5,000 because of increased duties this Body had supposedly put on them, and I'm sure we have.

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The fact remains is they haven't received the money. We haven't appropriated the dollars, and, as the previous speaker said, the dollars certainly aren't there this year, so, what we might be doing with this stipend is making another rather shallow promise. Might look good on a press release, might make some folks back home who happen to be county recorders, but I really question whether they're going to be happy a year from now, when, as if things happen the way they did to the treasurers, they aren't going to get the stipends because we won't appropriate the money because we don't have it. So, perhaps, rather than face that dilemma, maybe we just should derail the Bill, right here and now."

Speaker Laurino: "Further discussion? Representative Preston."

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

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

Lang: "Thank you, Mr. Speaker. This Bill only attempts to put a little parity in this process. We gave the county treasurers a stipend; we gave the county clerks a stipend; we gave the county sheriffs a stipend. If we want people to run for recorder of deeds and do the work, I think they're entitled to the same stipend and I urge your 'aye' votes."

Speaker Laurino: "The Gentleman has moved for the adoption or passage of House Bill 755. All those in favor indicate by voting 'aye', opposed, 'nay'. Question is, 'Shall House Bill 765 pass?' Board is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Representative Hasara."

Hasara: "Thank you, Mr. Speaker. I did have my light on to ask a

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parliamentary question about how the recorder statute could be amended under the circuit clerk statute; they're two different sections of the law. But, I'd also like to say that I oppose this Bill anyway because, let me tell you, that you are raising access to the court system in quite a few counties in Illinois. If you file a civil case and want a jury, which you have the right to have, it will cost you \$180 in any of the counties with populations over 850 population. We are increasing filing fees to the point where the average citizen can no longer have access to the court system and, so I ask you to vote 'no' on this, not only based on the stipend, but on the additional fees in court."

Speaker Laurino: "Representative Lang, for what reason do you arise, Sir?"

Lang: "I just want to clear a matter up. The Representative's not talking about this Bill. There's nothing in this Bill about court fees. There's no new court fees in this Bill. The only thing that's in this, other than a technical Amendment, is...a...recorder's stipend, and I hope the Members will vote on this on that basis."

Speaker Laurino: "This Bill having received 42 'ayes', 62 'nays', 3 voting 'present', fails. House Bill 915, Representative Preston. Representative Preston. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 24 of the Calendar, House Bill 915, a Bill for an Act concerning future education account. Third Reading of the Bill."

Speaker Laurino: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentleman of the House. The Future Education Account Act establishes, for the first time in Illinois, a program to allow parents, grandparents, aunts, uncles, employers and others, to

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purchase tuition contracts that guarantee full payment of tuition and other fees for Illinois students who attend Illinois public colleges and universities. What makes the Future Education Account Act different from existing state and federal programs is that it not only provides incentives for savings through tax-deferred, pooled investments, it also guarantees the payment of future education costs if the required monthly deposits are made. Through participation in the program, students and their families can be protected from the unpredictable effects of inflation on educational expenses. Those risks are spread among all the participants in the program and ultimately assumed by the State of Illinois. A monthly deposit plan, through payroll deductions, or other convenient means, will provide a savings strategy for parents of modest means. That means, for those among us who are middle-income and low-income, will, for the first time, be able to put money away in a modest, moderate savings program to provide for the future college education of their children and to do it, not only at higher interest rates than they could otherwise obtain, but also to get tax-deferred advantage that they otherwise could not obtain on their own. So, I'd be glad to...answer any questions you may have. This has been well-debated before, and I must say that, I cannot more highly commend Treasurer Pat Quinn who has not only worked tirelessly on this legislation but has been here on this floor for hours making himself accessible to people on both sides of the aisle who might have questions, comments or concerns about this very needed piece of legislation. Now, I see that Representative Black, Mr. Speaker, is exercising on the other side of the aisle and if he gets finished exercising, I hope the Chair will be good enough to recognize him to ask his...question or make his

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comments."

Speaker Laurino: "Well, Representative Preston, there's a series of people that have questions, I'm sure. We will recognize Representative Black, immediately, for you."

Black: "Well, thank you very much, Mr. Speaker. An inquiry of the Chair. This Bill, as the Sponsor so eloquently stated, just a minute or two ago, has been thoroughly debated. It is on Postponed Consideration. There are those of us on this aisle who would die for a chance to have a Bill brought up so we could put it on Postponed Consideration. We can't even get our Bills heard a first time. He's hearing a Bill that was thoroughly debated and defeated, a second time. Can't the Chair, in its wisdom, give us some relief? Can't you call some of our Bills, and then Friday afternoon we could come back to this Gentleman's Bill."

Preston: "Mr. Speaker, Mr. Speaker..."

Speaker Laurino: "For what reason does the Gentleman from Cook, Representative Preston, arise?"

Preston: "Well, Mr. Speaker, the Gentleman's out of order. He's making a comment on a Bill that was on the Calendar, in its appropriate order, it was not called out of order. Is called in its order and that Oder of Business has been published and on people's desks all day long. So, the Gentleman's out of order and I'd be glad to answer any questions concerning this important piece of legislation."

Black: "Mr. Speaker, if I might, I made an inquiry of the Chair after the Gentleman was kind enough to ask you to recognize me. So, now, he says I'm out of order. He was the one who told you to recognize me. Please, Mr. Speaker, a little fairness, that's all we ask for."

Speaker Laurino: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker, might I ask the Sponsor some questions?"

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Speaker Laurino: "Sure."

Ropp: "Since we've already gone over this once, and since the Bill did not survive real well, we might need to ask some of these questions again to refresh some of the Legislator's minds as to what this Bill does. This is a Bill, as I think you'll recall, that attempts to, not necessarily duplicate, but attempts to do what we are doing already in the State of Illinois, allowing people to purchase, let's say, stock in their future by investing in education at a very young age now. Is that correct?"

Preston: "Representative, that's not exactly correct. The difference between this program and the existing program that you're referring to is that this program does not require an individual to put down thousands of dollars at the outset, thousands of dollars that most people in this state cannot afford to put down. What this Bill provides for is the allowing of individuals to, on a monthly basis, put a small amount of money, approximately \$100 a month, in many cases, down towards their child's future college education."

Ropp: "Okay. This is the one that, in fact, when you put down that \$100 a month and the inflation happens to it, or tuition goes up...as I recall, you stated that every year you are given somewhat of a reassessment, but, that the people that begin this program initially, never have their costs go up? Is that correct or not?"

Preston: "That is correct."

Ropp: "Okay. So, what you want to do in this program, even though you don't...you might not even have any children yet. Can you get into that program without any children yet?"

Preston: "No, Representative, you may not. You have to have children in order to get into the program, and you can only

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get into the program to the extent of the number of children you have."

Ropp: "Okay. Now we've got a number of Bills that deal with abortions, and so forth. Could you be pregnant and start on this program?"

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

Ropp: "Could you be pregnant..."

Preston: "No, you have to have a child in being. You have to have a child in being."

Ropp: "I guess the question that some have asked on this is that the people who begin this program, obviously, according to your intent, would be well protected and provided for, and those who come later on will end up paying for those who now want to get into the program but will have their premiums, let's say, taken care of by those..."

Preston: "That's not the case, Representative. I don't mean to cut you off, and I'll be glad to let you finish, but that's not, in fact, the case. The way this program works...some of the participants in this program are going to be guaranteed tuition, some are going to be guaranteed, depending on which school that child ends up going to, whether or not it's a public Illinois university, or a private school, will be guaranteed a different rate, a weighted average tuition rate, and some students, who end up, in fact, not going to college at all, will be obtaining...will be getting a refund of the money that was put away for them, at still a lesser rate of interest, without, of course, that tuition guarantee. So, the end result will be that there will be, through these annual audits...there will be enough money in the program without a later subsidy of...later participants in the program."

Ropp: "Okay. What if, by chance, you decide you want to go to one school early in your life and you don't get accepted,

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or you end up going to one that is going to cost a lot more than what you originally had planned?"

Preston: "Okay. If you end up going to an Illinois university that is a private university, you would get the weigh...excuse me, the average of the tuitions at Illinois universities. If you go to an out-of-state university, you would...you would obtain a guarantee for the weighted average of public Illinois universities."

Ropp: "Okay. This program, then, I guess I did not understand this before, this program is good in even providing for tuition out-of-state."

Preston: "Yes. It's...we're not...we're not talking about...yes...the program isn't to guarantee a school. It's opportunity to obtain tuition. It's to educate Illinois students. So, some students will, granted, go to an out-of-state university, and that student still we want to help to be able to afford the school of his or her choice so they can come back to the state and be productive citizens."

Ropp: "Okay. Let's say for example, if someone would like to go to the University of Iowa, heaven forbid, but, if they should, and the cost would be higher, would this program, then, pick up the difference?"

Preston: "No, no, but it would give that person who goes to the University of Iowa, the...average of Illinois school...public school tuitions with any amount that person is guaranteed."

Ropp: "And, they'll accept that average?"

Preston: "No, no. The individual would have to make up the difference himself or herself, if they want to go to the University of Iowa. All they would get out of this program is what the average tuition is for Illinois schools."

Ropp: "Okay. Well, Ladies and Gentlemen, I think the Legislator

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is well-intended. It certainly attempts to deal with a particular problem. This Bill, I think, does cost a little money, maybe not an awful lot, but...it's certainly a different approach. We do have programs now that allow for people to purchase, let's say, their educational needs later on. It may cost a little more individually now. It seems like we have a large number of people that are taking advantage of this program, and it seems, every time that it's opened up, we have people that buy those contracts or buy those insurance guarantees very early, and...it seems like we have a pretty good program going, obviously, this is an additional one."

Speaker Laurino: "Further discussion? Representative McNamara."

McNamara: "Thank you, Mr. Speaker. I would like to rise in support of this fine piece of legislation that was discussed 45 minutes before on the House floor. We will note that it is under Recall Consideration, and I believe that any Bill is worthy of Recall Consideration. I think this is a fine piece of legislation. We should all support it, and it is under Recall Consideration. So, let's...let's give the person a...chance to pass his Bill. It's only right."

Speaker Laurino: "Further discussion? Representative Homer."

Homer: "Thank you. Mr. Speaker, Ladies and Gentlemen. I'm confident that there must be some confusion about this Bill, because it's hard to see why it would've failed last time, and why it would not have overwhelming support. As I understand the Bill, it would be self funded, it would not require a drain on any state resources. It would be fully funded by the participants in the program. If any of us have heard of a greater concern, it's been that middle working class families feel extremely pressed when it comes to the subject of sending their children to college because

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if a family is...poor then, there is, generally, assistance available to help their children attend school. If someone's very wealthy, they probably aren't particularly concerned about the problem. But, it's that great mass of people, that all of us represent, who find themselves in the middle working class bracket, who make a little too much for state assistance and not enough to feel comfortable to send one, let alone two or more children, to school. So, this is a program that would let those middle class working families begin, at an early age of their children, to set aside a sum of money each month, I believe for a 5 year old it's a little over \$100, that was calculated by actuarialists to reflect what it would take in order to put that student through a state university when that student became college age. Each year that amount is adjusted by future enrollees in the program much like an insurance company would adjust its premium rates for any of its insurance products that it sells. It makes a great deal of sense. It's a great program. It's something that is long-last put out there for the working class people, and since it doesn't cost the state any money, why would anyone want to oppose this program for working class families? It's a good proposal. It's being utilized in other states successfully, and it's the kind of Bill that we ought to be passing out of here with a lot of 'yes' votes."

Speaker Laurino: "Further discussion? Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House. I have a number of questions about this Bill and if the Sponsor will yield, I'd like to ask, has the Bill had any more than one Amendment placed on it?"

Preston: "No, it has not, Representative."

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Satterthwaite: "Then, in my reading of the Bill, with Amendment #1, the language on page 3 of the Bill, lines 27 through 29, are still a part of the Bill?"

Preston: "If that's in the Bill and it's not...hasn't been amended out, then it is."

Satterthwaite: "Well, according to my reading of that section of the legislation, it says, 'that the Treasurer contracts on behalf of the state to pay part or all of tuition or other educational related expenses, including, but not limited to residence hall, room and board expenses'. It is my understanding that there was to be a further Amendment to remove that language about residence hall expenditures, yet, I have not seen it."

Preston: "Yes. Representative, that is permissive language that is not the intent, and if this Bill goes to the Senate, or I should say, when it goes to the Senate, there will be an Amendment to amend that language out, and that has already been a commitment from the Treasurer's Office. That's not what the intent of this Bill was."

