

STATE OF ILLINOIS  
86th GENERAL ASSEMBLY  
HOUSE OF REPRESENTATIVES  
TRANSCRIPTION DEBATE

62nd Legislative Day

June 23, 1989

Speaker Young: "The House will come to order. The Members will be at their seats. The Chaplain for today will be Father James Steele from St. Thomas Episcopal Church in Morris, Illinois. Father Steele is a guest of Representative Weller. The guests in the gallery may wish to rise for the invocation."

Father Steele: "Let us pray. Oh Lord, our Governor, whose Glory is in all the world, we commend this nation and this state to Thy merciful care that being guided by Thy providence we may dwell secure in Thy peace. Bless all in authority and give them wisdom and strength to know when to do Thy Will. Fill them with the love of truth and righteousness and make them ever mindful of their calling to serve these people in Thy fear. We beseech Thee so to guide our Representatives in the Assembly that they may enact such laws that shall please Thee to the Glory of Thy Name and the welfare of his people through Jesus Christ our Lord. Amen."

Speaker Young: "We will be led in the Pledge of Allegiance by Representative Ropp."

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

Speaker Young: "Roll Call for Attendance. Excused absences. Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, let the record reflect the excused absence of Representative Ralph Capparelli due to his injuries."

Speaker Young: "Representative Kubik."

Kubik: "Thank you, Mr. Speaker. There are no excused absences on the Republican side of the aisle."

Speaker Young: "A hundred and seventeen (117) answering the call,

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a quorum is present. Agreed Resolutions."

Clerk O'Brien: "House Resolution 740, offered by Representative Hoffman and House Resolution 741, offered by Representative Black."

Speaker Young: "Representative Matijevich on the Agreed Resolutions."

Matijevich: "Mr. Speaker, these are both congratulatory. I move the adoption of the Agreed Resolutions."

Speaker Young: "Representative Matijevich moves the adoption of the Agreed Resolutions. By use of the Attendance Roll Call, they are adopted. Representative Weller."

Weller: "Thank you, Mr. Speaker. For the record, yesterday on Senate Bill 150 my button was inadvertently pushed incorrectly. I...for the...would like the Journal to show that I intended to vote 'aye'. Thank you."

Speaker Young: "The transcript will reflect your remarks."

Weller: "Thank you, Mr. Speaker."

Speaker Young: "...Reading. We will start on the Order of State and Local Government. The first Bill on that Order on page 9 of the Calendar is Senate Bill 890, Representative Ryder. Out of the record. Now on the Order of State and Local, Third Readings. On page 10 of the Calendar, Representative Terzich, Senate Bill 243. Out of the record. Senate Bill 247, Representative Munizzi. Out of the record. Senate Bill 248, Representative Leverenz. Out of the record. Senate Bill 249, Representative Novak. Out of the record. Senate Bill 852, Representative Leverenz. Out of the record. Senate Bill 1375, Representative Munizzi. Out of the record. Senate Bill 1415, Representative Ronan. Out of the record. Senate Bill 1426, Representative Phelps. Out of the record. Senate Bill 1451, Representative Bugielski. Out of the record. Representative McCracken."

McCracken: "Since we've called those and those Sponsors weren't

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here, let's get rid of that Order of Business and go on to something we haven't done before. We start everyday calling this. These Bills have been called 11 times. Each of these Bills has been called 11 times. Let's move on to a different Order and do something different."

Speaker Young: "Representative Phelps."

Phelps: "Thank you, Mr. Speaker. I'd like to correct the previous Speaker. Fourteen twenty-six (1426), that's the first time it's been called. I'm waiting for some Amendments. Thank you."

Speaker Young: "We'll go to Senate Joint Resolution. On that Order appears Senate Joint Resolution 67, Representative Brunsvold. Read the Resolution, Mr. Clerk."

Clerk O'Brien: "Senate Joint Resolution 67..."

Speaker Young: "Representative Brunsvold, did we do this Resolution yesterday? On the Order of Education - Senate Bills - Third Reading appears Senate Bill 335, Representative Williams. Out of the record. On the Order of Insurance - Second Reading appears Senate Bill 1013, Representative Piel. Out of the record. Representative Piel."

Piel: "Seeing we haven't gone any farther, Mr. Speaker. I've got a couple Amendments. Can we put those on now and I'll just hold it on Second Reading?"

Speaker Young: "Yes, we can. Senate Bill 1013. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1013, a Bill for an Act in relation to corporate fiduciaries. This Bill's been read a second time previously. Amendments #...Amendments #1 and 2 were adopted in committee."

Speaker Young: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Piel and Hallock."

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Speaker Young: "Representative Piel on Floor Amendment #3."

Piel: "I might be wrong. I can go with #3 but I'm under the impression that #3, in fact, even according to the Calendar, #3 has already been put onto the Bill?"

Clerk O'Brien: "Representative Piel."

Piel: "Yes."

Clerk O'Brien: "Amendment #3, can I check the LRB number with you?"

Piel: "I'm just going by our...I've got Amendment #3, Piel - Hallock, LRB8602160JSjwam06. It looks to me like 3 and 4, unless I'm wrong, have the exact same number."

Clerk O'Brien: "Alright, 3...our records show that Amendment 3 has been adopted previously. The next Amendment will be Floor Amendment #4, offered by Representative Piel."

Speaker Young: "Representative Piel on Floor Amendment #4."

Piel: "Could I ask a question, so we're not getting confused here. What number do you have on #4, Mr. Clerk?"

Clerk O'Brien: "LRB8602160JSjwam06."

Piel: "Unfortunately, we've got the same LRB number for both of them, correct? I'm looking at 3 and 4 right here on my desk and I've got the same LRB number for both."

Clerk O'Brien: "Yes, they appear to be identical."

Piel: "Okay, well then if #3 has been already adopted, I would ask then if they are identical Amendments, then to table or to withdraw Amendment #4."

Speaker Young: "Withdraw Amendment #4."

Piel: "And I would ask at this time to hold the Bill on Second Reading because we have #5 being printed."

Speaker Young: "The Bill will remain on Second Reading."

Piel: "Thank you, Mr. Speaker."

Clerk O'Brien: "Representative Piel."

Piel: "Yes, I'm sorry."

Clerk O'Brien: "We don't have a 5 filed with us yet."

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Piel: "No, 5 is being printed right now. I mean it has not been filed. I'm sorry. It's being done by the LRB. Thank you."

Speaker Young: "The Bill will remain on Second Reading. We'll now go to the Order of Civil Law - Third Reading. The first Bill on the Order is Senate Bill 68, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 68, a Bill for an Act in relation to definition of death. Third Reading of the Bill."

Speaker Young: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill is, which passed the Senate, is very similar to a Bill that Representative Stern was a Sponsor of that we had debated here and earlier this Session. And it's an interesting line-up of opponents and proponents. The Bill attempts to define death and the...an opponent group is the Illinois Federation for the Right to Life and a proponent group is the Catholic Conference of Illinois. So it is interesting that these two groups which many times are on the same side have different opinions as to whether or not this is a good idea. In doing the research on this Bill, I discovered that something which I did not know, is that we have on the books right now a statutory definition of death. And it's found in the Uniform Anatomical Gift Act. And that definition is that death means for the purposes of this Act, the irreversible cessation of total brain function according to usual and customary standards of medical practice. Now the...the Illinois Federation of...for Right to Life feels that even that existing statutory definition is not proper. They say that what this means is that a doctor can determine that if there is an irreversible cessation of total brain function, that a person is brain - dead, that they can then disconnect that

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person from a respirator and only in the case where someone has indicated that they wish to be an organ donor, then they could remove the organs and transplant them. So on the...on the books right now is, to reiterate, is a definition of death, but it only applies to the Uniform Anatomical Gift Act. Now what the Bill does is to say...is to create a new Act and to say for legal purposes, a person is dead when number one, a determination has been made according to acceptable medical standards that the person has suffered an irreversible cessation of heartbeat and respiration. And I would say parenthetically that the Right to Life and the Catholic Conference, and everybody agrees that that is a definition of death. But then the second part of the definition is when the person's heartbeat and respirator are maintained solely by artificial means and a determination has been made according to accepted medical standards that the person has suffered an irreversible cessation of all functions of the entire brain, including the brainstem. So, the Bill attempts to take the same definition of death in effect that we have that applies to the Uniform Anatomical Gift Act and make it apply for all purposes. The motivation for the Bill is for clarification to the medical community that brain death is legally dead, so as to allow for the transfer of and the transplantation of organs. Even though it's on the books now, the definition of death under the Uniform Anatomical Gift Act, the medical community still feels that there is some confusion and so they wanted to have a Bill which sets up the standard so it would apply in every case, not just in a case where there's the Uniform Anatomical Gift Act or in other words an organ donor. So it's an emotional issue obviously for many people because the concern is that perhaps we would be taking someone's

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life who's really not dead. But I think that the social issue involved, the social concern that we have, of course, is ultimately the use of one's donor...organs to save someone else's life. The medical community feels and this is conferred with by the...concurred with by the Catholic Conference of Illinois that brain-dead is dead. And to allow someone to be on a respirator to artificially...by artificial means is not enough to say that a person is alive. So I move for the passage of the Bill, and if anyone has any questions, I'll certainly attempt to answer them."

Speaker Young: "The Gentleman has moved for the passage of Senate Bill 68. On that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. This Bill in its substantive...and its substance is the same as Representative Stern's Bill from four weeks ago that got about 40 votes. This Bill has been prompted by the desire of organ banks to produce the freshest organs for transplant that it can come up with. What prompts this, what motivates this debate is not a concern for quality of life. It's not a concern to end the suffering of a patient. It's not a concern to do the right thing for an irreversible patient. It's not a question of taking a patient off of mere life support. It is a question of pronouncing a person dead at the earliest possible moment and immediately taking him to a surgery room to cut him up for his organs. Period. That is what this is for. If any of you saw the Catholic Conference letter, you will note that the request for a decision on this brain death was submitted by an organ bank. That is precisely what it is for. That is precisely what motivates it. What has changed in four weeks since the vote on Representative

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Stern's Bill? Do we care any less for the dying but not dead people? Do we care any less for the dignity of life? Is it any less important today than it was four weeks ago that we preserve life? When the House Bill was considered in House Committee, witnesses came to testify that in their belief...in their opinion, there in fact was still life in some of these people, that they could feel the people's presence in these operating rooms when their organs were being taken out. What prompts this is a lack of concern for life. We are going down a road which we should not be traveling. Again, I don't have it in me to make the great speech this morning, but believe me, nothing has changed in four weeks. This is as important now as it was four weeks ago. This is as unacceptable now as it was four weeks ago. I rise in opposition."