Satterthwaite: "Okay. It may be further amended later, but, at this time, it would still permit the inclusion of residence hall expenditures as a part of the contract which would be negotiated with the Treasurer's Office. Is it, also, a part of the Bill now, that the language on page 5, on line 19, is still a part of the Bill, where it talks about this being...well...above that, it talks about...insufficient funds starting in line 7, 'if there are insufficient funds to pay for the payments and obligations, then moneys from the General Revenue Fund will be paid to discharge these payments and obligations. That is still part of the Bill?"

Preston: "That language is required in order to get tax exempt status for this program. However, the program will never be in need of the use of that language because it is

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self-perpetuating with annual audits to be certain that it is funded by its own contracts, with the exception of year-one, where there are some start-up costs. With that sole exception, there won't be an expense to the state of one single dollar and that, indeed, has been the expense in the other states who have this program, such as Florida."

Satterthwaite: "Well, my understanding is that other states that have attempted this program are in serious problem and having to supplement their program with substantial amounts of tax dollars, to make their commitments."

Preston: "To the...to my knowledge and to the knowledge of the Treasurer's Office, that is 100% incorrect, that every state that has this program is liquid and hasn't experienced a need for \$1 in their state revenue funds, with the exception of the start-up year."

Satterthwaite: "Most of the programs, however, are still in the very early stages and probably very few demands would yet be made on those systems."

Preston: "Michigan's, Representative, is going into 5 years. So it's not in the very first few years. There are 138,000 participants in the Florida program, 138,000 people who feel that they need assistance in sending their children to college."

Satterthwaite: "I'm not denying who that there are people who need assistance. My concern is that this legislation is very much like proposals that we studied at length a few years ago, before coming up with the bond program and the savings program that will soon be available under the Student Assistance Commission, and, while I understand the Gentleman's desire to provide another investment mechanism, it appears to me that the language of this Bill is entirely too much of a risk for the state, and, while it is hoped that some kind of annual adjustments might provide the

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necessary revenue, there is certainly no guarantee that that would be true. I am concerned that this is an open-ended process which gives us no guarantee that there will not be a requirement for substantial state dollars to subsidize it in the future, and I think that Members should be very cautious about supporting a...Bill of this sort."

Speaker Laurino: "Further discussion? Representative Edley."

Edley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the General Assembly. I feel this has had a comprehensive debate, and I move the previous question."

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

Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The people of this state are clamoring for some assistance in sending their children to college. I'm very fortunate. My son Michael graduated from the University of Illinois last week. My daughter will be starting college in a year, so this Bill isn't going to help me and I'm glad that I have an opportunity before the projected incredible inflation costs of college come into effect, but there are people throughout this state who have young children, who cannot foresee the ability to put away the sufficient funds to send those children to college, and at the same time, we're in a society that, without that additional education, a child, frankly, is doomed. We have to provide means for children...for individuals of modest means, middle class, the poor, to give their children opportunity to get somewhere in our society. This Bill does it. It has been studied. It has been worked on, not only in Illinois, but in other states that have similar programs that are successfully working. This time for this legislation is

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now, and I urge your 'aye' vote."

Speaker Laurino: "Representative Preston moves for the adoption of House Bill 915. The question is, 'Shall House Bill 915 pass?' All those in favor indicate by voting 'aye', those opposed vote 'nay'. The board is open. Have all voted who wish? Representative Granberg, for what reason do you arise, Sir. One minute to explain your vote."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. With due respect to the Sponsors of this piece of legislation, a lot of times we see legislation in Springfield that looks good, but, in fact, does not work. This is one of those proposals. The past Treasurers of the State of Illinois have looked at this very...this proposal in itself, and have made the determination not to move forward with it, because it, in fact, does not work. One state has already rescinded its program. It looks good; it doesn't work, and I would urge a 'no' vote."

Speaker Laurino: "Representative Curran. You have one minute to explain your vote."

Curran: "Thank you, Mr. Speaker. I rise in support of this excellent piece of legislation. There is no state that has adopted this kind of a program that has had any difficulty with it. Other states, with significantly different programs, may have had some trouble but we have had the opportunity to learn from those programs. Let me suggest to you that not all of our children, the first time we take them to college, will go in a car. Some will be taken in a van, some will go on a train, some will go on a plane. This is just a different way, an additional way, and a good additional way, for the citizens of Illinois to plan ahead and provide educational opportunities for their children. Thank you very much for those 68 'aye' votes."

Speaker Laurino: "Representative Harris, you have one minute to

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explain your vote."

Harris: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Lady from Champaign hit the nail on the head. This is an open-ended risk on the State of Illinois. We can't fund our pension systems right now, and we're saying let's set up an account, give people the opportunity, 20 years from now, to pay for their college education. If that actuary makes a mistake in computation, we, the State of Illinois and the General Revenue Fund, are going to be left holding the bag. We have the college savings bonds; they work. On average, they work out to what a family would have to pay to get into this, \$120 a month is what a college savings bond...you can get a college savings bond for that price. We have something in place which is working. We're going to move to something which is going to provide a big risk for the State of Illinois. We ought to be real careful with those 69 votes up here and reconsider it."

Speaker Laurino: "Representative Wennlund."

Wennlund: "Thank you, Mr. Speaker. To explain my vote. Ladies and Gentlemen of the House. This Bill has not improved one iota since May 8th when the Bill was defeated 50 to 39 to 18. Nothing has been done. Nothing has been done to cure the \$600,000 one-time starting cost in the worst budget crunch in recent history. This Bill has not improved. It does not deserve those 60 or 70 votes."

Speaker Laurino: "Representative Hultgren. One minute to explain your vote, Sir."

Hultgren: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. Most of you can remember, a year ago, when we were flush with money, compared to where we are this year, and we still had to dip into the state road fund to borrow \$50,000,000 to do everything we wanted to do. Now, how

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many of you really think that if this money is sitting there in a college fund, that some future General Assembly, when it faces a fiscal crisis like we do this year, isn't going to start dipping into that fund to pay for current expenditures with the promise, 'Oh, we'll pay it back the next year, or the following year, or the following year.' I think this is a terrible precedent, and I think we should have some more 'no' votes up there."

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

Pedersen: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House. Truth is, we have all kinds of private institutions out there very happy to take money in savings plans for any need whatever, and the only time that these kind of things work, when the government gets into it, the only time people line up for anything, is if there's a hidden subsidy, meaning that somebody's sweetening the pie and the taxpayers are paying for it. Let's let these people do it on their own, save their own money, and let's stop throwing the subsidies around. I urge a 'no' vote."

Speaker Laurino: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 69 'aye', 42 'nay', 5 voting 'present', having received the required Constitutional Majority, is hereby declared passed. The Chair proceeds to House Bill 2342, Representative Phelps. Public Utilities. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2342."

Speaker Laurino: "This Bill's been brought back to Second Reading, Mr. Clerk."

Clerk Leone: "On the Order of Second Reading."

Speaker Laurino: "Any Amendments? Motions or Floor Amendments?"

Clerk Leone: "Floor Amendment #5 is being offered by

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Representative Phelps."

Speaker Laurino: "Representative PHelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #5 becomes the Bill. This reflects a number of weeks of intense negotiations among the labor, the coal producers and utility companies. The Bill encourages continued use of Illinois coal by the public utilities in the state. It proposes to add powers to the Coal Development Board, to study markets for Illinois Coal as affected by the Federal Clean Air Act, it makes for proposed new procedures for ICC review and approval of utility cleaner air compliance plans. But, it also adds legislative findings and intent, regarding the need to continue use of Illinois coal by installing pollution control devices at four large electric power plants, and it requires the construction of four such devices in the state. It also requires the ICC to review and approve utility compliance plans within 6 months of filing, and permits utilities to recover up to the amount approved, for pollution control devices included in such plans, if devices perform adequately. It permits utilities a flexibility to blend coal from various sources to achieve the Clean Air Act standards. It requires the ICC to include the construction work in progress in a utilities rate base for pollution control devices...and those assets which be in a public utilities account books. Allows inclusion of transportation costs of fuel under existing coal contracts and the fuel adjustment clause. Finally, it increases the general obligation bond authorization by \$35,000,000 for the purpose of making a grant to a utility which install the pollution control device to burn Illinois coal. Ladies and Gentlemen of the House, this Amendment is agreed upon by the electric utility companies, coal

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producers and labor, and it does not, at this time, add CUB's endorsement as amended entirely. Some portions of the Bill they're friendly to, or the Amendment, but it does not have their support, and I want to make that clear. I'd appreciate your 'aye' vote for this Amendment. It becomes the Bill."

Speaker Laurino: "Representative Phelps moves for the adoption of Amendment #5 to House Bill 2342. Is there any discussion? Seeing Representative Black's light on, Representative Black."

Black: "Thank you very much, Mr. Speaker. I simply rise and support the Gentleman's Amendment and Bill. He has...all the Sponsors have worked very hard. All the major groups are in agreement with this. This Bill, make no mistake about it, has the ability to save thousands of Illinois jobs. I hope we pass the Amendment, and I hope we roll this Bill out of here."

Speaker Laurino: "Further discussion? Representative Ackerman."

Ackerman: "Thank you, Mr. Speaker. I rise in support of this fine piece of legislation. I think it'll help the Illinois economy, and let's get it out of here."

Speaker Laurino: "Further discussion? Representative Deering."

Derring: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is very important, not only to the environment and the economy of Illinois, but, also, to the coal miners who work so diligently in the coal fields of which I'm proud to be a part of, and, I would respectfully request your favorable vote on this important piece of legislation."

Speaker Laurino: "Further discussion? Representative McNamara, excuse me, Representative Matijevich."

Matijevich: "Would the Gentleman yield to a couple of questions?"

Speaker Laurino: "He indicates he will."

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Matijevich: "Representative Phelps. You mention that this has been done with intense negotiations with the labor unions, whom I support, ordinarily, 100%; with the coal producers, with the public utilities. Was anybody at the table representing consumers and rate payers?"

Phelps: "What's that? I'm sorry, John, would you repeat that, please."

Matijevich: "I said, in your opening remarks, you said this has been the result of intense negotiations with the labor unions, with the coal producers, with the public utilities. At any stage of those deliberations, were the consumer's groups involved in the negotiations?"

Phelps: "John, they were present, but not at 100%...but I was there."

Matijevich: "They were present up until today. Up until today, when this Amendment was drafted. When the agreements were brought about, today. Now, I daresay that nobody, surely not I, knows what this Amendment entails. Nobody knows. Yet, Members can get up on the floor, quickly, quickly, when public utilities can make a killing and say that we've gotta rush this thing out of here. Now, we are...we are today in a state of difficult financial situation, but, all...of a sudden, all of a sudden, we can say that we can increase our bonding power by \$35,000,000 to help the public utilities. That's what we're doing. We're helping...we're giving to subsidy Illinois Power. Now, I want to ask this question, Representative Phelps. Who's going to pay those...bonds? Who's going to pay off those bonds?"

Phelps: "John, the \$35,000,000, general obligation bonds adds to 3 and one-half million a year for 20 years. Like they do all bonds do, John, you know, the taxpayers."

Matijevich: "What we know is, we're short of money, but...we can

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give a subsidy to Illinois Power and Illinois...yet we rate payers are going to end up paying. That's what's going...going to happen. Now, I have always, and I supported this Bill right until today. I've supported it right until today. I am always for using Illinois coal, but this isn't the last day of the Session. Bring in the consumers. Bring in a good deal for the rate payers. This is not a good deal for rate payers who are going to pay the bills. This Bill's got to be held. This Amendment's got to be defeated. Put the consumers in the negotiating table. It's no wonder, it's no wonder that we've got to pass an Open Meetings Act. I believe, I believe in negotiations. I believe it's alright for...for people to go back in the...the rooms to discuss issues and come up with a compromise, but when we do that, everybody involved should be at the table. Don't exclude anybody. Now, the fact of the matter is, that the utilities are going to turn to scrubbers. They have to. They have to turn to scrubbers, but you know what they want? They want to be able to turn to scrubbers and make money at it, because us rate payers are going to pay for it. There is no guarantee, no protection for rate payers in this Amendment. It tears the consumers right in half. Now, you ought to vote 'no'. The...coal miners are going to end up on top before we end the Session. The coal miners will make out. I...voting record for unions here is 98% in 25 years. I have always supported unions, but I'm not going to support, if the rate payers and consumers are screwed in the end, because they have to pay the bills. Believe me, we are going to have scrubbers. The fact of the matter is, we are coming upon a federal deadline and the public utilities know it. The public utilities have said we're going turn to scrubbers. They've said that publicly, but they want

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consumers to pay the fare. We've paid enough. Now, I urge a 'no' vote. You saw who came up and jumped up quickly, jumped up quickly, over there. On every Bill that I have had for consumers, he's been up and...opposed it. All of a sudden, jump up out of his chair, didn't even know what the Amendment says, but because it's for utilities, he's all for it. Vote 'no'. Hold the Bill."