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

Stern: "Mr. Speaker and Members of the House, when House Bill 611 was presented to a crowded chamber, I had the feeling through the dim that perhaps people did not hear all of the people who support this Bill who would not support it if they felt indeed that we were discussing removing organs from people who are not dead. I think Mr. McCracken has totally deformed the shape of this debate with those comments. I cannot believe that he believes that Cardinal Bernardin would support that kind of legislation. Surely a respect for life exists in the archdiocese of Chicago. This is a very plain, straight-forward Bill that codifies what is, in fact, the practice in hospitals all over the State of Illinois. Unfortunately...well, no, I take back unfortunately, quite understandably, doctors are apprehensive about making decisions on when to remove respirators, et cetera, without the support of written, stipulated law. This Bill would simply give them the

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assurance that the church would give them, that the organ banks would give them, that would permit others to live through the use of these organs before they are simply destroyed by time. It is a Pro-Life Bill. It is a humanity oriented Bill. It is excellent legislation, and I urge you to hear it carefully and to vote 'aye' with Cardinal Bernardin."

Speaker Young: "Gentleman from Winnebago, Representative Mulcahey."

Mulcahey: "Question of the Sponsor, Mr. Speaker."

Speaker Young: "Indicates he'll yield for a question."

Mulcahey: "Representative Cullerton, could you explain again the...what the differences are between the Pro-Life people and the Catholic Conference and why they do...why they do have this different opinion and the rationale for each?"

Cullerton: "Yes. Well, let me do this. Let me...let me read to you the statement from the Catholic Conference of Illinois. The Catholic Conference of Illinois has reviewed Senate Bill 68, an Act to define death. Currently in Illinois under the state's Uniform Anatomical Gift Act, death is defined as the irreversible cessation of total brain function, which is brain-dead, according to the usual and customary standards of medical practice. Then they state that under the governing case law in Illinois, which is Enray Hamer, there is a brain death standard as well as a cessation of respiratory and circulatory function standards. So they say apparently neither case law nor state statute specified the total brain function tests in a nonorgan donation situation where heartbeat and respiration are being maintained artificially. After considering the medical, legal and ethical issues involved with Senate Bill 68, we believe that the codification contained in it could be of benefit to our health care providers. So the

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Catholic Conference is saying, they think, given the fact that they had health care providers, Catholic Hospitals and the like, they think that since we already have a codification of brain death for people who want to donate organs that it would make sense for that to be expanded to every case, even for people who are not donating their organs. They...the motivation is...I agree with Representative McCracken, the motivation comes from the people who are running organ donor programs and organ transplant programs. The Right to Life people argue that if a brain death alone, death by the lack of functioning of the brain is not enough. As long as someone is artificially respired and the heartbeat is there, even though it's artificial, they think that's still life. So it's just a...you make a decision one way or the other. It's just an interesting situation where the Catholic Conference and the Right to Lifers have a different point of view. I certainly don't think it's...it's not black and white. It's not something which is an easy decision. You just have to make your own decision in your own mind."

Mulcahey: "Okay, thanks."

Speaker Young: "The Gentleman from Cook, Representative Trotter."

Trotter: "Thank you thank you very much, Mr. Speaker. Members of the House, I rise in support of this Bill. I have worked in a hospital environment for the past nine years, five of those years in the emergency room. And in that emergency room I've seen a lot of good things and I've seen a lot of bad things. I've seen a lot of people brought in stomped, stabbed, shot and brought back to life. But we use that word and that terminology brought back to life sometimes wrong, cause there is death. There is death. We don't want to accept it sometimes. Sometimes we don't want to realize exactly what it is. But there's science, there's

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magic and there's also the work of God. There is death. You talk about dignity in life, this Bill brings dignity to death. It defines what it is. It makes a job much easier for those who have to make that reality an acceptable thing for you and for all of us. I ask that we pass this Bill and we pass it with a large margin and not look at it as just a Bill for parts, but a Bill for those who have to live with death."

Speaker Young: "Gentleman from Winnebago, Representative Hallock."

Hallock: "I move the previous question."

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

Cullerton: "Thank you, Mr. Speaker. Mr. Speaker, there's one point that I did not make that I wanted to mention. There's one part of this Bill that the Right to Life people would like. I'm...not to suggest that they're in favor of the Bill. But the current definition of death under the Uniform Anatomical Gift Act does not...when they talk about the total cessation of...or the cessation of total brain function, they don't in their definition include the brainstem. Now what we've done with Amendment #1 was to say that this definition includes the brainstem and then we've cross-referenced it to the definition in the Uniform Anatomical Gift Act. So to that extent if this Bill passed, the Right to Life people would at least admit that we have improved the definition under the Uniform Anatomical Gift Act. Let me just say that this is a very personal decision and anyone...Legislator has to make for themselves, but let's just clarify one thing. The

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motivation of the people who want to pass the Bill should not be suspect. The motivation of those who want to encourage organ transplantation, I think, is something which is worthy. If you can find it in your conscience to say that if someone's brain is totally irreversibly nonfunctional, and the only thing that keeps their heartbeat going and the respiratory system going is a machine, and in the next room there's a dying person who'll be saved because of a organ transplant, then I think you could consider voting for the Bill. I don't think that those who are for this Bill are anti-life. They are as much pro-life as the Pro-Lifers who very conscientiously and sincerely feel that this is not a good Bill. So I think both sides have good motivations. It's just a personal decision each Legislator has to make. For me, in sponsoring the Bill, I think that it's one that I can make and I would ask those of you who agree with me to vote for the Bill."

Speaker Young: "The Gentleman has moved for the passage of Senate Bill 68. All those in favor vote 'aye', those opposed vote 'no'. The voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Representative Ropp, one minute to explain his vote."

Ropp: "Thank you, Mr. Speaker and Members of the House. As has previously been stated, this is not an easy issue. However, in my judgement and in the personal opinion of people, I think you have to make that decision. But that God, whoever you believe in, has currently the power to create life and to create death as well as to create within mankind the ability to do research, which through organ transplants, helps to preserve or extend life. And because God has given that, it seems only appropriate that this Bill ought to pass to allow what God has given mankind that

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option to help continue one's life through the transplant. And this Bill, I think, attempts to do that. And that's why I'm supporting it at this time."

Speaker Young: "The Lady from Cook, Representative Barnes to explain her vote."

Barnes: "Thank you, Mr. Speaker. I sit here a senior citizen that has served in this House for just about 16 years, and I have always been pro-life. I am a pro-life person whether I am a Legislator or not, because that's the way I've lived my life. I am finding that this Legislature keeps bringing in these Bills and it use to be that you say pro-life and it would fly out of here. I sometimes wonder if some of the Bills that are put before us are constitutional. I am very perplexed about how to vote on this issue. My church is for it. My Cardinal is for it. And yet some pro-life people are not for it. I wished that in...on a subject such as this which is complicated, and I've listened to both sides of the issues, that people would start to sit down and start to work out some of these complicated problems. I know when my mother was dying of cancer when she was wracked with it, being a pro-life person, and my mother had fought the cancer for 12 years, and she left us for a moment and they brought her back. And they put her on all these life support systems, and she begged me, let me die with dignity. And I'll tell you, it's terrible to be in that position. Let me die with dignity. In listening to the explanation of Representative Cullerton, he said that what he's talking about is the patient with brain damage that is irreversible, and in the next room you could save somebody's life. I want to be pro-life and I am so confused by this issue, but since my Cardinal is for it and my church is for it, I shall vote 'aye'."

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Speaker Young: "Representative Hasara to explain her vote."

Hasara: "Thank you...Thank you, Mr. Speaker. I certainly think those of us who have voted 'no' on this issue respect the other side and certainly would not say that those people are not pro-life. I am also confused on this issue. Most of us are lay people. I don't know the definition of death. On the other hand, those of us who have voted 'no' certainly want to see more transplants available. Personally, I do not know the answer. But at this point in time, I am certainly not qualified to define death, and I'm afraid there aren't very many of us in this Body that are. I do know that in all my years of education, I was taught that the end does not justify the means. And I cannot get that out of my conscience. So for that reason, I vote 'no'."

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

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Some of us struggled with this Bill last week--end trying to see whether there was a way that we could make it acceptable because we understand the difficulty of this issue. In the time that was presented to us at least from the time that this Bill came over from the Senate, we have not been able to find a way to make this Bill acceptable. It is not acceptable in its present form, and it will have far reaching consequences for this state if this Bill were to pass. Please do not do this. Please vote 'no'."

Speaker Young: "Representative Stern, for what purpose do you seek recognition?"

Stern: "To explain my vote, Sir."

Speaker Young: "You spoke in debate, Representative."

Stern: "May I do that? I thought I could explain my vote...  
Okay, okay. Okay, okay."

Speaker Young: "Have all voted who wish? Take the record, Mr."

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Clerk. On this question there are 56 voting 'yes', 57 voting 'no', 4 voting 'present' and the Bill fails. Senate Bill 763, Representative Barnes."

Clerk Leone: "Senate Bill 763, a Bill for an Act to amend an Act to create sanitary districts. Third Reading of the Bill."

Speaker Young: "Representative Barnes."

Barnes: "Thank you, Mr. Speaker. Could I have permission to bring Senate Bill 763 back for purposes of an Amendment?"

Speaker Young: "The Lady asks leave to return Senate Bill 763 to Second Reading for purposes of an Amendment. Does she have leave? Leave is granted."

Barnes: "Thank you, Mr. Speaker."

Speaker Young: "Second Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 763, on the Order of Second Reading. Floor Amendment #1 is being offered by Representative Jane Barnes."

Barnes: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #1 is a nonsubstantive change. It is merely addressed to Senate Bill 763 so that it can return to the Senate. This Bill is in the process of being discussed between the Metropolitan Reclamation Sanitary District Trustees and Village Presidents in Senator Mahar's and my district. We have agreed to return the Senate Bill to the Senate and keep it in Conference Committee form so that it can be addressed in October after all different objections have been met. I would ask for an 'aye' vote."

Speaker Young: "The Lady moves for the adoption of Floor Amendment #1 to Senate Bill 763. On that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield for a question? Representative Barnes, is it your understanding then that the Metropolitan Sanitary District representatives, their lobbyists have asked for this Bill to be amended and then

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to pass over to the Senate?"

Barnes: "That is correct, Representative."

Cullerton: "Okay, thank you."

Speaker Young: "Further discussion? Hearing none, the question is, 'Shall Floor Amendment #1 be adopted?' All those in favor say 'aye', those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Young: "Third Reading. The Lady now asks leave for immediate consideration of Senate Bill 763 on Third Reading. Does she have leave? Leave is granted by use of the Attendance Roll Call. Read the Bill a third time, Mr. Clerk."

Clerk Leone: "Senate Bill 763, a Bill for an Act to amend an Act to create sanitary districts. Third Reading of the Bill."

Speaker Young: "Representative Barnes."

Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would request an 'aye' vote on Senate Bill 763 so it can return to the Senate for the afore mentioned reasons that I gave in explanation of the Amendment. I would ask for an 'aye' vote."