Speaker Laurino: "Further discussion? Representative Woolard."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this piece of legislation. I, also, rise in support of the consumers of this state. I believe, positively, that consumers of this state should be, and are, a vital concern of each and every person in this Body. I believe that we shall continue to recognize the players in every piece of negotiation that takes place. I believe, positively, that we are seeking to accommodate the needs and the best interests of the people of this state. The economic benefits, the economic gain, to the entire tax paying base of this state, shall be benefited by the passage of this legislation. Sure, there's \$35,000,000 that's being talked about. But, we're talking about an investment in excess of \$500,000,000 by the utility companies. I'm not a supporter of the utility companies any more than anyone who sits on this side of the aisle, but I am a supporter of the people of this state, and believe that we have a responsibility, not only to protect an industry that's vital to the economy and future of the State of Illinois, but we have a responsibility to see that we can provide that with local investment of state dollars, and I believe that we're doing it very effectively. I think that that the negotiated settlement that we had yesterday, and I think it was a good settlement, I think that proves that we've got the best interests of the people

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at heart. Sure, I agree that CUB and every other consumer protection group in this state should be at the bargaining table in some fashion. I believe that we should listen to them. I believe that we have, and we will continue to do so. I urge your support for this piece of legislation because it's not only good for the coal mining industry, it's good for the continued economy of this state. We have a resource available to us that's going to be totally isolated and left out if we don't do something and do it immediately. I applaud the utilities; I applaud the coal association; I applaud the United Mine Workers and the men who are represented there, but I applaud you, as I know you're going to do what's right for the economy of this state. I urge each and every person to support this piece of legislation."

Speaker Laurino: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker. Will the Sponsor yield to a question? Representative Phelps. In your Bill, as it's going to be amended, will the cost of installing scrubbers in order to meet the Clean Air Act, would that cost be included into the rate base of the consumer?"

Phelps: "Yes."

Kulas: "Do you know how much one scrubber costs to install at a facility?"

Phelps: "\$150,000,000."

Kulas: "So, how many scrubbers are we talking about installing in the State of Illinois?"

Phelps: "Four."

Kulas: "Four. How much would that increase the average consumer's Bill?"

Phelps: "\$35,000,000. less than it would have prior to CUB's agreement."

Kulas: "\$35,000,000. less than what, I'm sorry."

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Phelps: "Than the four scrubbers total cost. So, we're saving the rate payers \$35,000,000 more than they signed off for the original agreement."

Kulas: "So, we're saying that the cost of installing the new scrubbers will be approximately \$600,000,000. We're saying the taxpayers will pick up the \$35,000,000 in bonds but the \$565,000,000 will be passed on to the rate payer. Is that right?"

Phelps: "Correct."

Kulas: "Thank you."

Speaker Laurino: "Representative Hasara."

Hasara: "Thank you, Mr. Speaker. I rise in support of Amendment #5. The rate payer and the consumer entered into this situation the day the Clean Air Act passed. We all knew that this would be an expensive proposition. You can't have everything. You can't have laws providing cleaner air, which are needed and expect everybody not to have to pay more for them. It was mentioned, about three speakers ago, that the utility companies have to install scrubbers. That is not true. They can start using low sulphur coal from the West and put thousands of coal miners from Illinois out of work. This is the reason we need this Amendment. It is not true that they must install these scrubbers, and they are expensive, there's no question about that. I am proud to stand here and say I support utility companies, and let me tell you why, because I want the lights on in here. I want air-conditioning. I want gas to heat my home. To say that you don't support a utility company is ridiculous. Of course, we all support what utilities give us. We do need to watch out for the rate payers, and I feel that the people who work so hard on this Amendment on getting an agreement, did exactly that. One of these plants is in my district. It's Commonwealth

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Edison, which is blasted in this chamber very often, but let me tell you that Commonwealth Edison not only produces electricity for many of our residents, but it employees hundreds and thousands of coal miners, and it wants to try to continue to do that, and, so, for that reason we need this Amendment #5. Please vote 'yes'."

Speaker Laurino: "Further discussion? Representative McNamara."

McNamara: "Will the Sponsor yield for a question?"

Speaker Laurino: "He indicates he will."

McNamara: "Yes, Representative Phelps. I understand that the scrubbers will cost \$600,000,000. That's correct. Of that, the state...those costs are passed on to the rate payers, however; the state will kick in \$35,000,000 in bonds in order to reduce that to the rate payers. What does the utility company pay for the scrubbers on their equipment?"

Phelps: "They have the capital commitment, up-front."

McNamara: "How much money is the capital...In other words, if the scrubbers cost \$600,000,000 for the installation, let's forget about the \$35,000,000 bonded indebtedness that we're going into."

Phelps: "No, let's not forget about it. Let me respond to your question this way. The \$35,000,000 the state's committed, I was going to wait to include it in my speech, but since we're getting on this, let's go into it. This is going to be able to access \$125,000,000 from the feds in round 4, now on the table. If we don't have that, we could lose that, and then, Illinois Power at Baldwin will have to come up with \$110,000,000 besides that. So, it's not \$600,000,000 to the cost of the state. I know I could say 'no' and you're going to repeat, those that want to, but that's just not the truth. So, \$35,000,000, \$125,000,000 from the feds and then, the rate payers are going to pay,

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if you go to low sulfur coal, if you go to gas, if you go to nuclear, you don't have enough to describe how much it's going to cost, my friend."

McNamara: "Okay. So, what we're talking is \$160,000,000 in subsidies, of which \$125,000,000 comes from the Feds, \$35,000,000 comes from the state and the balance of the money comes from the rate payers. How much..."

Phelps: "The utility companies up front, then recovered through the plan that the ICC has to approve."

McNamara: "What I'm wondering is, is what do you mean by...is there additional money that the utility companies are kicking into this?"

Phelps: "Utility companies pay for the scrubbers right up front and recover, through the approval of the ICC, as outlined in the Amendment. They know the cost right up front. Now, presently, a utility company comes to ICC and they say, 'here's our plan; we go build it; we come back; say, 'Here's what it cost us, we want to raise the rates to recover.' In this plan, we know the cost up front to be recovered."

Kulas: "Let me ask one other question and then...I'll speak to the Bill. On...the meetings that took place between the utility companies, the coal miners, et cetera, was...were the utility rate payers represented by CUB in those meetings?"

Phelps: "You doggone betchey. I was there. Representative Woolard was there. Representative Hicks was there. Representative Deering was there and CUB 95% of the time, and I wasn't there 99% of the time, but they were represented well, and I wouldn't go for anything else that was not good for the rate payers, you can bet your bank on that."

McNamara: "Okay. To this Bill. The reason I have a problem with

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it is, that first of all, we have \$35,000,000 in bonded indebtedness that we're going to continue on with. We have approximately \$400,000,000 that will go on to the rate payers. From what my information has told me, I was willing to vote for this yesterday, precisely the way the Bill was, and I made that commitment to people from Pettibone and to the coal miners. I made that commitment because it looked like a good, solid package that was agreed on, by the people. I definitely have a very difficult time in looking at this when it passes that much money on, a \$35,000,000 subsidy, through certain utility companies, along with \$125,000,000 from the Federal Government, which I don't mind. I think this is a bad concept for the rate payers."

Speaker Laurino: "Further discussion? Representative Hoffman."

Hoffman: "Will Sponsor yield? Representative, what would the...if we weren't going to put the scrubbers in, in order to comply with the Clean Air Act, the...utilities would have to buy Western coal? Is that right?"

Phelps: "Yes, they would."

Hoffman: "And, the cost of that would be greater than what the utilities are paying right now to produce...power. Isn't that right?"

Phelps: "At least we have a minimum competition as the scrubber's are intact with the utility companies, but with the low sulfur coal, it'd be a monopoly. We have no way of knowing what it would cost."

Hoffman: "And, if they didn't put the scrubbers in and had to use the low sulfur coal, there would be a probable increase to the rate payers in Illinois. Is that right?"

Phelps: "Those are the things we can be certain about. There's no doubt there'd be an increase."

Hoffman: "Do you believe that the rate increase that could

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possibly result as a result of this legislation would be less than what would result if we didn't put the scrubbers in and they had to bring coal from the Western states."

Phelps: "Which is precisely the essence of the agreement of this Amendment, to make the adverse effects as minimal as possible bestowed upon us by the Federal Clean Air Act."

Hoffman: "So, in other words, the federal...to the Bill. The Federal Government has put us in this situation. The Federal Government passed the Federal Clean Air Act. The Federal Government said that we must do something here in Illinois. Unfortunately, because of what they have done, we would lose thousands of jobs from the coal mining industry. We would lose thousands of small towns throughout Illinois. This Bill keeps them intact. This Bill keeps them with jobs. This Bill saves the rate payers because we aren't using Western coal which would be more expensive than putting in these scrubbers. I ask that you support this Amendment."

Speaker Giglio: "Representative Hensel."

Hensel: "I move the previous question."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor say 'aye', opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it. The previous question's been moved. Representative Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'll save my remarks for Third Reading. But, folks, if...don't kid yourself. There is no one on this floor that I respect any more than Representative Matijevich, and when he speaks on behalf of the people, you can believe it's legitimate and not artificial. But, in this case, there is no way, if you consider the monopoly of low sulfur coal or the opportunity for utilities to switch, which I know the premise that we're trying to acknowledge

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is that when the utility companies screw up anyway, maybe, probably, but we don't know, without making the effort to force them to, we would not only lose the jobs that would at least keep the rest of southern Illinois and other parts of this state, at least holding on, but there would not be a district big enough to reapportion me about...two dozen of my colleagues, and, folks, the ramifications of the economic impact, loss of those jobs that are impossible to monitor, would devastate, not my district, not yours, but this state, and all of us would line up in support of each other if we could attract an industry in our region to generate the 16,000 jobs. Keep that in mind. This Amendment is the best for the rate payers, and I'm sorry if CUB didn't have their final voice, but we are speaking for them in this Amendment whether they realize it or not. I'd appreciate your 'aye' vote."

Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye', opposed, 'nay'. In the opinion of the Chair the 'ayes' have it. And the Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Phelps. Representative Matijevich."

Matijevich: "Mr. Speaker. I've been here long enough to know when I see something greased, but I don't think this ought to be greased that quickly, and I mean that. I mean that. Whoever's greasing this, I mean that, and they're standing in back of you, outside of this hall. Outside of the hall, they're roaming around the hall out there. This should not be greased this quickly. Anybody who says it's going to cost more for them to fuel switch, they're crazy because it's going to cost less to go to scrubbers. It'll cost less to go to scrubbers. Now, I want to tell you that I

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object to immediate consideration, and I also want a ruling of the Chair, if this takes 71 votes, because it increases bonding power, increases debt service that we can't afford. I want to have that ruling made, but I also want to plead with whoever's making the decision, don't do it tonight. You are waiting. You've got people here to go on to Reapportionment Committee, and you're holding them here just for this Bill to grease it, and that should not happen, anytime."

Speaker Giglio: "Representative Phelps."

Phelps: "Mr. Speaker, thank you very much. In honor of Representative Matijevich's remarks, I agree that this Bill should be held on, go to Third Reading, to be heard tomorrow."

Speaker Giglio: "Representative McNamara."

McNamara: "Point of order. There is a request for a Fiscal Note, therefore, it has to be held on Second Reading."

Speaker Giglio: "Bring the Bill back to Second Reading, Mr. Clerk. Your point is well-taken. Representative Phelps."

Phelps: "Mr. Speaker, I move that the Fiscal Note is inapplicable."

Speaker Giglio: "The Gentleman moves that the Fiscal Note Act does not apply. All those in favor vote 'aye', those opposed vote 'no'. Representative Matijevich."

Matijevich: "Mr. Speaker, I surely agree with the Sponsor on that because the price tag is right in there. I agree with that, although there's a hidden price tag, also, and nobody could nobody, but nobody, can determine that. Only the Illinois Commerce Commission later, and I don't trust them."

Speaker Giglio: "Have all voted who wish? Take the record, Mr. Clerk. Representative Bugielski are you seeking recognition?"

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Bugielski: "No, I hit the wrong button."

Speaker Giglio: "On this question there are 79 voting 'yes', vote Bugielski 'aye'. On this question there are 80 voting 'aye'. Representative Stepan, 'aye'. Anybody else? On this question there are 81 voting 'yes' and 11 voting 'no'. Then the Fiscal Note Act does not apply. Third Reading. Representative...Third Reading. It's on Third, but it's not going to be called in deference to Gentleman...Representative Phelps asked that it remain on Third Reading. Everybody understand that? Representative Mautino?"