Speaker Young: "The Lady moves for passage of Senate Bill 763. On that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 763 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', none voting 'no' and none voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 1320, Representative Granberg. Read the Bill, Mr. Clerk."

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Clerk Leone: "Senate Bill 1320, a Bill for an Act to amend the Beer Industry Fair Dealing Act. Third Reading of the Bill."

Speaker Young: "Representative Granberg."

Granberg: "Thank you, Mr. Speaker, Members of the House. Senate Bill 1320 amends the Beer Industry Fair Dealing Act to prohibit wholesalers and brewers from having agreements not complying with the Beer Industry Fair Dealing Act regarding termination of contracts. It would simply require them to abide by the state...by the appropriate state statute. And I would move for its passage."

Speaker Young: "Gentleman moves for passage of Senate Bill 1320. On that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 1320 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. The Lady from St. Clair, Representative Younger to explain her vote. Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'yes', none voting 'no' and 1 voting 'present'. This Bill having received the required Constitutional Majority is hereby declared passed. Senate Bill 1466, Representative Peterson. Out of the record. We'll now go to the Order of Human Services. The first Bill on that Order is Senate Bill 376, Representative Williams. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 376, on page 7 of the Calendar, a Bill for an Act to amend the Illinois Health Finance Reform Act. It's been read a second time previously. There are no Committee Amendments."

Speaker Young: "Representative Williams."

Williams: "Yes, there's Floor Amendments on this Bill."

Clerk Leone: "Floor Amendment #1 is offered by Representative Currie, Ryder and Williams."

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Speaker Young: "Representative Currie on Floor Amendment #1."

Currie: "Thank you, Mr. Speaker and Members of the House. The provisions in this Bill would extend day care and medical benefits to individuals who have left the public aid rolls for paid employment. I move its adoption."

Speaker Young: "The Lady has moved for adoption of Floor Amendment #1 to Senate Bill 376. On that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

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

Speaker Young: "Representative Williams on Amendment #2."

Williams: "Yes, Amendment #2 just provides that the reporting requirements back to the...for the department in regards to Project Chance and others be a comprehensive report and that it include a number of more detailed explanation of what, in fact, is happening with the Project Chance Program. I believe this is an agreed Amendment, and I would urge for the adoption of Amendment #2."

Speaker Young: "Gentleman has moved for adoption of Floor Amendment #2 to Senate Bill 376. On that question, the Lady from Cook, Representative Wojcik."

Wojcik: "Would the Speaker (sic - Sponsor) yield, please?"

Speaker Young: "Indicates he will yield for a question."

Wojcik: "Representative, would you explain that Amendment a little bit louder?"

Williams: "This is an agreed Amendment that has been worked out between both sides of the aisle. It only requires that the reporting requirements that the department does back in regards to Project Chance and other programs be

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comprehensive, that it actually include all of the things that the General Assembly has said that it should include. This is an Amendment that has been worked out with the department. It's been worked out with both sides of the aisle. To the best of my knowledge, this is an agreed Amendment."

Wojcik: "So when you're saying you worked out with both sides of the aisle, I assume that you've just worked out with the department, cause no one has conferred with me regarding this."

Williams: "Well, I was working with Representative Ryder on this Amendment, and I had the assumption that working with Representative Ryder was working with both sides of the aisle."

Wojcik: "Pardon me, but Representative Ryder is a Member of the committee, I am the Minority Spokesperson of the committee."

Williams: "Then I stand corrected."

Wojcik: "Thank you."

Speaker Young: "Further discussion? Hearing none, the question is, 'Shall Floor Amendment #2 to Senate Bill 376 be adopted?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representative Ryder, Williams and Currie."

Speaker Young: "Representative Currie on Floor Amendment #3."

Currie: "Thank you, Mr. Speaker and Members of the House. This Amendment would provide that the Department of Public Aid could identify a substitute payee in a situation where someone is not cooperating with Project Chance by virtue of drug or alcohol abuse programs, and the Amendment further provides that the Department could direct that individual,

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the person with that problem, to appropriate programs for help. I move adoption of the Amendment."

Speaker Young: "The Lady has moved for the adoption of Floor Amendment #3 to Senate Bill 376. On that question, is there any discussion? The Lady from Cook, Representative Wojcik."

Wojcik: "Mr. Speaker, I would like to discuss this with the Sponsor and if he would yield, I'd like to take this Bill out of the record."

Speaker Young: "Out of the record."

Wojcik: "Thank you."

Speaker Young: "The next Bill on this Order is Senate Bill 1010, Representative Ryder. Out of the record. We'll now go to the Order of Human Services, Third Reading. The first Bill on this Order is Senate Bill 499, Representative Bowman. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1010...correction, that's Senate Bill 499, on page 4 of the Calendar, a Bill for an Act to amend certain Acts in relationship to state personnel matters. Third Reading of the Bill."

Speaker Young: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker. I request leave to return the Bill to the Order of Second Reading for Amendment."

Speaker Young: "The Gentleman asks leave of the Body to return Senate Bill 499 to Second Reading for purposes of an Amendment. Does he have leave? Leave is granted. Second Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "On Second Reading, Amendment #1 to Senate Bill 499, being offered by Representative Bowman."

Speaker Young: "Representative Bowman on Floor Amendment #1."

Bowman: "I request leave to withdraw Amendment #1."

Speaker Young: "Withdraw Amendment #1."

Clerk Leone: "Floor Amendment #2, offered by Representatives

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Bowman, McCracken and Flowers."

Speaker Young: "Representative Bowman on Floor Amendment #2."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment is being offered by Representative McCracken and myself. It is an agreed Amendment. However, I...before presenting the Amendment, I ask leave of the Body to amend the Amendment on its face by deleting on page 1, line 8 the word 'then'. On page 1, line 8 the word 'then' should be deleted and I request leave to amend it on its face."

Speaker Young: "The Gentleman asks leave of the Body to amend Floor Amendment #2 on its face by deleting the word 'then' from page 1, line 8. Does he have leave? By use of the Attendance Roll Call, leave is granted."

Bowman: "Okay, thank you very much. Mr. Speaker, Ladies and Gentlemen of the House, this is an agreed Amendment, offered by Representative McCracken and myself. And with the adoption of this Amendment, there is no opposition to the Bill, so I now move adoption of Amendment #2."

Speaker Young: "The Gentleman has moved for the adoption of Floor Amendment #2 to Senate Bill 499. On that question, is there any discussion? The Gentleman from Warren, Representative Hultgren. The question is, 'Shall Floor Amendment #2 to Senate Bill 499 be adopted?' All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Young: "Third Reading. Representative Bowman now asks leave of the Body for immediate consideration of Senate Bill 499 on Third Reading. Does he have leave? By use of the Attendance Roll Call, leave is granted. Read the Bill, Mr. Clerk."

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Clerk Leone: "Senate Bill 499, a Bill for an Act to amend certain Acts in relationship to state personnel matters. Third Reading of the Bill."

Speaker Young: "Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 499 has two distinct beneficial purposes. The first, the Bill is intended to assist the personnel departments of state agencies and institutions in central management services to coordinate the recruitment and training efforts in order to develop staff that can adequately serve all of Illinois' residences...residents. But in particular, those residents who require a staff that is capable of communicating in a language other than English or present unique cultural differences. The Bill is also intended to ensure the coordination of existing efforts by agencies serving the state's unemployed, by providing services designed to widen the pool of jobs to which the unemployed resident can apply. I urge the House to join with me in passing Senate Bill 499."

Speaker Young: "The Gentleman has moved for the passage of Senate Bill 499. On that question, the Gentleman from Sangamon, Representative Curran. Further discussion? Hearing none, the question is, 'Shall Senate Bill 499 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'yes', 1 voting 'no' and none voting 'present'. Senate Bill 499 having received the required Constitutional Majority is hereby declared passed. Representative Ropp, for what purpose do you seek recognition?"

Ropp: "Thank you, Mr. Speaker, for the purpose of an announcement. Mr. Speaker, as...and Members of the House,

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I have scheduled at the request of some of you a tour through the Diamond Star Motors Plant in my district in Bloomington, Illinois for next Monday beginning at 9:00 a.m. If any of you would like to go through that facility, why you could come and check with me on the House floor so that we could make the final arrangements. We ought to be back here no later than noon unless we eat lunch up there. Thank you."

Speaker Young: "The next Bill on the Order of Human Services is Senate Bill 735, Representative White. Out of the record. On this Order appears House Joint Resolution 37, Representative Deuchler."

Deuchler: "Mr. Speaker, leave to return House Joint Resolution 37 to Second Reading for purposes of an Amendment."

Speaker Young: "The Gentleman (sic - Lady) asks leave to return House Joint Resolution..."

Deuchler: "Mr. Speaker, House Joint Resolution 37 - Amendment 2 essentially becomes the Bill. It directs the Department of Public Health to conduct a study of Caesarean section deliveries in Illinois and sets forth the minimum parameters of that study. The Department will work in conjunction with medical and hospital professional associations to review this data and make recommendations for improving maternal and fetal outcomes and to reduce unnecessary C-section deliveries. This Amendment is a result of the Conference of Women Legislators' study of this issue."

Speaker Young: "The Lady moves for the adoption of Amendment #1 (sic - 2) to House Joint Resolution 37. All those in favor say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. The Lady now moves for immediate consideration of House Joint Resolution 37 as amended. By use of the Attendance

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Roll Call, leave is granted. Representative Deuchler on House Joint Resolution 37."

Deuchler: "Mr. Speaker, parliamentary point. I believe you said Amendment 1 and it is Amendment 2. Amendment 1 was adopted in Committee. Basically, I have stated the purpose of this Resolution. The Department is in support of it. Has...No additional funds will be necessary to carry out the duties, and I ask for the adoption."

Speaker Young: "The Lady moves for the adoption of House Joint Resolution 37. All those in favor vote 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Resolution there are 113 voting 'yes', none voting 'no' and none voting 'present' and the Resolution is adopted. We'll now go to the Order of Professional Regulation. Professional Regulation, Second Reading. The first Bill appears on page 7 of the Calendar, Senate Bill 482, Representative Steczo. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 482, a Bill for an Act concerning the regulation and practice of structural engineering. It's been read a second time previously. Amendment #1 was adopted in committee."

Speaker Young: "Are there any Motions filed?"

Clerk Leone: "No Motions filed and no further Amendments."

Speaker Young: "Third Reading. Representative Steczo now asks leave of the Body for immediate consideration of Senate Bill 482. Does he have leave? By use of the Attendance Roll Call, leave is granted. Representative Steczo."

Clerk Leone: "Senate Bill 482, a Bill for an Act concerning regulation/practice of structural engineering. Third Reading of the Bill."