Mautino: "For the purposes of an announcement, Mr. Speaker. I'd like to announce that the downstate Democratic Caucus will meet at 8:30 a.m. tomorrow morning in Conference Room L. Thank you."

Speaker Giglio: "Alright, we're going to return to Government Operations, Third Reading. Representative Farley, are you seeking recognition?"

Farley: "Thank you, Mr. Speaker, for the purposes of an announcement. The North Side Ethnics will meet at Sam's at 8:30 tonight."

Speaker Giglio: "Alright on this Order appears House Bill 624, Representative Hicks. Representative Hicks. Larry Hicks, 624. Government Operations, Third Reading. Read the Bill Mr. Clerk. Representative, excuse me, Representative Preston, for what purpose do you rise?"

Preston: "I'm sorry, Mr. Speaker, the North Shore Caucus will be meeting for white wine and Brie, in Representative Stepan's office."

Speaker Giglio: "Announcements, Mr. Clerk."

Clerk Leone: "Pursuant to House Bill 10 1(i), the following Representatives will be excused to attend a meeting of the Reapportionment Committee. On the Democrat side of the

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aisle it will be Representatives DeJaegher, Brunsvold, Walsh, Edley, Lou Jones, McGuire, Wyvetter Younge and Deering. On the Republican side, Representatives Myron Olson, Burzynski, Leitch, Hultgren, Sieben, Weller, Pullen and Wait."

Speaker Giglio: "Alright, Representative Hicks, 624. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 624, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Giglio: "Representative Hicks."

Hicks: "Thank you very much...Mr. Speaker. I'd...like...leave of the House to take this Bill back to Second for purposes of an Amendment."

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

Hicks: "Mr. Speaker, Mr. Speaker, I believe we've already put the Amendment on it. At this time, I...would like to..."

Speaker Giglio: "Is the Amendment? Is the Amendment on there?"

Clerk Leone: "Amendment #1 is currently attached to the Bill."

Speaker Giglio: "Were there any further Amendments filed?"

Clerk Leone: "There are no further Amendments?"

Speaker Giglio: "Alright. Bring it back to Third. It's on Third. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 624, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Giglio: "Mr. Hicks."

Hicks: "Thank you very much, Mr. Speaker. I'd like...I would move to...for the passage of House Bill 624. The Bill deals...with wage deductions and I believe any questions anyone might have would be answered by Representative Lang."

Speaker Giglio: "Representative Wennlund. Representative Black."

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

Speaker Giglio: "He indicates he will."

Black: "Representative, the Amendment becomes the Bill, is that correct?"

Speaker Giglio: "Representative Lang."

Lang: "Thank you, Mr. Speaker. If I may have leave to answer his questions. This Amendment is my Amendment."

Speaker Giglio: "Proceed."

Lang: "Representative, the Amendment does become the Bill. It's an agreed Amendment. All parties are now on board: the unions, the legal aid, the attorneys and all other parties, and I believe it is a good Amendment, a good compromise, and I would ask your support."

Black: "Let me ask you one more question, Representative. I'm a little concerned about that agreement list because as I understand it, this is the...this is the so-called 'wild card' exemption which I know, many of those groups were adamantly opposed to last year, when we tried to change that. What...can you tell us briefly what you've done in this Amendment that has removed all the opposition from the 'wild card' exemption that was a very, very controversial issue last year?"

Lang: "Thank you. That's a good question. The opposition has been removed because as part of the compromise, the proponents have agreed to increase the amount of wages that are exempt under a wage deduction, so that under this Bill, should it pass the House and Senate and be signed by the Governor, more wages will be exempt and thereby lower income wage earners will have less opportunity to have wage deductions on their checks. So, that was...a good thing for legal aid, and a good thing for the opponents of the Bill, and they felt that that was a good compromise. So,

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they're willing to allow the 'wild card' to be abolished for wages to...in exchange get this increased exemption for the wages."

Black: "And how does it affect their personal property?"

Lang: "It does not affect personal property, at all."

Black: "Alright, thank you."

Speaker Giglio: "Yes. Further discussion? All those in favor of the Amendment? Alright, we're on Third Reading. All those in favor of House Bill 624, vote 'aye', those opposed vote 'no'. The voting is open. This will be final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record. On this question, there are...Representative Johnson. Let the record. Is it locked? Vote...let the record indicate, Representative Woolard wants to be recorded as voting 'aye'. On this question, there are 92 voting 'yes' and 1 voting 'no' and House Bill 624, having received the required Constitutional Majority is hereby declared passed. Representative Johnson."

Johnson: "I just, I have a suggestion. Just for something different, in...the chamber. Representative Petka and I were trying to figure the whole afternoon. I think maybe there's been one Bill, all afternoon, with a Republican Sponsor that was called. Do you think maybe just to lighten things up a little bit, we could have a Bill with a Republican Sponsor? I know there aren't very many of them left, not many got out of committee, not many are on special orders, but just for the heck of it, could we just have one Bill, to kind of diversify things, a little bit?"

Speaker Giglio: "Representative Johnson, I think we've passed all the Republican Bills."

Johnson: "All three of them?"

Speaker Giglio: "Announcements."

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Clerk Leone: "On the list read earlier, Representative Pullen, did not go to the Reapportionment Committee and Representative Noland replaced her on the Reapportionment Committee, so it is Representative Noland, who is excused, and Representative Pullen is present."

Speaker Giglio: "We're going to go back to one of our Bill's that was taken out. Representative Hartke's Bill, House Bill 799. Read the Bill, Mr. Clerk. Representative Johnson?"

Johnson: "I just thought I would add to my earlier comments in keeping with the announcement. We're going to have a caucus of those Republicans who have Bills on the Special Order of Business, I think it's 7:30, in a phone booth downstairs, if any of you would like to join us."

Speaker Giglio: "Representative Johnson, you know the rules do not allow meeting while we're in Session? So, you can't meet. House Bill 799, Representative Hartke."

Clerk Leone: "House Bill 799, a Bill for an Act to amend the Township Law. Third Reading of the Bill."

Speaker Giglio: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. I would ask leave to take this back to Second for purposes of tabling an Amendment."

Speaker Giglio: "The Gentleman asks leave to return the Bill back to Order of Second Reading. Hearing none, leave is granted. The Bill's on the Order of Second Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 799, on the Order of Second. A Motion to table Amendment #3, made by Representative Hartke."

Speaker Giglio: "All those in favor signify by saying 'aye', opposed, 'nay'. The Amendment is tabled. Further Amendments?"

Clerk Leone: "There are no further Motions or Amendment."

Speaker Giglio: "Third Reading. The Gentleman asks leave. Read

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the Bill, Mr. Clerk."

Clerk Leone: "House Bill 799, a Bill for an Act to amend Township Law. Third Reading of the Bill."

Speaker Giglio: "Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. This morning, earlier, we worked on House Bill 799 and had the controversial Amendment, Amendment #3, by Representative Mulcahey. Now contains only Amendment #1 from Representative Saltsman and Amendment #2 by Representative Leitch. I ask for passage of House Bill 799."

Speaker Giglio: "Any discussion? Representative Ropp."

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

Speaker Giglio: "He indicates he will."

Ropp: "I don't quite understand the Amendments, just by the words Saltsman and Leitch. Could you describe that and then the one that was taken off, was that the one that dealt with coterminous portions of the statute that we had agreed?"

Hartke: "Yes. Amendment #3 was Mulcahey's Amendment, which talked about the coterminous townships and so forth and the payment of whatever and so that Amendment is now taken off so we..."

Ropp: "Are the townships now in support of this? With that Amendment...?"

Hartke: "Yes, they are."

Ropp: "They are? They're neutral? Would you just, in a word or two, say what the Saltsman Amendment was, and the Leitch Amendment?"

Hartke: "I'd refer you to Representative Saltsman."

Saltsman: "The townships are in favor of my Amendment. I'm not speaking for the other ones, but they are definitely..."

Ropp: "Just say what it is, please."

Saltsman: "What it does, it allows a township to purchase bonds

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for a senior citizens high-rise, by referendum."

Ropp: "By front door referendum?"

Saltsman: "By front door referendum."

Ropp: "Thank you. And the Leitch Amendment? He's left."

Saltsman: "Representative Leitch's Amendment provides that a township tax levy which is enacted to pay for the insurance and self insurance of a township may not exceed that what is reasonably expected to be sufficient to pay those costs."

Ropp: "Alright. Do they have to have a referendum for that, too, or can they do that as a taxing authority without a referendum?"

Saltsman: "I don't think a referendum is necessary."

Ropp: "It's not necessary. Does that mean, it's a back door referendum or just none at all? As long as they stay within the statutory limits that we have..."

Saltsman: "I don't think that it's necessary at all."

Ropp: "Okay. Thank you."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall House Bill 799 pass?' All those in favor vote 'aye', opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Representative Hartke?"

Hartke: "Mr. Speaker...I...didn't think this was quite that controversial. I...don't think there's any at all. I don't know what the red votes are up there for. I would appreciate a couple more votes to get this out of here. If we have a problem, we could work on it in the Senate."

Speaker Giglio: "Vote Representative Rotello, 'aye'. Representative Matijevec, 'aye'. Representative Laurino, 'aye'. Anybody else? On this question there are 61 voting 'yes', 23 voting 'no', and House Bill 799, having received the required Constitutional Majority is hereby declared

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passed."

Hartke: "Thank you very much."

Speaker Giglio: "House Bill 714, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 714, a Bill for an Act concerning public library districts. Third Reading of the Bill."

Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 714, as sponsored by myself and Representative Kubik, is an attempt to recodify the Act as it relates to public libraries in the State of Illinois. The Bill right now is a shell Bill and the idea behind that is to move the Bill over to the Senate, so the recodification efforts can...which started last summer, can continue and hopefully be ready by the time the Legislature reconvenes in the fall. We...the reconfication also will be non-controversial, but will require time and speedy action once the fall comes, so, Mr. Speaker, I would answer any questions or ask for favorable votes on House Bill 714."

Speaker Giglio: "Any discussion? Hearing none. The question is, 'Shall House Bill 714 pass?' All those in favor vote 'aye', opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 98 voting 'yes', 0 voting 'no' and House Bill...Representative Kirkland, 'aye'. Kirkland? He's voting 'aye'. On this question, there are 98 voting 'yes', 0 voting 'no'. On this question there are 98 voting 'yes', 0 voting 'no' and House Bill 714, having received the Constitutional Majority is hereby declared passed. Representative Curran on 741. 741? Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 741, a Bill for an Act to amend the

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Minimum Wage Law. Third Reading of the Bill."

Speaker Giglio: "Representative Curran."

Curran: "Mr. Speaker, permission to bring this back...this Bill back to Second Reading for purposes of an Amendment?"

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

Clerk Leone: "House Bill 741, on the Order of Second Reading. Amendment #7 is being offered by Representative Granberg."

Speaker Giglio: "Representative Granberg, on Amendment #7. Representative Granberg, on Amendment #7?"

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #7 would exempt farm...companies and/or family-operated farms that have up to 30 employees. They would be exempted from the provisions of this Bill."

Curran: "Wait..."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those..."

Curran: "Speaker, Speaker?"

Speaker Giglio: "Yes, Representative Curran."

Curran: "I do intend to discuss this. This Amendment, although drawn by the Legislator for...a...reason that he believes in, I think would...seriously disturb the content of the legislation, and...I...have to stand opposed to this Amendment. I would like to have this Bill in the form...that it would be desirable to me and to the people who have brought this to me, in order to hear it on Third Reading. So, I'd...ask...for 'nos'."

Speaker Giglio: "'Noes'. 'No' vote. All those in favor of the Amendment say 'aye', opposed, 'no'. The Amendment fails. Further Amendments?"

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

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Speaker Giglio: "Amendment #8. Withdraw Amendment #8. Further Amendments?"

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

Curran: "Withdraw Amendment #9."

Speaker Giglio: "Withdraw Amendment #9. Further Amendments?"

Clerk Leone: "Floor Amendment #10, offered by Representative Curran. Representative Curran?"

Curran: "Thank you, Mr. Speaker. Amendment #10 puts this Bill in the position I would like to have it in. What this Amendment says is that for those agricultural employees, who work more than 48 hours in a week, their 49th hour and all hours beyond that would be paid at minimum wage time and-a-half, and...I don't think there's a whole lot of controversy. What this Bill then...now would do, would be not only to give up on the question of 40 hours, because this Bill now only provides protection for the farm workers after 48 hours, but now would also only protect farm workers in the case of making minimum wage after 48 hours. Those are two major concessions, and this...with this Amendment, then this Bill would be in the position that I would like to have it voted on."

Speaker Giglio: "Any discussion on the Amendment? Representative Ropp?"