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

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Bill 482 is the rewrite of the Structural Engineers Licensure Act. It's been agreed to by all parties including the Department of Professional Regulation. Before asking, Mr. Speaker, for a vote on the matter, I do need to read into the record a statement of legislative intent. And that is that the Illinois Structural Engineers Act sunset, mandated a review of the Act and upon completion of the review, it became apparent that no substantive changes were necessary but only deletion of Sections no longer pertinent to Illinois society. It is not the intent of Senate Bill 482 to overrule, distinguish or change in any manner cases and opinions handed down by the Illinois Attorney General which had been interpreted...which have interpreted the substantive provisions of the Illinois Structural Engineering Act. Having said that, Mr. Speaker, I would move for the passage of Senate Bill 482 and appreciate an 'aye' vote."

Speaker Young: "The Gentleman has moved for passage of Senate Bill 482. On that question, is there any discussion? Hearing none, the question is, 'Shall Senate Bill 482 pass?' All those in favor vote 'aye', those opposed vote 'no'. Voting is open and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 115 voting 'yes', none voting 'no' and none voting 'present'. Senate Bill 482 having received the required Constitutional Majority is hereby declared passed. The next Bill on this Order appears on page 3 of the Calendar, Senate Bill 4, Representative Matijeovich. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill #4, a Bill for an Act to amend the Public Utilities Act. Third Reading of the Bill."

Speaker Young: "Representative Matijeovich."

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

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Senate Bill 4 is another attempt to pass in this Session of the Legislature an elected Illinois Commerce Commission. As amended, Senate Bill 4 would do that. Mr. Speaker, Members of the House, in 1977 Illinois residential electric rates averaged 15.6 percent less than the national average. In ten years in 1987, the rates have averaged 34 percent more than the national average. In 1977, a residential ratepayer paid about \$211 a year for 500 kilowatt hours of monthly usage. In 1987 the bill for the same usage was \$623 or a 195.3 percent increase. In the ten year period electric rates increased 127 percent faster than the national average. Only the State of New York pays higher rates than we do here in Illinois. The Legislature rewrote the Public Utilities Statutes to close loopholes and afford more protection to ratepayers. The Illinois Commerce Commission has responded with a systematic effort to circumvent the reforms that we passed. When public utilities gained windfall profits after the 1986 federal tax changes, the Illinois Commerce Commission failed to order utilities to reduce rates or refund those windfall profits. The law requires public utilities to file least cost energy plans. But the Illinois Commerce Commission has lagged in enforcing such planning, and we ratepayers are the losers for it. The Illinois Commerce Commission has ignored the laws which mandate that excess planned capacity must be excluded from the customer rate base. In 1983, the Legislature passed requirements that consumers shall pay plant costs prudently incurred by a utility. In the 1985 rewrite, the ICC has directed, before including the costs of plants and additions in the rate base, to conduct an audit to determine whether the cost is reasonable. On every occasion the Illinois Commerce Commission has ignored the intent of the construction cost

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audit, a law that we passed. The Illinois Commerce Commission rulings have passed utility mismanagement onto consumers. The 1985 rewrite protected consumers from paying for bad management and inefficient practices. The ICC was empowered to conduct management audits of utilities. But the ICC has failed to reduce utility rates to reflect utility waste and inefficiency. When the Illinois Commerce Commission audited people's gas and uncovered \$100,000,000 a year in waste, the ICC made no reduction in consumer rates. An elected Illinois Commerce Commission would be more equitable. It would be more accountable. Public...the utility rates affect every voter, yet voters have no voice in the process. The present commission has shown itself unable to protect the consumers in recent rate cases. Since 1986, the Illinois Supreme Court has overturned major rate hikes totalling over \$1,000,000,000. Mr. Speaker and Ladies and Gentlemen of the House, the Illinois Commerce Commission has had its chance. It has not been accountable. The time has come. The time has come in 1988...89 to provide for an elected Illinois Commerce Commission so it can finally be accountable. I appreciate your support on Senate Bill 4."

Speaker Young: "The Gentleman has moved for the passage of Senate Bill 4. On that question, the Gentleman from Winnebago, Representative Hallock."

Hallock: "Yes, will the Sponsor yield for a question?"

Speaker Young: "Indicates he will yield for a question."

Hallock: "This proposal's been around for many years, and I think we've all probably voted on it six or seven times. How does this one work? How are these members elected?"

Matijevich: "The members...the seven members of the Illinois Commerce Commission would be elected from the Appellate Court districts: two from Chicago, one from the suburbs,

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four from the downstate Appellate Court districts. On our... In our next reapportionment the Legislature, as you know, will reapportion legislative districts and for congressional districts, which you may be interested in, John, and would also apportion equal populated districts, seven districts for the Commerce Commission and thereafter, they would run from those districts."

Hallock: "And then once that election has been conducted, they've been...taken office, you know, how does this issue bring about lower rates? I often here the discussion and the dialogue and the connection between elected ICC and lower rates. I've never really understood how that can be guaranteed. How would that happen?"

Matijevich: "There is no guarantee that Illinois...elected Illinois Commerce Commission would guarantee low rates. And some have said that this would politicize the issue. But we have seen and there is enough evidence that the last ten years, for example, with the Commonwealth Edison electric...the utility rates have virtually been automatic every year. They can surely do no worse. All we are looking for is some equity in the process. All we are looking for is accountability. If the...if the public utilities need a rate case and it is reasonable, I, for one, would be in favor of that. But I believe that the Illinois Commerce Commission has bowed to the political influence of the public utilities at the expense of ratepayers."

Hallock: "Well, Mr. Speaker, Members of the House, to the issue itself. I think there's not a Member of the General Assembly who's probably not concerned about utility rates in Illinois. And those of us who are from the northern part of the state clearly share that concern. But I don't think this is the way to achieve that goal. There are

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other ways you can pursue it. First of all, you can appoint more consumer minded members to the Commission and have the Democratic controlled Senate, in fact, confirm those people. You can pursue alternatives like Wheeling, try to make sure there's more competition amongst utilities. What I've noticed over the recent years is that most states in the USA are, in fact, moving from elected Commerce Commissions to appointed ones, because they believe, in fact, the people have more input into the system. Unfortunately over time, this issue has been portrayed as one which automatically means lower rates. That's kind of a sham, and I think we all know that. What this is now is a political vote. If, in fact, you really want lower utility rates, let's make sure we have the right people in the Commission. We can do that. The power is there to do that now. With a Republican Governor and a Democratic Senate, that should, in fact, be obtained. This Bill will not achieve lower rates. It's just a sham and you know it. It has been for years. I urge a 'no' vote."

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

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of Senate Bill 4, not because I think that there is any guarantee included in this Bill that we in Illinois will receive lower utility rates, but because this Bill attacks another problem. Mr. Speaker, could you get some order in this chamber? Mr. Speaker, that didn't do it."

Speaker Young: "Could we have a little order in the chamber. Quiet in the chamber, please. The Gentleman can't hear him, Sir."

Preston: "Thank you, Mr. Speaker. I don't pretend that my words of wisdom are so important, but there is some respect that anyone deserves in this chamber. Again to Senate Bill 4, I

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think that the public has a perception, and I want to underscore perception, that the Commerce Commission has not been sensitive to the demands and needs of the people and that if there was increased sensitivity and increased accountability of the members of that commission that that in itself would result in lower utility rates. We represent the public. I think the public is at a very minimum entitled to have a perception that the people who regulate their interests are sensitive to those interests and accountable to the people that are being regulated. And because of that, I think that it's important for us to have an elected Commerce Commission. No, utility rates might not go down, but you will be certain of one thing. The public will know that the people that have been elected have to be accountable. If they are not accountable and do not represent consumers to the extent that they ought to, that they will be in jeopardy of being voted out of office. I think the public deserves that perception, deserves that accountability on the part of people who regulate their affairs. And for that reason, I urge an 'aye' vote for Senate Bill 4."

Speaker Young: "The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Recently there was an editorial in one of the Chicago newspapers congratulating Commonwealth Edison on its foresight in switching or starting to switch over to atomic energy in the early 1960's. I believe that if we had an elected Commerce Commission all of these years since then, we in the Chicago area would be living off of high sulphur coal or candle power. What you do by opening this up to the political process is subject what has to be very-long term thoughtful planning to the vagaries of day-to-day politics. The mania

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that sweeps people over certain energy issues, the paranoia regarding atomic energy is all...would have been at play in the last twenty and thirty years in our energy situation. By not having an elected Commerce Commission, we have given the utility the opportunity to plan over the long-term for the day when we will not be able to use high sulphur coal. That day has come. President Bush is proposing to cut back on the use of pollutants or fossil fuels in the production of energy. And did you know that Commonwealth Edison is alone in this state and leads the nation in the transfer to econom...or to atomic power and for that reason, will have to do almost nothing to respond to the President's call for a cleaner environment. That is what has been done over the last twenty and thirty years and that is the value of an appointed Commerce Commission. It has to be a rational approach. It has to be a long-term approach. It cannot be subjected to the day-to-day whims of the politics and cross currents of public opinion. And that is why we should not be electing a Commerce Commission."

Speaker Young: "The Gentleman from Madison, Representative Wolf."

Wolf: "Mr. Speaker, I move the previous question."

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

Matijevich: "Mr. Speaker, I heard somebody on the other side of the aisle refer to the editorials that give praise to Commonwealth Edison. Unfortunately, editorials aren't written by reporters. They are written by editors or publishers. And let me tell you, it would be very difficult for an editor or publisher to write an editorial against Commonwealth Edison when they see the many ads that

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Commonwealth Edison and public utilities put in their newspapers. That's another issue. That's another issue. You know, on every add that Commonwealth Edison puts in the newspaper, they ought to put this add is paid by ratepayers of their...the Commonwealth Edison. We are paying for those ads. The editors ought to finally realize that we're paying for those ads, not Commonwealth Edison. They ought to realize that Commonwealth Edison has a virtual monopoly. To whom can we turn when Commonwealth Edison gets these high, high rates from the public...from the Illinois Commerce Commission. We have nowhere to turn. I believe that it is time that we have an elected Illinois Commerce Commission, so that the voters, the ratepayers, have a voice in that process. And I think that you can agree with me on that issue. Please vote 'aye'."

Speaker Young: "The Gentleman has moved for the passage of Senate Bill 4. All those in favor vote 'aye', those opposed vote 'no'. Voting is open and this is final passage. Representative Hoffman, one minute to explain his vote."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Let me point out to you that where there are elected Commerce Commissions, you will find them primarily in southern states where you and I all paid to put the hydro-electric power and power stations in place with your tax dollars or your parents' tax dollars in the 30's and the 40's. These were already subsidized. They are the only ones that you'll find around the country that have elected Commerce Commissions. I don't believe there's an industrial state in this nation which has an elected Commerce Commission for the very reasons that Representative McCracken indicated. These people have to make tough and difficult decisions. And let's not make it any tougher than it is. We're going to find in the long

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run as a state, we're better off probably than any other state in the nation..."

Speaker Young: "Bring your remarks to a close."

Hoffman: "...Thanks to the work of appointed members of the Commerce Commission under both Democrat and Republican Governors. Thank you."

Speaker Young: "Representative Morrow, one minute to explain his vote."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise for two points. My first point is to declare that I have a...not possible conflict of interest, but a conflict of interest in this matter. And I will vote my conscience as the Representative from the 32nd District, but before I do that, I want to bring up a point. Although the Governor and I don't always see eye to eye on a lot of issues, he saw fit to at least appoint a minority to the ICC, elected Commerce Commission. My question is if this Bill passes, what guarantees will we have that the consumer groups out here would nominate and support a minority to run for a Illinois Commerce Commission on any..."

Speaker Young: "...Bring your remarks to a close."

Morrow: "To vote for the ICC or to back a person of...of...who's Black or female, think about that. It's not going to persuade my vote, but I want my colleagues to think about that when they vote on this issue. Thank you."

Speaker Young: "Representative Hartke, one minute to explain his vote."

Hartke: "Thank you very much, Mr. Speaker. I'm voting 'present' on this Bill and I was hoping to discuss Amendment #4 in the...in the debate, but the debate was cut short. I'm clear to be on the record in supporting the elected Commerce Commission idea, but I have some problems with Amendment #4. I'm sure that this issue will be back and

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I'll gladly vote for the elected Commerce Commission. I have in the past and I will again, but not on Senate Bill #4."

Speaker Young: "Representative Van Duyne, one minute to explain his vote."

Van Duyne: "Thank you, Mr. Speaker. You know we talk a lot about the political situation that evolves from an elected Commerce Commission. And I'd just like to tell Mr. McCracken, that we not only have a political situation existing with one man as the only one who makes the choices for the people who are nominated and placed on the...on the Commerce Commission, but we do. We have it with him. We don't have a political situation where the people who run have to bend to the wishes of the people, this is a structured...a structured way of going where a man can sit back and make dictates to the people on the Commerce Commission as he has in the last six months, where he withheld two renominations...or re-appointments to the Commerce Commission just to make sure that they did vote his own way. Now this has not evolved in the last six months, it hasn't evolved in the last year or two. This movement for an elected Commerce Commission evolved in the past ten or twelve years. When we heard that the...that the nuclear station we're going to...bring us a lot lower electric bills, a lot lower utility bill..."

Speaker Young: "Bring your remarks to a close."

Van Duyne: "When in fact, it was exactly the other way around. Now there is only one way to send a message to the Commerce Commission and to the Governor and to everybody else involved in this situation, and that is, put this before the people and let them make the choice. And if they make a bad choice, it's no worse than if they do when they send us down here. If they make a bad choice with us in two

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years, they have a right to retract that and send us on our backing. So, there's nothing wrong with electing the elected Commerce Commission and it does bring it back to the people where it should be. They're the ones that pay the bill."

Speaker Young: "Representative Levin, one minute to explain his vote."

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I am one that attempted to work through the system to make changes in the Public Utility Act over the years, through the establishment of CUB, through the rewrite of the Public Utility Act. Unfortunately, none of these reforms have worked, because the Commerce Commission ignores the laws, ignores the courts, does exactly what it sees fit. As a result, I've come to the conclusion as have many thousands throughout the state, that we need accountability from a commission and the only way we're going to get it is through an elected Commerce Commission. What's wrong with little politics. Everyone of us was elected politically and decisions we make here everyday are based on politics. They can't be any worse than the decisions that are being made now by the Commerce Commission."

Speaker Young: "Have all voted who wish? Mr. Clerk, take the record. On this question there are 49 voting 'yes', 53 voting 'no' and 7 voting 'present'. And the Bill fails. Senate Bill 1310."

Clerk Leone: "Senate Bill 1310, a Bill for an Act in relationship to dram shops. Third Reading of the Bill."

Speaker Young: "Out of the record. House Resolution 180, Representative Curran. Out of the record. We will now go to the Order of Labor. The Order of Labor, Second Reading, page six of the Calendar appears Senate Bill 85,

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Representative Farley."

Clerk Leone: "Senate Bill 85..."

Speaker Young: "...Out of the record. Senate Bill 141, Representative Breslin. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 141, a Bill for an Act in relationship to employment. Has been read a second time previously."

Speaker Young: "Are there any Amendments filed?"

Clerk Leone: "Amendment #1 was adopted in committee."

Speaker Young: "Are there any Floor Amendments?"

Clerk Leone: "There's no Motions with respect to Amendment #1. Floor Amendment #2 is being offered by Representative Breslin."

Speaker Young: "Representative Breslin on Floor Amendment #2."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, Floor Amendment #2 would limit the application of this Act to on-site disposal instead of just all disposals of hazardous waste. So I move the adoption of the Amendment. It is the suggestion of...of the industry, that we are accepting in this Amendment. I move its adoption."

Speaker Young: "The Lady moves for the adoption of Floor Amendment #2 to Senate Bill 141. On that question, is there any discussion? Hearing none...yeah? Representative Mays."

Mays: "Thank you very much. Will the Lady yield for a question?"

Speaker Young: "Indicates she will yield for a question."

Mays: "Does this expand the enforcement of prevailing wage into these areas? Is that what this..."

Breslin: "...No."

Mays: "I just walked on the floor."

Breslin: "No. This is an Amendment that limits the application of the Bill to a project involving the cleanup and on-site disposal of hazardous waste, rather than just the cleanup and disposal of hazardous waste. It is the suggestion of

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industry that...to meet the needs of our district and the superfund projects that we are trying address. It should apply only to on-site disposal facilities, not to all disposal facilities."

Mays: "Very good. Thank you very much."

Speaker Young: "Further discussion? Hearing none, the question is, 'Shall Floor Amendment #2 be adopted?' All those in favor say 'aye', those opposed say 'no'. The opinion of the Chair, the 'ayes' have it. And the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Young: "Third Reading. The Lady now ask leave of the Bo... now ask leave of the Body for immediate consideration of Senate Bill 141 on Third Reading. By use...does she have leave? By use of the Attendance Roll Call, leave is given. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 141, a Bill for an Act in relationship to employment. Third Reading of the Bill."

Speaker Young: "Representative Breslin."

Breslin: "Thank...thank you, Mr. Speaker. Ladies and Gentlemen, this Bill as amended, applies to all jobs in which certain federal grants are required. In particular, it applies to the cleanup of hazardous waste projects under the Superfund Act and would provide that these projects be included under our other provisions, that require the employment of Illinois workers during a period of excessive unemployment. The reason for the Bill is that our area has a superfund project going on right now. The winner of the bid for that project, has brought in all of it's operating engineers and it's teamsters out of Georgia, when in fact, we have operating engineers and drivers who are trained to...to...in the cleanup and the disposal of hazardous waste, specifically for this kind of operation. We have an

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area of high unemployment. Twelve percent for the past decade practically, and we think it's inappropriate that superfund monies be used in this state and not take into account the needs and the availability of well-trained, skilled employees in this state. We already have an Act that does require the employment of Illinois workers on other jobs. This just includes those jobs that include cleanup and on-site disposal of hazardous waste. I would be happy to answer any questions."

Speaker Young: "The Lady has moved for passage of Senate Bill 141. On that question, the Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker. Would the Lady yield for a question, please?"

Speaker Young: "Indicates she will yield for a question."

Didrickson: "Representative Breslin, what happens to those communities on the borders, with regards to Iowa or Indiana, with regards to the increase cost of cleanup and with those companies that are in this business of cleanup and perhaps maybe thirty percent of their employees come from outside of this state, but close because of the border problem?"

Breslin: "We don't think it affects their cost at all. Already the federal prevailing wage law applies, so they're going to have to pay these people the same thing that they pay anybody else. So, the only point is..."

Didrickson: "...Well, then what is the problem with the concern with the employees brought up from the company from Georgia?"

Breslin: "The point is that they are from Georgia and they are not from Illinois. As a matter fact, it's our estimation that it costs this company more to bring those people in, because they also have to house them while they're here,

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instead of using the people that are right here and are trained. So we think we could get a better bargain by using the people that are currently residing in Illinois."

Didrickson: "You passed out of the House here, House Bill 568, with regards to publishing the prevailing wage contracts. If, as I assume this will occur and be signed by the Governor and passed by both chambers, why wouldn't that just take care of your concern right here with regards to prevailing wage?"

Breslin: "Because this Bill deal...these Acts deal with federal grants. And we can't as a state government, impose a duty, this same duty, on the federal government to publish their prevailing wage in their...their specifications. We can only impose that on people doing business in the State of Illinois. So that Act does not have application to the federal government. That's the problem."

Didrickson: "With re...with regards to those companies that have perhaps thirty percent of their employees from outside of our borders, what do you think the ramifications of such legislation of Senate Bill 141 will have on those...those companies?"

Breslin: "Because of the Amendment that was just adopted, it is anticipated that will have no affect. We specifically put the Amendment on so that those businesses in the...in the business of disposing of hazardous waste, who currently have as you say, thirty percent of their employees from out-of-state, won't be covered by this Act. It's only the superfund projects that will be covered by the Act."

Didrickson: "So according to your opinion, we will not be increasing the cost on any of these cleanup projects by Senate Bill 141?"

Breslin: "Correct."

Didrickson: "We are not expanding the prevailing wage provisions

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here?"

Breslin: "We are not."

Didrickson: "Well, to the Bill, Mr. Speaker. It is in our opinion that indeed it does expand prevailing wage provisions here. It is indeed in our opinion, that there are some concerns with those businesses that have employees that live outside of the borders of the State of Illinois. I think anytime that we restrict just to Illinois employees, we are going down the wrong path. We add costs in the State of Illinois. We add cost, with regards to road projects and a number of other things because of the way we do business in this state. I would suggest to those colleagues of mine on this side of the aisle, that this is a Bill that is not necessary. We should defeat the Bill in its entirety and I would suggest a 'no' vote."

Speaker Young: "Further discussion? The Gentleman from Lake, Representative Peterson."

Peterson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House, to the Bill. I think the previous debate has shown that we really don't know if this is going to be neutral to those people who have to clean up sites or it's going to be more expensive, or it's going to cost less. The Sponsor says she thinks it will cost less or at least it should not cost more. I think there's too much left to...to discretion here and I believe a 'no' vote would be a proper vote on this Bill. Thank you."

Speaker Young: "The Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, let me explain to you what this legislation addresses and how it came about with the EUC cleanup in LaSalle, Illinois. One of the provisions that is under the superfund authorization is the training funds that are used

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for the cleanup. What happened in this case, is when in fact those federal dollars were used under training, a portion of that hourly rate for those out-of-state truck drivers, was the fact that a certain amount of those hourly wages were used to fly those individuals back to Georgia for conjugal visits or to meet with their families. It seems to me to be rather ridiculous to take federal funds, use them in the training provisions as they did under the EPA provisions here and from the records of the company, to fly individuals back to Georgia, when in fact we have individuals in Illinois, who as labors as well as truck drivers would not incur that additional costs that was included in the superfund provisions. I think it's crazy to establish a program, which provides for individuals from other states to obtain..."