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

Speaker Giglio: "He indicates he will."

Ropp: "In deference to your concern for this: Is there going to be anyone that's really going to enforce this legislation, should it become law and who's going to do that if it occurs?"

Curran: "Sure...As with any other minimum wage law, the Department of Labor."

Ropp: "Okay. So that means then that...every farmer then will

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have to keep what a separate kind of books for identifying specifically the hours, will he? Does that mean they're going to have a time check, a time clock for all of these kinds of employees?"

Curran: "No. No more than any other company has to have a time clock, but somebody would want to keep the hours. You keep the hours. Let me ask you: Right now, do you have an employee? Don't you keep that employee's hours?"

Ropp: "No."

Curran: "You don't keep that employee's hours? Do you just pay the guy whatever he asks you?"

Ropp: "Absolutely not."

Curran: "Okay. Well, most people would keep the hours of an employee, and I would imagine that most good farmers making sure that they had...wanted to keep their costs down would...Representative McNamara, please don't laugh at me while I'm trying to explain this. Wanted to keep their cost down they would be checking the hours of their employees. What would make this any different than it is now?"

Ropp: "Well, that's part of the problem with this whole Bill is that we're dealing with such a wide range of agricultural employment that the Bill is going to really be encompassing over all of them, rather than to deal with those that, let's say, are that do actually do hourly work, like picking of fruits and vegetables, migratory workers. I think that is what you're attempting to do, but by this Amendment and the whole Bill, you're affecting the whole labor force of agriculture, which really is causing us some real problems. Generally, fact is, most of us, those of us that are related to agriculture here in this chamber, are salaried people. Along with that goes a house, maybe some meat, a vacation and so forth. We really don't say, 'Okay,

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you come to work at 6:00, you work until 4:30 and you're off.' I mean when there's hay to make, you'll work till 6:00 or 7:00 until the job gets done and then you may go back in and milk cows after that, so it's an entirely different kind of situation, but your Bill covers the whole world. We think that's bad."

Curran: "Well, actually, the Bill doesn't cover the whole world. The Bill only covers those...farmers, who hire more than 6 or 7 employees. I don't know how many you've got working, maybe it's more than 6 or 7, but it also only covers those employees...those employers who would have people working more than 48 hours in any given week. You know, agricultural workers are not protected now at all. All this Bill would do is protect those agricultural workers working over 48 hours, and all it would do is to give them a minimum of time-and-a-half for overtime of minimum wage. Men have made huge concessions in this legislation. I don't know how much farther you expect these migrant workers to back up before you'll give them an even break. I think this legislation is a pittance to offer these people, many of whom have the most difficult circumstances of any we can imagine."

Ropp: "Yes, but there are a number of large farming operations that may have 6 or more employees that really don't have any migratory help at all, but this Bill is going to affect them. If it did just deal with migratory workers, I think you might have some...some support, but where you really...encompass the whole business, even those that might be exempted of 5 or less or 6 or less. I think that's what's causing us a problem, so if you'll move on with your Amendment, and we'll vote accordingly."

Speaker Giglio: "Further discussion? Representative Hartke."

Hartke: "Will the Sponsor yield?"

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Speaker Giglio: "He indicates he will."

Hartke: "Representative Curran, are you...am I correct in saying that this would apply to all farms who have employees of over 6 or 7?"

Curran: "Yes."

Hartke: "Part-time or full-time?"

Curran: "It would be full-time because they'd only apply to those workers who are working more than 48 hours. I think even a farmer would consider over 48 hours full time."

Hartke: "What do you consider full time?"

Curran: "What do I consider full-time? Well, in this Bill, it would be if somebody is working over 48 hours."

Hartke: "So, if you have one employee, who worked for you for three weeks and one week out of that three he worked 48 hours, he would be considered a full-time employee?"

Curran: "That's correct."

Hartke: "Well, to the Bill. I think that's kind of ridiculous. You know, I think what you're trying to do is quite laudable to help those migrant workers who stoop labor in the fields, but I think you're probably going to hurt more than you're going to help, because the other agricultural employer who employs more than 6 or 7 people will keep track of the time and only allow those workers to work 19 hours, and they will bring in more employees and, in effect, what you'll be doing is cutting those individuals out of a job who are depending upon those jobs doing seasonal labor. I've got to stand in opposition to this Bill. I think it's...ill-concieved and not a wise idea."

Speaker Giglio: "Further discussion? Representative Robert Olson?"

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

Speaker Giglio: "He indicates he will."

Olson: "Not necessarily a question, but one may come up,

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Representative Curran, but I recall being down in the Rathskellar, one day with the Sangamon County Farm Bureau. You were there, a Senator, another Representative and myself, and the question was asked of you, 'Where did you get the idea for this legislation?' I believe that you said, 'Someone from the ministry.' I suspect that that someone from the ministry had migrant farm workers on his mind and probably, rightly so. This Bill would clear up real quick if you said migrant workers, but you're talking about farming, and I don't think you have any...I don't think you have any concept of how labor works on the average farm in Illinois. We have salaried people, for the most part. They work for so many dollars per month, maybe paid twice a month, but they're salaried, and they never question hours. They come to work, if it's in the work season we may tell them to come to work at 6:00 or 7:00 and if in the off season, we may tell them to come to work at 8:00 and we may quit at 3:00 in the afternoon or we may quit at noon if it's a rainy day. I've had employees where I would send...we would get together at 7:00 in the morning and I would have a cup of coffee with them and they would go home for that day. In the winter time, on a grain farm, there is no work. You're addressing too wide a group of employees in the agriculture industry, and I don't see how this Bill makes sense at all if you're going to put farm workers as your designated people to be covered under this 48 hours a week. I could vote very quickly if you said 'migrant workers' and left the word 'farm' out. Ladies and Gentlemen, farmers do not have time clocks. Agricultural workers understand we're working with nature, hours can vary. I don't have anyone that keeps a time clock. This is bad legislation and I urge the General Assembly to be a 'no' vote unless this thing is modified to

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reach the actual group of people that Representative Curran is trying to reach. Thank you."

Speaker Giglio: "Representative Richmond."

Richmond: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I have some difficulty with this Bill, also. Down my way, we do have a lot of migrant workers. We have a lot of regular farm workers, and I've heard from a lot of the operators of those operations those farms and orchards and this Bill would be very difficult for them to...to live with. First place, the...migrant workers that do their fruit picking and so forth, in harvest time in southern Illinois, mostly are...work...by...not by the hour, but by the bushel, or by the pound, or whatever, and they do very well. Incidentally, when they work during the harvest season, their wages are unbelievably high, and they also have a lot of other accommodations made for them, such as living quarters and so forth. I'm not saying that...they're treated as well as maybe they should be, but...this Bill would present problems for them and also for the big farm operators because it...could increase the cost of the...operation, but the farmer has no way of retrieving that extra cost because he can't price his products. The market...price is produced for him and therefore he would be at loss to recoup from these as opposed to someone in the manufacturing business or any other type of business where you pass it on to someone else. So, therefore, I have problems with the Bill, and I will reluctantly oppose its passage."

Speaker Giglio: "Further discussion? The Representative from Williamson, Representative Woolard."

Woolard: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also rise in opposition to this Amendment that...Amendment #10. I think what in effect is going to

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happen is going to be totally adverse to what the Sponsor is trying to accomplish. I think we have unskilled labor people, that are very dependant on the wages they receive. I think what will happen is rather than to increase their wage or earnings ability, we'll be deversifying their numbers, and we will be adding additional employees, because in an unskilled labor position, such as this, it is easy to have 10 rather than 5 or 12 rather than 7 and I think we'll see the money spread around rather than the increased benefits to the overtime wage being paid. I believe that the adversity to the farmer and to the grain operators, the various orchards, et cetera, throughout the area which I represent, would be negatively impacted. I think that it would be to the advantage of the people who are employed there to leave it like it is, and I encourage a 'no' vote."

Speaker Giglio: "Further discussion? Representative Schakowsky."

Schakowsky: "Thank you, Mr. Speaker, Members of the House. In the past when I've spoken to this Bill there's been some questions raised about how, I, who am not involved in agriculture would speak out on this kind of legislation. I want to point out that all of us are involved in agriculture, to the extent that we eat the products that are picked by these farm workers, that end up on our table because of the labor of those individuals, and I think it's encumbent upon us to consider Amendment #10, which is a modest improvement for those people who work as hard as they do to bring us the food that we enjoy and I urge your support for this Amendment."

Speaker Giglio: "Representative Curran to close."

Curran: "Thank you, Mr. Speaker. I probably should have gotten your attention about 20 minutes ago as all these people were talking about the Bill, not the Amendment. Let me

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help you understand what the Amendment does, that's what we're talking about now, and what we would be voting on now. What the Amendment says is that the overtime provisions in this Bill would only apply to minimum wage, time-and-a-half of minimum wage, or no less than time-and-a-half of minimum wage. As the Bill now stands, without Amendment #10, people who'd be working on farms and work their 49th hour would get time and a half of whatever it was, if they were making \$6 an hour, then they get \$9 an hour. What this Amendment does is it changes that from whatever they would be making on a time-and-a-half basis to guaranteed minimum wage time-and-a-half or no less than minimum wage time-and-a-half. If you want to vote against this Bill and discuss against this Bill, that's fine, but that isn't what this Amendment is. This Amendment is saying time-and-a-half of minimum wage. I move for the adoption of the Amendment, Mr. Speaker."

Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye', opposed, 'nay'. Take a Roll Call, Mr. Clerk. All those in favor of the Amendment vote 'aye', those opposed vote 'no'. Representative Balanoff?"

Balanoff: "Yes, Mr. Speaker. To just very quickly to explain my vote. You know, it's absolutely outrageous that anybody would vote against this Amendment. The amount of money that we're talking about is not even enough to make a liveable wage. It's barely enough to sustain the life of these people are making, so I really think that everybody that is voting against this Bill or those voting 'present' should really rethink their votes."

Speaker Giglio: "Representative Hannig."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. Just to explain my vote. Let me say up front that I'm not for this Bill, but I think that the Amendment does make it

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better. It limits the...wage that will be applied and restricts the amount of money that people will get, so, you know, somebody is making \$10 an hour under the original Bill, they'd make \$15. This Bill, with the Amendment, would simply allow them not to apply to the higher paid people. So, the Amendment itself actually makes the Bill better, and I think we should at least put it on. It restricts. It ought to be something we should be for, and we can debate the merits of the Bill, as amended tomorrow."

Speaker Giglio: "Representative Black."

Black: "Well, thank you very much, Mr. Speaker. Whatever this Amendment does, I simply rise to relate to. I've had many calls from farmers who are at this very moment working their fields, tilling the soil of this great state, and they want me to get up and say that they are out working and they can't be here. They can't be here to express their views on the Gentleman's Amendment, so in due respect to the farmers of this great country, we will object to the Gentleman trying to run this on Third Reading tonight. Thank you."

Speaker Giglio: "Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 50 'yes' and 44 'no', and the Amendment is adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Steczo, 841. Read the Bill."

Clerk O'Brien: "House Bill 841, a Bill for an Act to amend the Illinois State Agency Historic Resource Preservation Act. Second Read...Third Reading of the Bill."

Speaker Giglio: "Representative Steczo."

Steczko: "Mr. Speaker, I'd ask leave to bring House Bill 841 back to the Order of Second Reading for the purposes of an Amendment, please."

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

Clerk O'Brien: "This Bill's been read a second time previously. Floor Amendment #1, offered by Representative Steczo."

Speaker Giglio: "Further Amendments? Representative Steczo."

Steczko: "Thank you Mr. Speaker. Amendment #1...makes the Bill a shell Bill or a vehicle. There has been an agreement on this Bill between the Illinois Home Builders and the Illinois Historic Preservation Agency. However, there is not enough time this week to be able to go over all the language, So, the agreement, by both parties, was to...gut this Bill and pass it to the Senate and adopt the agreed language there, so I'd move for the adoption of Amendment #1."

Speaker Giglio: "Any discussion? All those in favor of the Amendment say 'aye', opposed, 'no'. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 885. 885? Out of the record. House Bill 938, Representative John Dunn. Out of the record. Representative Wyvetter Younge, House Bill 1038. Out of the record. House Bill 1189, Representative Ronan. Ronan? 1189? Motor Fuel Tax. Read the Bill."

Clerk O'Brien: "House Bill 1189, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Giglio: "Representative Ronan."

Ronan: "Thank you Mr. Speaker, Members of the House. House Bill 1189 is one of the Committee Bills that we passed out of Transportation Committee, made up of agreed Member Bills. I'll be glad to answer any questions concerning the legislation."

Speaker Giglio: "Representative Ronan, the Clerk informs the

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Chair that there's Amendments is pending. Do...you know...anything about the Amendments?"