Speaker Young: "I'm sorry. The clock was on from the last speaker."

Mautino: "To obtain the funding from the federal government and possibly the state in their inclusion of those funds for flying those people back to Georgia, when we have Illinois workers that could do it quite well. And I stand in support."

Speaker Giglio: "Representative Giglio in the Chair. Representative Breslin."

Breslin: "Am I recognized to close?"

Speaker Giglio: "Yes."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, I want you to know that we tried very hard to work with the contractor for over a year and a half on this project before we came to the Legislature. As a matter of fact at one point, the contractor on this project said that they would willingly accept Illinois workers if they were trained. As a consequence, the operating engineers and the

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Teamsters went out and developed training programs and sent their people through forty hour courses in order to qualify them to meet the requirements that were specified by this particular contractor. Regardless, they have refused to employ them, we think, at greater expense to the American people and the people of the State of Illinois. If you're for Illinois, if you're for Illinois workers, I think you should vote for this Bill."

Speaker Giglio: "The question is, 'Shall Senate Bill 141 pass?' All those in favor vote 'aye', those 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? Mr. Clerk, take the record. On this question there are 77 voting 'yes', 38 voting 'no', 1 voting 'present'. And Senate Bill 141 having received the required Constitutional Majority is hereby declared passed. Representative Farley, Senate Bill 85. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 85, a Bill for an Act to amend the Unemployment Insurance Act. Second Reading of the Bill. Has been read a second time previously. Amendment #2 was adopted previously."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed and no further Amendments."

Speaker Giglio: "Representative Farley now moves...Third Reading. Representative Farley moves for immediate consideration to Senate Bill 85. The Gentleman have leave? Leave is granted by the Attendance Roll Call. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 85, a Bill for an Act to amend the Unemployment Insurance Act. Third Reading of the Bill."

Speaker Giglio: "Representative Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 85 is strictly a vehicle that we would

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like to put into conference, so that we can hopefully come out with an agreement. So I would move for its passage."

Speaker Giglio: "Any discussion? The Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker. I concur with Representative Farley on this."

Speaker Giglio: "The question is, 'Shall Senate Bill 85 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have...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 112 voting 'yes', none voting 'no', 2 voting 'present'. Senate Bill 85 having received the required Constitutional Majority is hereby declared passed. House...Senate Bill 86, Representative Farley. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 86, a Bill for an Act to amend Worker's Compensation Act. Has been read a second time previously. Amendment #2 was adopted previously."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed and no further Amendments."

Speaker Giglio: "Third Reading. Representative Farley now moves for the immediate consideration of Senate Bill 86. Does the Gentleman have leave? Hearing none, leave is granted by the Attendance Roll Call. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 86, a Bill for an Act to amend the Worker's Compensation Act. Third Reading of the Bill."

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

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen...the same situation on Senate Bill 85 exists as Senate Bill...or 86, I should say, as 85. We would like to get this to a Conference Committee and hopefully work out our...our Bill. So I would move for passage."

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

Didrickson: "Thank you, Mr. Speaker. I agree with Representative Farley. We need this to move along in the process and I would suggest 'aye' votes."

Speaker Giglio: "Okay. Further discussion? Hearing none, the question is, 'Shall Senate Bill 86 pass?' All those in favor vote 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 110 voting 'yes', none voting 'no' and 3 voting 'present'. Senate Bill 86 having received the required Constitutional Majority is hereby declared passed. Representative Novak, Senate Bill 1174. Are you ready, Sir? Mr. Clerk, Senate Bill 1134, read the Bill...or 1174."

Clerk O'Brien: "Senate Bill 1174, a Bill for an Act in relation to trauma centers. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Kankakee, Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We discussed this Bill yesterday as the last item on the agenda of the Session. And I guess it must be a wise omen not to have your Bill...have your Bill be the last Bill called on the last day, when everybody wants to get out of here, so it when down like the Titanic. But, we discussed this at length yesterday and I'd ask for your 'aye' vote."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall Senate Bill 1174 pass?' All those in favor vote 'aye', opposed 'nay'. The voting is open. The Gentleman from Vermilion, Representative Black."

Black: "Thank you very much, Mr. Speaker. I'd hoped to ask the Sponsor a question. Representative, Amendment #2 didn't

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get on this Bill last night so we're not debating the one hundred dollar surcharge on DUIs and reckless driving. Is that...that's not an underlying part of this Bill, is it? It might be, yea? It could be. It might be."

Novak: "It is."

Black: "It is..."

Novak: "It is."

Black: "A one hundred dollar surcharge. Thank you, Representative."

Speaker Giglio: "Further discussion? The Gentleman from Effingham, Representative Hartke."

Hartke: "Thank you very much, Mr. Speaker. I think I'll remind that Body that this is the same bad Bill that was here last night and it didn't improve any overnight, and so I think we ought to give it the same reception we gave it last night. I think it only got 20 'aye' votes last night. Somebody must be sleeping this morning, so let's vote 'no' and put this to bed all day long. You're welcome, Representative."

Speaker Giglio: "Further discussion? Further discussion? 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 37 voting 'yes' and 69 voting 'no'. Representative Matijevich. Five voting 'present'. Senate Bill, having failed to receive the Constitutional Majority... Representative Matijevich."

Matijevich: "Only to announce that my good seatmate, Jesse White, a good friend has a birthday today. So there's some cake over here. So you're welcome to have a piece of cake and wish Jesse White a happy birthday. Happy birthday to you..."

Speaker Giglio: "Senate Bill 1174 having failed to receive the Constitutional Majority is hereby declared lost."

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Representative Preston, for what purpose do you seek recognition, Sir?"

Preston: "Mr. Speaker, I was hoping that because today is Representative White's birthday, that he would favor us with doing some of those somersaults that his team members do here right down in front of the well."

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

White: "Well, first of all, I'd like to thank my good seatmate, Representative Matijevich for that announcement. As far as the round off, flip-flop, double back, I'm in the twilight of my career and right now, I have to give a pass to it. But I do want you to know that yesterday the team was here and they performed on the Capitol steps and many of the Members of this Body was very kind in helping us to raise some dollars to help to purchase a van to help us to respond to about 600 performances this year and for that, I applaud you. The kids are grateful and the program will continue to grow and prosper. So again, thank you very much."

Speaker Giglio: "Representative Kubik."

Kubik: "Mr. Speaker, Ladies and Gentlemen of the House, I was fortunate enough to be at the Bulls game, unfortunately the Pistons beat the Bulls and Jesse White's tumblers were the half time entertainment. And I'll tell you what, they were the only bright spot of the evening. They did a great job before a tremendous audience and a national audience, so keep up the good work, Jesse."

Speaker Giglio: "Alright, the next Order of Business will be Revenue. Revenue, Third Reading. The following Bills will be called, Representative Steczo, Keane, John Dunn, McGann, Granberg and Trotter. On that Order, Senate Bill 38, Representative Steczo. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 38, a Bill for an Act to promote

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energy efficiency and reduce operating costs in government facilities. Third Reading of the Bill."

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

Steczko: "Thank you, Mr. Speaker, Members of the House. Senate Bill 38 creates the Government Building Energy Cost Reduction Act. And the purpose of this legislation is to create a set of programs, administered by ENR to promote energy efficiency and to reduce operating costs in state and local government buildings and facilities. Currently, state building energy costs run about 130,000,000 dollars per year and those are the FY 1989 costs and local government costs are about two to three times what those state costs are. It's come to our attention that available energy efficiency technology can reduce building energy costs by twenty to forty percent within four or five years and have a savings potential of twenty-five million to fifty million dollars to the state, and from sixty to a hundred million dollars to local governments. This program would enable a more rapid development of cost-effective energy conservation members members...measures rather. Would recommend energy conservation members in...measures in the state. Would require IDFA in cooperation with ENR to develop and assist units of local government to identify and finance energy conservation projects. Would require Central Management Service to work with a committee that would be established in discharging its obligation to evaluate perspective leases, regarding energy consumption. And provides that the General Obligation Bond Act would expressly permit use of bonds for State Capitol facilities energy conservation projects, although, it does not increase GO bond authorization for the state. All this has been in conjunction...worked out in conjunction with the Bureau of the Budget, who has signed off on the Bill and I

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think it's a worthy goal for us to do. And would appreciate an affirmative vote on Senate Bill 38."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall Senate Bill 38 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'yes', none voting 'no' and none voting 'present'. Senate Bill 38 having received the required Constitutional Majority is hereby declared passed. Representative Keane, 588. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 588, a Bill for an Act to amend an Act concerning tax sales. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. This Bill was...had been on an agreed list, but we need it amended. And basically, what the Bill does is it's initiative...it's an initiative of the campaign for responsible ownership, a coalition of housing and business groups concerned about deteriorating abandoned properties in Chicago's low-income neighborhoods. It is supported by the City of Chicago, the Cook County Board, the Cook County State's Attorney, the county Treasurer, the Cook County Clerk and the assessor. Basically, the Bill deals with scavenger sales and it also indicates...makes some changes so that the scavenger sale system can respond more quickly to keep the buildings from going into heavy deterioration. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Giglio: "Any discussion? Hearing none, all those in favor of Senate Bill 588 vote 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question

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there are 114 voting 'yes', none voting 'no', none voting 'present'. Senate Bill 588 having received the required Constitutional Majority is hereby declared passed. 593, Representative Keane. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 593, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. The Bill originally allowed community college...just required that notices would be also given to community college for applications for real estate exemptions in excess of 100,000 dollars, that's presently being given to school districts and municipalities. Amendment #1, I believe, was Representative Wait's Amendment, which allowed for taxation of private property in tollway areas. And Amendment #2 was Representative Steczo's Amendment, which was a Cook County Treasurer's Association initiative. I'd be happy to answer any questions on the Bill and ask for a favorable Roll Call."

Speaker Giglio: "Any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "I'm in agreement with the Amendments. What does the underlying do Bill again? Or what does the underlying Bill do?"

Keane: "The underlying Bill at the present time, if there's an application for an exemption in excess of 100,000 dollars, that notice is given to the school districts and municipalities and they are given an opportunity to be heard in relation to that exemption. This brings in community college districts. They would also receive notice and they would also have an opportunity to comment or oppose the notice."

McCracken: "And they would comment with the Department of

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Revenue, is that who would give them the notice in an exemption case?"

Keane: "It's the Board of Review. It's the Local Board of Review."

McCracken: "Or the Local Board would do it..."

Keane: "...Yeah..."

McCracken: "Okay."