Ronan: "Is it a Kulas Amendment?"

Clerk O'Brien: "#2 is Ronan and Hensel. #3 is Hartke."

Ronan: "Okay. Sure we'd like to put those Amendments on. Amendment #2 is a technical kind of Amendment."

Speaker Giglio: "The Bill is on Third Reading. The Gentleman asks leave to bring the Bill back to the Order of Second. Does he have leave? Leave is granted. The Bill's on Second Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill...House Floor Amendment #2, offered by Ronan and Hensel."

Speaker Giglio: "Representative Ronan."

Ronan: "Amendment #2 is a cleanup Amendment that the Department of Transportation gave to us to clarify some technical language in the Bill."

Speaker Giglio: "Any discussion? Hearing none, those in favor of the Amendment say 'aye', opposed, 'no'. The Amendment is adopted. Further Amendments?"

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

Speaker Giglio: "Representative Hartke on Amendment #3."

Hartke: "Thank you very much, Mr. Speaker, Members of the House. Amendment #3...requires that the departmental local governing bodies have a jurisdiction over the highways, roads or streets, shall require signs be posted denoting the last exit before construction zone for those loads with a width greater than 6 inches."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment, say 'aye', opposed, 'no'. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Granberg, 1198?"

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1198? Do you wish to have this Bill called, Representative Granberg? Tomorrow. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1198, a Bill for an Act in relation to names on public buildings. Third Reading of the Bill. Representative Granberg."

Granberg: "Thank you, Mr. Speaker. I...Mr. O'Brien, I believe there's an Amendment filed. I'd ask leave to bring it back to Second Reading for the purposes of an Amendment."

Speaker Giglio: "You heard the Gentleman's Motion. Hearing none, leave is granted. The Bill's on Second Reading. Read the Bill, Mr. Clerk."

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

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 makes clarifications to the original Bill, and I would move for its adoption."

Speaker Giglio: "Any discussion? All those in favor of the Amendment say 'aye', opposed, 'no'. The Amendment's adopted. Further Amendments?"

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

Speaker Giglio: "Representative Granberg, Amendment #2?"

Granberg: "Mr. Speaker, may I move to table Amendment #1 and to adopt Amendment #2?"

Speaker Giglio: "The Gentleman moves to reconsider a vote by which House Amendment #1 was adopted. All those in favor say 'aye', opposed, 'nay'. Now the Gentleman moves to table Amendment #1. Further Amendments. Amendment #1 is tabled."

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

Granberg: "Thank you, Mr. Speaker. This is the Amendment that is technically correct. I would move for the adoption of

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Amendment #2."

Speaker Giglio: "Any discussion? All those in favor say 'aye', opposed, 'no'. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Hicks, 1297. Out of the record. Representative Schoenberg, 1365. Read the Bill, Mr. Clerk."

Schoenberg: "House Bill 1365, a Bill for an Act relating to real property. Third Reading of the Bill."

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

Schoenberg: "No. Thank you, Mr. S...it's all relative. Thank you Mr. Speaker, Members of the House. The purpose of 1365 is to provide specifics on certification and licensure...and was done in the aftermath of the S&L crisis where federal regulation was devised in order to provide for standard licensure for appraisers, as well as for...I'm sorry...to identify certification and licensure standards for appraisers. This Bill has been devised through the careful calculation and deliberation with realtors, appraisers, bankers and the Department of Professional Regulation. I would urge my colleagues to support this Bill because it will provide some teeth to the blank...to the larger scope of regulation which was created after the S&L legislation. It's especially essential that we be able to have some language that mirrors the federal regulations because it will insure that appraisers, both downstate and in the major metropolitan areas will be up to standard and will have...the experience and qualifications necessary to handle mortgages. Any conventional mortgage would be affected by this legislation."

Speaker Giglio: "Any discussion? The Gentleman from Cook,

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Representative Parke."

Parke: "Thank you, Mr. Speaker. Would the Sponsor yield to a question?"

Speaker Giglio: "Yes."

Parke: "I would like to support this legislation...but I...was wondering if the community bankers and the bankers...and the real estate...and the appraisers are all in agreement on this now."

Schoenberg: "I believe that they are. Yes. As you may recall this Bill contains everything that was part of a Conference Committee Report on Senate Bill 1649 in the 86th General Assembly, and it never ended up being called, last time."

Parke: "So, therefore, we do have an agreement with those groups?"

Schoenberg: "Pardon me?"

Parke: "We do have an agreement with those groups?"

Schoenberg: "Yes."

Parke: "Thank you."

Speaker Giglio: "Representative Black."

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

Speaker Giglio: "He states he will."

Black: "Thank you. Representative, you...just...said that all...I don't want to put words in your mouth. I...I heard you to say that this was an Agreed Bill. Is...is that what you intend to say?"

Schoenberg: "I'm only aware of one individual who is in opposition of this."

Black: "One individual or one group?"

Schoenberg: "One singular individual."

Black: "Does this Bill, in fact, meet the requirements of FIRIA, the Federal Act or are we in fact diluting the federal law, which I don't think we can do anyway, by opening up the

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appraisal process to people who may not be qualified.

I...Isay, may not be qualified under the intent of FIRIA?"

Schoenberg: "If I understand the question correctly, the intention is for the state regulations to mirror the federal regulations, and by no means represents a dilution of standards on the basis of experience or hours of study, but rather, as I said, it is intended solely to mirror the federal standards, so that there's greater uniformity."

Black: "Are the various appraisal societies and organizations in the State of Illinois in agreement with this Bill?"

Schoenberg: "Yes, they are."

Black: "All of them?"

Schoenberg: "All that I'm aware of. Yes."

Black: "Okay. Thank you very much. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. I think the Bill is, as the Gentleman intimates, probably agreed to by 90% of those in the industry. Let me assure you, I have heard from more than one individual who do not favor this Bill. These people are professional and certified appraisers, who happen to live in my district, who do not like this Bill, who think it is a dilution of the requirements, training and standards that should be adhered to when people are being asked to appraise property. FIRIA was instituted by the United States Government in response largely to the Savings and Loan crisis in which people would come in, supposedly with credentials to appraise property, and say 'Yepper, that building is worth \$30,000,000 and you can loan money on it,' and then they found out the building might be worth, in the market place, \$2,500,000. I don't know that there are sufficient votes to defeat the Gentleman's Bill. I don't even know if we should defeat the Gentleman's Bill, quite frankly. They've worked very hard on it and most parties in the industry are in

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agreement, but I think you'd better look very carefully at it because there are people, in the industry, who do not think this Bill has yet reached a point where everyone in the real estate and appraisal industry agree to the Bill. So, know your districts, know your people who you represent and vote accordingly."

Speaker Giglio: "Representative Hicks?"

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. You know, we've spent many, many...months, I would say, on this Bill trying to get this Bill in shape, trying to meet all the different people that have problems with the Bill. I...I believe we've done that. I only know of one person who has a major problem with this Bill. We've attempted to address that person's concerns. Simply, he wasn't going to agree to this type of legislation, no matter what anyone did. The...previous speaker spoke...concerning certified appraisers. Right now in Illinois we don't have any such thing as 'certified appraisers'. There is no such animal in Illinois. You may be an MAI, but that's a National designation. In Illinois that doesn't make you a certified appraiser because we don't have certified appraisers in this state. There is no such animal. We are attempting to address the problems with the federal legislation, to allow our lending institutions to have appraisers in this state that are licensed appraisers so that we can qualify for loans in the industry; whenever people go to the banks to be able to get a loan, they're going to have an appraiser that...that bank is going to be able to loan the money. That's the reason for the legislation and I believe that 99 not 90%, but 99% of all the concerns, in the State of Illinois, have been addressed in this Bill, and I'd ask for your approval of House Bill 1365."

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Speaker Giglio: "Representative Mautino."

Mautino: "Will the Gentleman yield?"

Speaker Giglio: "Indicates he will."

Mautino: "I notice that one provision in the Act provides for licensure of out-of-state appraisers. Is that correct?"

Speaker Giglio: "George? Representative Schoenberg? Representative Schoenberg?"

Schoenberg: "The answer to your question, Sir, is 'yes'. It's stipulated federal law."

Mautino: "And how do we do that in your Bill?"

Schoenberg: "Pardon me?"

Mautino: "How do we do that in your Bill? We are licensing out of state appraisers that have not taken or provided qualifications to an Illinois law. Explain, to me how we do that."

Schoenberg: "Pardon me Sir, as in the case of any other liscence, there's reciprocity based on experience and qualifications."

Mautino: "So there's reciprocity today for an Illinois licensed appraisor to appraise property in Indiana. Is that correct?"

Schoenberg: "Only, I'm sorry, only in states in which there are reciprocity agreements."

Mautino: "You're exactly correct, now you tell me which states have reciprocity agreements with Illinois? Does that also include auctioneers, for example, who may be licensed as appraisers in Indiana and does that mean that they can operate as appraisers in Illinois? That's my question. I'm still looking for an answer to what states does Illinois currently have reciprocity with as it pertains to..."

Schoenberg: "I can't provide you with the information currently."

Mautino: "Don't you think that would be good information to

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provide this Body with?"

Schoenberg: "I would certainly agree."

Mautino: "Many years ago, many years ago, one of the issues that we passed through this House, on a reciprocity provision, was allowing for Indiana real estate agents and auctioneers to sell property in Illinois. Now I...see the same type of boomerang coming back with this. I would like to know what States surrounding us, for example, have that provision of reciprocity."

Schoenberg: "Your...point is...well-taken. I'll just say that...because this is a brand new federal law which was signed into law in...on August 1, 1989, that reciprocity agreements as of yet have not been tested."

Mautino: "They have not been tested, but we...include in the statute that you're presenting, that they automatically get licensure in Illinois, and they're..."

Schoenberg: "Not automatically."

Mautino: "How do they go about doing that? What is the process?"

Schoenberg: "Mr. Speaker, can we take this out of the record, please?"

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. Representative Wolf, 1620. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1620, a Bill for an Act to amend the State Universities and Pension Code. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Madison, Representative Wolf."

Wolf: "Thank you, Mr. Speaker, Members of the House. House Bill 1620 has been introduced to bring the State of Illinois into compliance with the Federal Budget Reconciliation Act of 1990, which mandates that as of July 1, 1991, all state and local government employees shall be covered, (#1) either under the Social Security Act or be a participant in

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an individual retirement system or they would be covered blanket under the Social Security System. Now, as you know, this Bill primarily, at the present time, covers the state university system. At the present time, in order to become eligible for the state university system, you have to be an employee 50% or more of the time. House Bill 1620, after consultations of the universities community college and the system itself, have introduced this Bill which would make it possible for all employees, regardless of time worked, to become eligible to participate in the system. Now, if we don't pass House Bill 1620, it's going to have an immediate impact of costing the State of Illinois, \$8,500,000 because all of those people are going to have to come under the Social Security system. I would tell you that's the intent of the Sponsor, at this time, to pass this Bill over to the Senate. This Bill is going to go into conference and the reason for that is, that there are hearings going on in Washington, D.C., right now. The IRS still has several issues pertaining to this particular problem, which haven't been resolved. The state university system and several of the other systems have Representatives in Washington, who are meeting with the IRS on this particular problem. We want to put the Bill into...conference and leave it there until some of these questions have been answered at which time we will present this Bill again in its final form. I would ask for the passage of House Bill 1620 at this time, for passage over to the Senate."

Speaker Giglio: "Any discussion? Representative Wennlund."

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

Speaker Giglio: "He indicates he will."

Wennlund: "Does this affect 9,300 employees who are currently retired?"

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Wolf: "Would you repeat that question please?"

Wennlund: "Yes. Based on FY 91 premium rates, does...doesthis affect 9,300 employees that are currently retired?"

Wolf: "Would you speak a little louder or else my ears have gone?"

Wennlund: "Yes, the question is, does this affect at all the 9,300 employees who are currently retired?"

Wolf: "No."

Wennlund: "With regard to group insurance?"

Wolf: "No. This would not affect those who are retired at the present time under group insurance. This does impact, at the present time, some 35,000 employees, 9,000 of which are the...which are under the state university system and 26,000 of which are community college employees, who are impacted by this particular legislation."

Wennlund: "And it's a requirement of the Federal Government?"

Wolf: "It is a Federal mandate."

Wennlund: "Is...this...the same as...townships were affected, who were not participants in a Social Security program or...another...Federal Government approved retirement program?"

Wolf: "It affects all state and local government employees. Absolutely."

Wennlund: "Thank you."

Speaker Giglio: "Representative Ropp."

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

Speaker Giglio: "Indicates he will."