Speaker Giglio: "Further discussion? Hearing none, the question is, 'Shall Senate Bill 593 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'yes', none voting 'no' and none voting 'present'. Senate Bill 593 having received the required Constitutional Majority is hereby declared passed. Representative Steczo, 634. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 634, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

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

Steczko: "Thank you, Mr. Speaker. I ask leave to bring Senate...Senate Bill 634 back to the Order of Second Reading for the purposes of an Amendment, please?"

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

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

Speaker Giglio: "Representative Steczo."

Steczko: "Withdraw Amendment #3, please."

Speaker Giglio: "Withdraw Amendment #3, Mr. Clerk."

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

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Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Mr. Speaker. Amendment #4 is an Amendment that provides language that has been reached...has agreement, between the Cook County Treasurer, the Cook County State's Attorney, the County Treasurer's Association, the downstate Taxbuyer's Association and certain Cook County taxbuyers. This is part actually of what we've already done is House Bill 112, which is now on concurrence in the Senate for a technical Amendment; but House Bill 112 is an important Bill agreed to by all these parties and they don't want House Bill 112 to go to conference. So the language here provides some of the language of House Bill 112 with a couple of housecleaning word changes that were agreed to by all parties. So I would move for the adoption of the Amendment, Mr. Speaker. And would answer any questions that anybody might have."

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

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. The Gentleman ask leave for immediate consideration, hear this Bill on Third Reading. Does the Gentleman have leave? Leave is granted by the Attendance Roll Call. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 634, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

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

Steczko: "Thank you, Mr. Speaker, Members of the House. As amended, Senate Bill 634 contains two items. The one we just spoke of, which is the language that was contained in House Bill 112, and secondly, just provides that assessment

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procedures downstate shall include in bold type a notice of possible eligibility for home improvement...a homestead improvement exemption. That's which has been agreed to by all parties upstate and downstate and the Bill has no opponents that I know of and I would appreciate 'aye' votes for its passage."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall Senate Bill 634 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 112 voting 'yes', none voting 'no' and none voting 'present'. Senate Bill 634 having received the required Constitutional Majority is hereby declared passed. Representative John Dunn, John Dunn. Senate Bill 744, Representative Dunn from Macon. Representative Dunn, 730...744. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 744, a Bill for an Act to create the Illinois Estate and Generation Skipping Transfer Tax Act. Third Reading of the Bill."

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

Dunn: "Thank you, Mr. Speaker. I ask leave to return this Bill to the Order of Second Reading for the purpose of an Amendment?"

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

Clerk O'Brien: "This Bill's been read a second time previously. Floor Amendment #2, offered by Representative Dunn."

Speaker Giglio: "Representative Dunn."

Dunn: "Floor Amendment #2 differs from earlier adopted Floor Amendment #1, only in that it makes some additional

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technical changes, which as my understanding have been agreed to by all the parties involved. And I would ask the adoption of Floor Amendment #2."

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

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. The Gentleman now ask leave for immediate consideration of Senate Bill 744. Does he have leave? By the Attendance Roll Call, leave is granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 744, a Bill for an Act concerning the state and generation skipping transfer taxes. Third Reading of the Bill."

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

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The purpose of this legislation is to enable the State of Illinois to capture revenue, which has been missed. We have in this state what we call a pickup tax. If you have to pay federal or state tax and you have a big estate, 100,000 dollars is due, there...you can get a credit against your federal or state tax, if you pay tax to the State of Illinois. We're missing this tax in the area of generation skipping taxes. And so the...make the example clearer, if you would owe 100,000 dollars tax and this Bill passes, you'll pay 75,000 dollars tax to the federal government for example, and 25,000 dollars to the State of Illinois. The state will not be out anymore money and it will be some income to the State of Illinois. And this legislation is complicated but has been looked at by all parties and I think it's all agreed too. And I ask for the

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passage of Senate Bill 744."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall Senate Bill 744 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. This is final action. Have all voted who wish? Mr. Clerk, take the record. On this question there are 109 voting 'yes', none voting 'no' and none voting 'present'. Senate Bill 744 having received the required Constitutional Majority is hereby declared passed. Representative Breslin in the Chair."

Speaker Breslin: "On the Order of Revenue, Third Reading appears Senate Bill 1094, Representative Granberg. Mr. Granberg. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1094, a Bill for an Act in relation to economic development. Third Reading of the Bill."

Speaker Breslin: "Representative Granberg."

Granberg: "Thank you, Madam Speaker, Members of the House. Senate Bill 1094 creates the Metropolitan Redevelopment Corporations Act for the purpose of redevelopment of blighted areas and cities with a population of 4,000 or more. Senate Bill 1094 is patterned after the Missouri redevelopment law, which allows private redevelopment. If there are any questions, I'd be more than happy to entertain them."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1094. And on the question, the Gentleman from Cook, Representative Keane."

Keane: "Thank you, Madam Speaker. We adopted Amendment #2 to Senate Bill 1094 yesterday. The Amendment extends the exemption of municipal and state utility taxes to include foundaries. It also...the Amendment also exempts state and local salestaxes on tangible personal property and

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consumables in related areas. So this is a fairly substantial Amendment. I don't think it's what we want to do and I would oppose the Bill because of that Amendment."

Speaker Breslin: "The Gentleman..."

Keane: "I would ask...I would ask my colleagues to vote 'no'. Thank you."

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

McCracken: "I expected to see the Gentleman support the Bill. I'm pleasantly surprised. I also stand in opposition."

Speaker Breslin: "The Gentleman from Winnebago, Representative Hallock."

Hallock: "Will the Sponsor yield for a question?"

Speaker Breslin: "He indicates he will."

Hallock: "Could you speak to the funding source for this corporation and tell us exactly how it's funded?"

Granberg: "Representative Hallock, under the definition of a metropolitan redevelopment corporation, the purpose would be to acquire, construct, maintain and operate a redevelopment project. There are certain qualifications, it is not for profit. It has to be organized for a public purpose. So the funds would actually finance it, would be somewhere to...what we use to do with the TIF legislation, that they could abate certain property taxes. They would incorporate, use the ability from the dollars they would hopefully make, not in excess of eight percent per year, for the...to fund the corporation. In return, they would have the ability to abate certain property taxes and that would hopefully finance the economic development of the area."

Hallock: "Well, then if in fact they do a project, where does that money come from?"

Granberg: "Under the legislation, Representative Hallock, they

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have the ability to sale and finance a project with bonds. So when they put the bonds on the market, that will provide the financing mechanism."

Hallock: "Yeah, I understand that. But, you know, for bonds there has to be a dead stream for the service on the bonds and where does...what's that source of funding?"

Granberg: "There's...Representative Hallock, this doesn't have anything to do with state money. This is strictly a permissive legislation on the local level."

Hallock: "Well, thanks for the information."

Speaker Breslin: "Are you finished, Representative Hallock? He is. Representative McCracken, for reason do you seek recognition?"

McCracken: "If the Gentleman could take it out of the record for just a few moments, we may..."

Speaker Breslin: "Okay. Out of the record, Mr. Clerk. Senate Bill 1305, Representative Trotter. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1305, a Bill for an Act to amend an Act in relation to indigent health care. Third Reading of the Bill."

Speaker Breslin: "Representative Trotter."

Trotter: "Thank you very much, Madam Chairman and Members of the House. Senate Bill 1305 as amended by my friend Representative Weller, creates an income tax refund checkoff to benefit the newly created community health care fund, which is inclusive of the migrant health care...health care centers, in addition to the health care centers in rural, Illinois."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1305. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 1305 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is

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open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112...113 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. The next Order of Business, Ladies and Gentlemen, is the Order of Civic Centers, State Parks, Second Reading. The Sponsors are Richmond, Keane, Kubik and Mays. The first Bill is Senate Bill 151, Representative Richmond. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 151, a Bill for an Act concerning civic centers. Second Reading of the Bill."

Speaker Breslin: "Representative Richmond."

Clerk O'Brien: "No Committee Amendments."

Speaker Breslin: "Any Floor Amendments? Representative Black on Amendment #2."

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

Speaker Breslin: "Is Mr. Black in the chamber? Proceed, Sir."

Black: "Yeah, thank you very much, Madam Speaker. Amendment #2 simply changes the language in the underlying statute that created the original Danville Civic Center, which was built about ten years ago. And at the request of the city council of Danville and the county board of Vermilion, this language is now changed to make it read the Vermilion County Metropolitan Exposition Auditorium and Office Building Authority rather than the Danville Authority. This at the request of the city council of Danville and the County of Vermilion. I've discussed it with people on both sides of the aisle. I would urge an affirmative vote on Amendment #2."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 2 to Senate Bill 151. On the question, the

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Gentleman from Champaign, Representative Johnson."

Johnson: "Representative Black, we had...we had, thanks to your courtesy, we had discussed this earlier in the year about the impact this might have...variable impact on Northern Vermilion County. Does the Amendment bare in anyway on those discussions that we had?"

Speaker Breslin: "Representative Black. Turn on Mr. Black."

Black: "Thank you very much, Madam Speaker. To the question. Representative, we think we have this worked out to the satisfaction of most of the parties, but I have just been informed by staff, Madam Speaker..."

Speaker Breslin: "Representative Black."

Black: "Madam Speaker, I have been informed by staff that this Amendment is out of order and will be incorporated in Amendment #11, so I would ask you to withdraw Amendment #2."

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

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

Speaker Breslin: "Representative McPike. Repres...withdraw #3. Any further Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, this is the Amendment that prohibits a civic center in Quincy and Schaumburg from receiving any state assistance, and therefore, I would move to withdraw this Amendment."

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

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

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Speaker Breslin: "Representative Wojcik."

Wojcik: "Yes, Madam Speaker, since the Representative sought fit to remove that Amendment, I shall remove mine also."

Speaker Breslin: "Withdraw this Amendment. Any further Amendments?"

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

Speaker Breslin: "Representative Wojcik. Withdraw the Amendment?"

Wojcik: "Withdraw."

Speaker Breslin: "Withdraw, Sir. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Mays and Wojcik."

Speaker Breslin: "Representative Mays. Is Mr. Mays in the chamber? Withdraw the Amendment. Any further Amendments?"

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

Speaker Breslin: "Representative Cullerton. Withdraw the Amendment. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Representative Mautino and Breslin."

Speaker Breslin: "Representative Mautino, present the Amendment."

Mautino: "Thank you very much, Madam Speaker. Amendment #9 addresses the authorization for the Ottawa Civic Center Authority, as well as the Illinois Valley. It's in the next one? Withdraw."

Speaker Breslin: "Withdraw... withdraw the Amendment. Any further Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker. We finally got to the Bill. This Amendment deletes all previous, and adds

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enabling language for the following six civic centers: Randolph County, Carbondale, Riverside, Matteson, Ottawa and the Illinois Valley. I would move for its adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 10 to Senate Bill 151. On the question, is there any discussion? There being none, the question is, 'Shall Amendment 1 be...Amendment 10 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Black."