Ropp: "Representative, you mentioned if this Bill were not passed it was going to cost the state \$8.5 million dollars. Would you explain that to me a little more clearly?"

Wolf: "\$8.5 million."

Ropp: "Yes. Can you explain why is it going to cost us \$8.5 million?"

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Wolf: "The reason for that is, Representative Ropp, is that all of these employees would immediately come under the Social Security system...which the state would participate in to the extent of 6.2%, I believe, as well as the employees 6.2%. That would become an obligation of the state immediately."

Ropp: "Are these people not under any pension system now that would force them to come into the Social Security system, which would require the \$8.5 million."

Wolf: "They are not participants in any system at the present time because they work less than 50% of the time. If they work 50% or more of the time, they are already eligible to become participants in the state university's retirement system."

Ropp: "If they're not in a sys...and maybe this is a point that I need clarification. If they're not in the System now, they're working less than 50% and they want into this program, by request of federal law or is this a request of those people who are working less than 50% of the time?"

Wolf: "Would you restate that, please?"

Ropp: "Okay. Is the reason that the people who work less than 50% of the time needed to be under this Bill at the request of the Federal government, because of federal law or is this because those people who were working less than 50% of the time want a retirement system in which to be apart of?"

Wolf: "Well, I would imagine that they would want to become part of a retirement system, rather than coming under the Social Security Act, because they are...if this legislation is not passed, they would automatically come under the Social Security Act, which will obligate them to...contribution of 6.2% plus the Medicare portion of their salary, whatever that salary is."

Ropp: "Where were these people, three years ago? These people

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are working less than 50% of the time, were they not covered then?"

Wolf: "They are not covered under the Social Security at the present time."

Ropp: "No. They weren't a few years ago? Why is it that they must be covered under Social Security now?"

Wolf: "Because of the passage of the Federal Budget Reconciliation Act of October 1990, which mandated that as of July 1, 1991, this situation would be corrected and all state and local government employees would be covered."

Ropp: "So, in effect, this is an attempt to comply with the Federal Government to save us some money, rather than to have substantial amounts of dollars that are needed to fund that program?"

Wolf: "Well, I don't know that the Federal Government particularly cares which way we do it? Whether we do it under the retirement system or whether we just allow all of these employees to become covered under Social Security. This is not a mandate...as to which system we use. It's up to us to do that. As a matter of fact, even with the passage of House Bill 1620, there's going to be a certain portion of these employees who will still fall through the cracks and come under the Social Security Act, because they will not come under that category of being...that is of working less than 50% of the time, but being a permanent and continuous employees. It's not intended under this Act...as an example, to cover persons who work as ticket takers at stadiums, for instance, who maybe work this week and not the next."

Ropp: "Thank you."

Speaker Giglio: "Further discussion? Representative Wolf to close."

Wolf: "Thank you Mr. Speaker. I would just ask for passage of

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House Bill 1620."

Speaker Giglio: "The question is, 'Shall House Bill 1620 pass?'

All those in favor vote 'aye', opposed, 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted? Take the record, Mr. Clerk. Representative Matijevich 'aye'. Any more? On this question, there are 95 'yes', 0 'no' and House Bill 1620, having received the required Constitutional Majority is hereby declared passed. 1661, Representative Young. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1661, a Bill for an Act to amend the Metropolitan Water Reclamation District Act. Third Reading of the Bill."

Speaker Giglio: "Representative Anthony Young?"

Young: "Thank you Mr. Speak, Ladies and Gentlemen of the House. House Bill 1661 is a Bill for the Water Reclamation District, and it would allow them to create their own apprenticeship and training program. Amendment #1 adopted to the Bill would allow people who entered that program to enter it without being in civil service and then after they complete the program it would allow a preference on the civil service exams. I'd be happy to answer any questions. I don't know of any opposition to the Bill, and I move for its passage."

Speaker Giglio: "Any discussion? Hearing none. The question is, 'Shall House Bill 1661 pass?' All those in favor vote 'aye', opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 96 'yes', 0 voting 'no' and House Bill 1661, having received the required Constitutional Majority is hereby declared passed. House Bill 1741. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1741, a Bill for an Act to amend the

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Gasoline Storage Act. Third Reading of the Bill."

Speaker Giglio: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentleman of the House. I would ask leave of the House to return this Bill to the Order of Second Reading for purposes of an Amendment."

Speaker Giglio: "You heard the Gentleman's Motion. Does he have leave? Leave is granted. The Bill is on Second Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "This Bill has been read a second time previously. Floor Amendment #1, offered by Representative Hicks."

Speaker Giglio: "Representative Hicks."

Hicks: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to House Bill 1741...provides...and makes corrections to the underground storage tank program. The Bill provides...a registration period for heating oil tanks from the current date of the signature of the original Bill, July 1 until July 1, 1992. Also, it gives the State Fire Marshal, authority to ceryify...persons who test, install, repair and replace or reline or remove underground storage tanks. Currently this Amendment is agreed to...I believe, by both sides of the aisle, also the IEPA, the Illinois Pollution Control Board, office of the State Fire Marshall, the Illinois Petroleum Council, the Illinois Petroleum Marketers' Association. I'll be happy to try to answer any questions."

Speaker Giglio: "Any discussion? All those in favor of the Amendment say 'aye', opposed, 'no'. The Amendment is adopted. Further Amendments?"

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

Speaker Giglio: "Representative Hicks."

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

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House. Amendment #2 is a technical Amendment, simply correcting a...an error in the original Amendment #1 and I would ask for adoption of Amendment #2."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment say 'aye', opposed, 'no'. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 1498. It's on Second Reading, Representative Richmond, House Bill 1498. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1498, a Bill for an Act to amend the Private Detective Private Alarm and Private Security Act. Second Reading of the Bill. No Committee Amendments. Floor Amendment #1, offered by Representative Richmond."

Speaker Giglio: "Representative Richmond"

Richmond: "Yes, thank you Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 to House Bill 1498 would...provide...the means for someone to be licensed as a fire investigator, without being a private detective, which the current statutes require, and this...the Amendment was the, sets up the requirements, and I would know of no objections...or opposition to the..."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment say 'aye', opposed, 'no'. The Amendment is adopted. Further Amendments?"

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

Speaker Giglio: "Representative Richmond."

Richmond: "Amendment #2 just adds another category to...another window if you will, for another...for admission to the group that would be allowed to investigate fires. This is...the Amendment that was requested...by Senator Rock."

Speaker Giglio: "Any discussion on the Amendment? Hearing none,

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all those in favor of the Amendment say 'aye', opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. House Bill 1311. Read the Bill Mr. Clerk."

Clerk O'Brien: "House Bill 1311, a Bill for an Act to repeal Ticket Scalping Act, Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Giglio: "Any Motions filed?"

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

Speaker Giglio: "Third Reading. House Bill 1749, Laurino. Out of the record. Representative Young, 1930. Out of the record. House Bill 2048. Out of the Record. House Bill 2228, Representative Schakowsky. Schakowsky, House Bill 2228. Out of the record. Anthony Young, 2242. Out of the record. House Bill 2244. Out of the record. House Bill 2405, Representative Ryder. Representative Black, we have a Republican Bill, 2405. Out of the record. Put it back in, Mr. Clerk. House Bill 2405. Read the Bill."

Clerk O'Brien: "This Bill was taken back to Second Reading earlier today. Amendment #2 was adopted."

Speaker Giglio: "Are the Amendments ready, Representative Ryder?"

Clerk O'Brien: "Amendment #2 was adopted. The Bill was moved back to Third Reading."

Speaker Giglio: "Representative Ryder."

Ryder: "Thank you Mr. Speaker. I sincerely appreciate the opportunity to appear before you today, especially in this honored capacity. Amendment #2 became the Bill. This was as a result of negotiations between the security division of the Secretary of State's Office..."

Speaker Giglio: "Representative, Representative Ryder, understand the Chair understands that there's further Amendments

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so...Representative McPike."

Ryder: "Wait a minute. Mr. Speaker, this Bill has been amended today?"

Speaker Giglio: "That's correct."

Ryder: "Then the Gentleman needs 71 votes to call it today, I believe, and Representative Homer was under the impression that he had agreed not to call it today."

Speaker Giglio: "Do you want to take this out of the record, Representative Ryder?"

Ryder: "Mr. Speaker?"

Speaker Giglio: "Take this out of the record. Do you have another one after this?"

Ryder: "It's the only Bill that's left, Mr. Speaker. I..."

Speaker Giglio: "Take the Bill out of the record, Mr. Clerk. House Bill 2407. Out of the record. 2408. Out of the record. House Bill 2486, Representative Currie. Out of the record. Not quite. The yellow slip says 7:30 and if we keep rolling perhaps, perhaps we might get out before 7:30, perhaps. Have patience. Alright, we'll continue because there's a couple of Bills here that the Republicans have that they want to have called. Representative Cronin, 2502. Representative Black. Out of the record. Representative Lang, 2503. Out of the record. Representative Black, 2592. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2592, a Bill for an Act to amend the Illinois Health Facilities Planning Act. Third Reading of the Bill."

Speaker Giglio: "Representative Black."

Black: "Thank you very much, Mr. Speaker, Ladies and Gentleman of the House. As amended in committee, House Bill 2592, amends the Illinois Health Facilities Planning Act to change the composition of the Health Facilities Planning Board. It requires that two members of the board be

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actively engaged in the field of hospital management. It came out of committee 15 to zip. I would appreciate your favorable consideration of House Bill 2592."

Speaker Giglio: "Any discussion? All those in favor? The question is, 'Shall House Bill 2592 pass?' All those in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. Representative Matijeich."

Matijeich: "Speaker, we passed the Republican Bill. We can go home now."

Speaker Giglio: "Take the record, Mr. Clerk. On this question, there are 95 'yes' and 0 voting 'no', and House Bill 2592, having received the required Constitutional Majority is hereby declared passed. We're going to go back to House Bill 1106. The Lady from Lake, Representative Stern. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1106, a Bill for an Act to amend the Mental Health and Developmental Disabilities Code. Third Reading of the Bill."

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

Stern: "Mr. Speaker, may I have leave to take the Bill back to Second Reading for an Amendment?"

Speaker Giglio: "Does the Lady have leave? Hearing none, the leave is granted. Read the Bill, Mr. Clerk."

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

Speaker Giglio: "Representative Stern."

Stern: "Floor Amendment #3...wait till I get the right place here...rewrites Amendment #1 and the Amendment becomes the Bill. It changes several provisions...Wait a minute, let me tell you what Amendment #1 did, by the way, it added...this is a Mental Health Committee Bill and includes

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House Bill 1347, from Representative Morrow; House Bill 1882, from Representative Hasara; House Bill 1885 from Representative Frederick; all Republican Bills, you'll notice. House Bill 1887, Representative Daniels; House Bill 1962, Representative Ryder and 1973, Representative Hasara. Now Amendment #3 keeps all those in and...also made some negotiated changes between the Department of Mental Health and the Illinois Psychiatric Society. strictly technical substituting...different words, for instance, It's permits...psychiatrist to make determinations of severe mental tetardation', clarifies that evaluations of physical functioning of applicants shall be through clinical, medical assessments...connected by physicians licensed to practice medicine in all its branches. In effect, some of these things... require only that medical doctors do them rather than some of the other branches of medicine. It is an agreed Amendment and does not change the substance of the Bill. I ask for your support of the Amendment."

Speaker Giglio: "Any discussion? Representative Ropp?"

Ropp: "Mr. Speaker, will the Sponsor yield?"

Speaker Giglio: "She indicates she will."

Ropp: "Do any of these good fine Amendments require any additional statedollars?"

Stern: "Oh no, Sir. No, Sir."

Ropp: "No."

Stern: "No."

Ropp: "Thank you."

Speaker Giglio: "The question is, 'Shall House Bill 1106 pass?' All those in favor vote 'aye', opposed...oh, I'm sorry. This is an Amendment. All those in favor of the Amendment signify by saying 'aye', opposed, 'nay'. The Amendment is adopted. Further Amendments?"

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

Speaker Giglio: "Representative Stern?"

Stern: "Floor Amendment #4 does again substitute the phrase 'physicians licensed to practice medicine in all its branches' for a vaguer kind of statement on who can do it."

Speaker Giglio: "All those in favor of Amendment #4, say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments?"

Speaker Giglio: "Third Reading. On Economic Development appears House Bill 1580, Wyvetter Younge. Out of the record. House Bill 1867, Representative Steczo. Out of the record. House Bill 2362, Representative Granberg, Business Economics Support. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2362, a Bill for an Act concerning economic support of business. Third Reading of the Bill."

Speaker Giglio: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker. Are there some Amendments filed, Mr. Clerk?"

Speaker Giglio: "The Bill's on Third Reading."

Clerk O'Brien: "No Amendments filed."

Granberg: "I'm sorry. Take it out of the record then. There was supposed to be an Amendment filed."

Speaker Giglio: "Okay. Take it out of the record, Mr. Clerk. On that same page appears Agriculture and Environment, Second and Third Reading. Richmond, Matijevich, Granberg, Satterthwaite, Kulas and Morrow. On Second Reading appears House Bill 345, Representative Richmond. Out of the record. House Bill 580, Representative Matijevich. 580, Second Reading. Read the Bill."

Clerk O'Brien: "House Bill 580, a Bill for an Act to create the Residential Weatherization Program. Second Reading of the

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Bill. Amendment #1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment...the next Floor Amendment is Floor Amendment #6, offered by Representative Matijeovich."

Speaker Giglio: "Representative Matijeovich."

Matijeovich: "Mr. Speaker, Ladies and Gentlemen of the House. I was asked to handle this Bill. It was not my Bill originally, but it...with the Floor Amendment, what the Bill is now a vehicle in case there...they need to fine tune the Energy Assistance Act by the end of the Session. So, this is a vehicle Bill and...everybody has signed off on it, that there be a vehicle just in case, by the end of the Session, that we need adjustments to IREAP, so thats what it's all about."

Speaker Giglio: "Any discussion on the Amendment? Hearing none, all those in favor of the Amendment say 'aye', opposed, 'nay'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted."

Speaker Giglio: "Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. Agriculture and Environment. House Bill 742, Representative Granberg. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 742, a Bill for an Act to amend the Soil and Water Conservation District Act. Third Reading of the Bill."

Speaker Giglio: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 742, as amended, reflects the meetings of the Soil and Water Conservation organization, the Illinois Farm Bureau and others. They came to an agreement

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on this legislation. It would authorize the directors of the Soil and Water Conservation districts to adopt regulations prohibiting the cultivation of the soil or water or the use of pesticides within 100 feet of any source of water and within...30 feet of navigable waters. It approved...including approved forest management plans, and I'd be happy to answer any questions."

Speaker Giglio: "Any discussion? Representative Ropp?"

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

Speaker Giglio: "Indicates he will."

Ropp: "Representative, I don't have the...Bill actually in front of me, but suppose...someone is...farming and using certain amounts of chemicals according to what is so described on the directions and then someone comes in and drills a well, which would be closer than this Bill allows, is there any provisions for that? As I understand, the...Bill...it establishes certain...requirements or restrictions for usage of chemicals that might get involved in a water system. Is that correct?"

Stern: "Representative, in the negotiations with the organization that represents the association for those who use pesticides, I believe that language was taken out with pesticide used within 30 feet of an navigable waterway. So this would just prohibit the...essentially what this Bill does now is prohibit the clear-cutting of trees. It allows the Soil-Water Conservation District to prohibit the clear-cutting of trees within 30 feet of a navigable waterway."

Ropp: "Okay. Thank you."

Speaker Giglio: "Further discussion? Question is, 'Shall House Bill 742 pass?' All those in favor vote 'aye', opposed, 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this

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question, there are 95 voting 'yes', none voting 'no', and House Bill 742, having received the required Constitutional Majority is hereby declared passed. Back up on State and Local Government, appears House Bill 2191. It's on Second Reading. Representative Lang. Read the Bill. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2191, a Bill for an Act to amend the Metropolitan Transit Authority Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Ronan."

Ronan: "Thank you, Mr. Speaker. House Amendment #1 changes the bidding requirements for transit agencies in the northern district of Illinois, raising the middle and bid requirements from \$5000 to \$10,000."

Speaker Giglio: "Any discussion on the Amendment? All those in favor of the Amendment say 'aye', opposed, 'no'. The Amendment's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. The...Sponsor asks...leave this Bill on the Order of Second Reading. Mr. Clerk, leave the previous Bill, 2191...the Amendment's adopted...leave the Bill on Second Reading. Alright. Back to the Order...Representative Trotter on 2186. 2186 Mr. Clerk. Bill's on Second Reading. Read the Bill."

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

Speaker Giglio: "Third Reading. Alright, back to the Order of Agriculture and Environment, appears House Bill 1135,

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Representative Satterthwaite. Out of the record.
Representative Kulas. Representative Kulas on 2253. Out
of the record. 2254. Read the Bill."

Clerk O'Brien: "House Bill 2254, a Bill for an Act to amend the
Solid Waste Planning and Recycling Act. Third Reading of
the Bill."

Speaker Giglio: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
House. House Bill 2254 is a vehicle Bill, I've cleared it
with the Minority spokesman and the other side of the
aisle, and I'd move for passage of this Bill."

Speaker Giglio: "Any discussion? Hearing none, the question is,
'Shall House Bill 2254 pass?' All those in favor vote
'aye', opposed, 'no'. The voting is open. This is final
action. Have all voted who wish? Have all voted who wish?
Have all voted who wish? Take the record, Mr. Clerk. On
this question, there are 93 voting 'aye', none voting 'no',
and House Bill 2254, having received the required
Constitutional Majority is hereby declared passed. State
and Local Government, Second Reading, appears House Bill
2032. Representative Currie. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2032, a Bill for an Act to amend the
Open Meetings Act. Second Reading of the Bill. Amendment
#1 was adopted in committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. This
Amendment reflects a good deal of negotiation and
compromise among proponents and advocates, and opponents,

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of the original Bill. This Amendment would take out the language requiring units of local government that close meetings to tape record those proceedings. It also responds to legitimate concerns about the original language in respect to discussions of real estate purchase or lease, and cleans up a variety of other items, so I'd be happy to answer your questions about the specifics of the Amendment, and I'd appreciate your support for my Motion to adopt Amendment 2."

Speaker Giglio: "Any discussion? Representative Black."

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

Speaker Giglio: "Indicates she will."

Black: "Representative, in Amendment #2, have you addressed all the concerns of the forest preserve...the various forest preserve districts?"

Currie: "I believe so, Representative."

Black: "Alright. Let me ask you one additional question, and I realize you've had...you've been in some very difficult negotiations on this Bill, but with Amendment #2, assuming that it goes on the Bill, will the Illinois Press Association then oppose the Bill with that Amendment?"

Currie: "No."

Black: "They will not?"

Currie: "No. The Illinois Press Association would be much happier if this Amendment did not take tape recordings out of the Bill. The Illinois Press Association, however, is still for the Bill, even if tape recordings are not part of it, and I'd have to admit to you I, myself, would be happier with the Bill with the tape recordings in it, but as a matter of practical reality, it was our decision that there is enough put in the Bill that we're better off with an opportunity to pass it, than not."

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Black: "Alright. Thank you very much for your candor, Representative. You've worked very hard on this Bill."

Speaker Giglio: "Representative Matijevec."

Matijevec: "Mr. Speaker, I only wanted to repeat the point that the Sponsor made. I think the Bill was a better Bill as before it came with this Amendment. The courts now have nothing really to go by to determine whether a public body sauntered from what...is a legitimate interest that can be discussed in closed meeting and what ought to be discussed in open meeting. The Bill was much better before. The Sponsor evidently feels that she needs this to pass the Bill, and hopefully one day we'll wake up and realize that we ought to protect the public's interest in open public meetings."

Speaker Giglio: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. We discussed this...on the floor just a moment ago. This Amendment addresses concerns raised locally. We're confirming that it addresses their positions, and we will consider this on Third Reading tomorrow."

Currie: "Yes. We're not considering this on Third today. This is just an Amendment."

Giglio: "Representative..."

Currie: "This is just the Amendment stage."

McCracken: "Right. Okay."

Speaker Giglio: "Representative Dunn."

Dunn: "I didn't hear the Representative on the other side of the aisle's...the answer to his question. If this Amendment is adopted, what will be the position of the Illinois Press Association with regard to this legislation?"

Currie: "The Illinois Press Association will support this Bill. They would prefer to have kept the tape recordings in the Bill."

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Dunn: "But they have stated to you that they will support this Bill with the Amendment on?"

Currie: "Yes."

Speaker Giglio: "Representative Curran."

Curran: "Thank you, Mr. Speaker. I have a question for the Sponsor. Just a point of clarification. Representative, today I received a phone call from the publisher of the State Journal-Register asking me to support this legislation because, as you know, the...recording had been in...the provision for recording these meetings had been in, and what the publisher told me was that what would have happened is the recording would have been held by the local unit of government and then if somebody from the press wanted to view (sic review) it, they would have had to go through a judge to determine whether that was...I guess what I'd like to know, and perhaps he would like to know, is, why was it necessary to take that out?"

Currie: "In order to pass the Bill, Representative."

Curran: "Who are the forces that...caused this point of negotiation?"

Currie: "You mean who was opposed to the tape recording provision?"

Curran: "That's correct."

Currie: "The Illinois Community College Trustees Association, the Illinois School Board Association, the Illinois Municipal League, Forest Preserve Districts, if you could name another unit of local government, I think I could probably add that unit of local government to the list, and, of course it's not their opposition. The question is, 'Who is going to vote how on the House floor?', and according to the Roll Calls that we have been working on, it did not seem that there was enough support for this Bill with the tape recording provision for the Bill to have a chance to

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pass."

Curran: "Thank you for your answers."

Speaker Giglio: "All those in favor of the Amendment signify by saying 'aye', opposed, 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. On the same page of the Calendar under Labor, Third Reading. Representative Curran, 589. Out of the record. Representative Mautino, 824. Out of the record. How 'bout Human Services? Third Reading. Representative Andrew McGann, House Bill 1195. Out of the record. Representative Granberg, House Bill 2010. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2010, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Giglio: "Representative Granberg."

Granberg: "Question of the Clerk...Mr. Leone there? Have there been any Amendments filed on this Bill?"

Speaker Giglio: "Mr. Clerk."

Clerk Leone: "There have been no Amendments adopted to this Bill. There is an Amendment filed to this Bill."

Granberg: "Okay. I'm sorry. Mr. Speaker, can we take the Bill out of the record?"

Speaker Giglio: "Take the Bill out of the record. Resolutions."

Clerk Leone: "House Resolution 566, Weller; 567, Novak; 568, Hasara; 569, Keane; 570, McAfee; 571, Manny Hoffman; 572, Johnson; 573, Ropp."

Speaker Giglio: "Representative Matijevich moves for the adoption of Agreed Resolutions. All those in favor say 'aye', opposed, 'no'. Agreed Resolutions are adopted. General Resolutions."

Clerk Leone: "House Joint Resolution #50, offered by

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Representative Shaw - et al."

Speaker Giglio: "Committee on Assignments. Introductions...First Readings."

Clerk Leone: "House Bill 2647, offered by Representative Pullen, a Bill for an Act to authorize the creation of home value assurance commissions. First Reading of the Bill."

Speaker Giglio: "Rules Committee. Matijevich moves...leaving enough time for Perfunctory for the Clerk to read into the Record. The House will now stand Adjourned until 9:30 tomorrow morning. All those in favor say 'aye', opposed 'nay'. The House stands Adjourned until 9:30 tomorrow morning. First Special Session will now come to order. Attendance Roll Call of the First Special Session...or the Regular Session will be used for the First Special Session. Representative Matijevich moves that the First Special Session stand Adjourned until tomorrow morning at the hour of 9:35. All those in favor say 'aye', opposed, 'nay'. The First Special Session now stands Adjourned."

Clerk Leone: "A message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills with the following titles, and passage of which I'm instructed to ask concurrence of the House of Representatives, to wit; Senate Bill 25, 269, 293, 382, 389 and 390, passed the Senate May 22, 1991. Linda Hawker, Secretary.' Further message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills with the following titles, the passage of which I'm instructed to ask concurrence of the House of Representatives, to wit; Senate Bill 8, 9, 16, 19, 31, 45, 55, 60, 63, 65, 68, 86, 91, 94, 101, 102, 104, 105, 108, 122, 125, 152, 154, 158, 162, 177, 181, 185, 186, 187, 189, 196, 225, 229, 238, 246,

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the Senate May 22, 1991. Linda Hawker, Secretary."

Clerk O'Brien: "Introduction and First Reading of Senate Bills.
Senate Bill 269, Hicks, a Bill for an Act to amend the
Interest Act. First Reading of the Bill. Senate Bill 293,
Manny Hoffman, a Bill for an Act to amend the Illinois
Securities Law. Senate Bill 382, Wennlund, a Bill for an
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Senate Bill 8, Santiago, a Bill for an Act to amend the
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Levin, a Bill for an Act to amend the Nursing Home Care
Act. Senate Bill 16, Steczo, a Bill for an Act to amend
the Environmental Protection Act. Senate Bill 19, Balthis,
a Bill for an Act to amend the Credit Card Issuance Act.

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