Black: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. This is the Amendment I explained previously. It expands the metropolitan area from the Danville Civic Center Authority to the Vermilion County Authority and expands the board membership from nine to twelve, with the three additional members being appointed by the Vermilion County board chairman. I would ask your acceptance of Amendment #11."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #11 to Senate Bill 151. On the question, is there any discussion? There being none, the question is, 'Shall Amendment 11 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #12, offered by Representative Churchill, Ewing and Hultgren."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Floor Amendment #12 creates the Waukegan Civic

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Center, the Pontiac Civic Center and it authorizes certain powers for the Knox County Civic Center."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 12 to Senate Bill 151. On the question, is there any discussion? There being none, the question is, 'Shall Amendment 12 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Richmond on the Bill. Read the Bill again, Mr. Clerk."

Clerk O'Brien: "Senate Bill 151, a Bill for an Act concerning civic centers. Third Reading of the Bill."

Speaker Breslin: "Representative Richmond."

Richmond: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Senate Bill 151 was...now is...the Bill is just as we've heard in Amendment #10, 11 and 12 and those were discussed fully. I would just ask for your affirmative vote on this Bill."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 151. On the question, the Lady from Cook, Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker (sic - Madam Speaker). Would the Gentleman yield for a question, please?"

Speaker Breslin: "He will."

Didrickson: "Representative Richmond, with Senate Bill 151, how many new civic centers are we creating in the State of Illinois?"

Richmond: "Those Amendments were coming so fast I kind of lost track, but I'm told there were six of them...seven, seven. It gives authority for the creation of..."

Didrickson: "...For only creating seven new..."

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Richmond: "Yes."

Didrickson: "...Civic centers with this. I think it's a few more than that. I'm told thirteen."

Richmond: "Well, I think some of them were withdrawn. I'm told it's seven."

Didrickson: "Seven, okay. How many existing civic centers do we have currently in the State of Illinois?"

Richmond: "I'm sorry, I can't answer that."

Speaker Breslin: "He indicates he does not know."

Didrickson: "Thank you."

Speaker Breslin: "The Gentleman from Cook, Representative Cullerton on the question."

Cullerton: "I'd like to read the eight new civic centers that are being added by this Bill. Pontiac, Waukegan, Illinois Valley, Ottawa, Madison...not Madison, Matteson, I think it's pronounced; Riverside, Carbondale and Randolph County. So we believe there's eight. Now we've adopted Amendment #10, 11 and 12. That's what's in the Bill. So, there were six added by Amendment #10 and there were two added by Amendment #12, and Amendment #11 dealt with changing Decatur to Vermilion. So, I believe that there...there is only the creation of eight new ones. I hope that answers the question."

Speaker Breslin: "There being no further discussion, Representative Richmond to close."

Richmond: "I just move the passage of Senate Bill 151."

Speaker Breslin: "The question is, 'Shall Senate Bill 151 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Representative Weaver, one minute to explain your vote. The Gentleman is not in the chamber. Have all voted who wish? The Clerk will take the record. On this question there are 88...89 voting 'aye',

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20 voting 'no' and 2 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Special Order is the Order of Housing, Third Reading. The first Bill is Senate Bill 722, Representative Terzich. This is Representative Capparelli's Bill, 722, out of the record. The next Order is the Order of Criminal Law, Second Reading. The first Bill is Senate Bill 743, Representative Homer, out of the record. Criminal Law, Third Reading. The Sponsors are Homer, Cullerton and Petka. The first Bill is Senate Bill 126, Representative Homer. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 126, a Bill for an Act to amend an Act in relation to criminal procedure and sentencing. Third Reading of the Bill."

Speaker Breslin: "Representative Homer. Representative Homer was recognized, Sir."

Homer: "This Bill has a couple of provisions in it. The first one authorizes in counties outside of Cook, for the chief judge of the circuit to designate an associate circuit judge for the purpose of authorizing applications under the eavesdropping statute. The theory being that in many downstate counties, associate circuit judges have been given felony jurisdiction by the Supreme Court at the request of the chief judge to hear felony cases, and that extending to them this...this authority is a logical extension of there otherwise felony jurisdiction. It also provides that a motion in arrest of judgement be determined by the same standard as a motion to vacate. And finally, it also has a provision concerning presentence reports to specify that there shall be lesser requirements for a presentence report in the case of a misdemeanor conviction than there are in felony matters and...and essentially, delegates to the judges authority what information shall be

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required to be included in a presentence report for a misdemeanor. The idea being to reduce the work load on the probation department and to preclude the situation where irrelevant or unnecessary or duplicative information is provided to the sentence in court. I would answer any questions and move for the passage."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 126. And on the question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you. I believe I spoke about an Amendment for Representative Black, #4. I don't know that it was ever adopted, would you consider adopting that?"

Homer: "May we inquire the Chair, Amendment #4, what is the status, Sir? Or...of the Clerk?"

Speaker Breslin: "Amendment #4 was filed, but not adopted."

McCracken: "Can we do that or...is that alright with you?"

Homer: "Is...that...I think that Amendment was also filed to some other Bill. I would at this time in all deference...let me do this, Madam Speaker. Let me ask the Bill be removed temporarily from the record so we can resolve that question."

Speaker Breslin: "Out of the record. Senate Bill 302, Representative Cullerton. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 302, a Bill for an Act to amend an Act in relation to criminal identification. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, Madam Speaker, it's my intent to bring this Bill back to Second Reading to clarify the previous Amendments that..."

Speaker Breslin: "The Gentleman ask leave to return this Bill to the Order of Second for purposes of an Amendment. Does he...is there any objection? Hearing none, the Gentleman

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has leave. Are there any Amendments filed, Mr. Clerk?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Madam Speaker, my intent was to table Amendment #4 and adopt Amendment #5."

Speaker Breslin: "Was Amendment #4 adopted, Mr. Clerk?"

Clerk O'Brien: "Amendment...Amendment #4 is adopted and on the Bill."

Speaker Breslin: "Representative Cullerton therefore moves to table Amendment #4. Is there any discussion? There being none, the question is, 'Shall Amendment 4 be tabled?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment 4 is tabled. Are there any further Amendments filed?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Okay, now just to clarify, Madam Speaker, that what happened to this Bill was we debated the Bill, the Bill failed. It was put on Postponed Consideration. I brought it back to Second Reading. I tabled the allegedly controversial Amendment #1 and then we discovered that Amendment #4, which we wanted in on the Bill was out of the order as a result of tabling Amendment #1. So now we've adopted Amendment #5, which is basically the Bill. And I don't believe it's controversial. It just says...that it's agreed to by the State Police and the Illinois Criminal Justice Information Authority. It just says that they shall make available compilations published by the authority of crime statistics required to be reported by each policing body of the state and the effective date is July 1st, 1991. Be happy to answer any questions, and I

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believe it is not a controversial Amendment."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 5 to Senate Bill 302. On the question, is there any discussion? There being none, the question is, 'Shall Amendment 5 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Cullerton...Representative McCracken, for what reason do you seek recognition?"

McCracken: "I'd just like to ask him a question. Can you take it out of the record for two minutes?"

Speaker Breslin: "Representative Cullerton, the Bill is on Third Reading. Representative McCracken would like to speak with you. Would you like to hold it on Third? Senate Bill 559, Representative Petka. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 559, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Breslin: "Representative Petka."

Petka: "Thank you, Madam Speaker, Members of the House. Senate Bill 559 amends the Code of Criminal Procedure and establishes a pilot project in one branch of the Circuit Court in Cook County and one court in DuPage County to permit the drug testing of defendants. The Bill primarily sets in motion..."

Speaker Breslin: "...Representative Petka, are you aware of the fact that two Amendments have been filed by you on this Bill and have not yet been adopted? The Bill..."

Petka: "Out of the record."

Speaker Breslin: "Out of the record. Senate Bill 1221, Representative Cullerton. Representative Petka, are you

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ready on Senate Bill 1315? Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1315, a Bill for an Act in relation to criminal law and sentencing. Third Reading of the Bill."

Speaker Breslin: "Representative Petka."

Petka: "Thank you, Madam Speaker. I'd like to ask for leave at this time to return the Bill to Second Reading for the purposes of a technical Amendment?"

Speaker Breslin: "The Gentleman ask leave to return the Bill to the Order of Second for purposes of an Amendment. Does he have leave? Hearing no objection, leave is granted. Are there any Amendments filed, Mr. Clerk?"

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

Speaker Breslin: "Representative Petka on Amendment 3."

Petka: "Thank you, Madam Speaker. Amendment #3 would delete the requirement that a penalty under...under the law that we hopefully will adopt, that the top end, the maximum would be changed from forty to thirty. The reason for this would be a due process consideration. Since an underlying offense would be a Class X felony, which contains a penalty from six to thirty, in a category which is less than a Class X, that is a Class 1 felony. We have a upper maximum of forty years. What I seek to do is simply to hopefully avoid a constitutional problem."

Speaker Breslin: "The Gentleman moves the adoption of Amendment 3 to Senate Bill 1315. On the question, the Gentleman from Cook, Representative Williams."

Williams: "What...exactly again, I...the...your explanation was a little low. I hate to ask but would you please give me a little further...I'd like to hear that again."

Petka: "Yes, Representative. The...what this Amendment does, is provide that the maximum penalty, which had previously been

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placed from four to forty years, will be now changed from four to thirty years. It actually diminishes the upper...Madam Speaker, with your permission, I'd like to take the Bill out of the record also."

Speaker Breslin: "Out of the record. Representative Homer, for what reason do you seek recognition?"

Homer: "Madam Speaker, a request. After conferring with Mr. McCracken, I think that this whole Order can be expedited by moving from the Order temporarily and then coming back. I think we can resolve..."

Speaker Breslin: "...We had finished the Order already, Gentlemen."

Homer: "Well, then may I...may I do this then. May I ask that we return to the Bill that I had asked be removed, that would be Senate Bill 126. You remember we were presenting the Bill and...and..."

Speaker Breslin: "...If you want to that's fine, but we were at the end of the Order, so we can go to other Orders and come back to it at one time. Yeah, that's fine. I was just saying, we were finished anyway."

Homer: "Alright. Let's take...let's go ahead and take 126, if it's alright, Madam Speaker."

Speaker Breslin: "Senate Bill 126. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 126, a Bill for an Act in relation to criminal procedures and sentencing. Third Reading of the Bill."

Speaker Breslin: "Representative Homer."

Homer: "Thank you. I would ask leave to return the Bill to the Order of Second Reading."

Speaker Breslin: "The Gentleman ask leave to return the Bill to the Order of Second Reading for the purposes of an Amendment. Are there any objections? Hearing none, leave is granted. Are there any Amendments filed, Mr. Clerk?"

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Clerk O'Brien: "Floor Amendment #2, offered by Representative Black and McCracken."

Speaker Breslin: "Withdraw #2. Any further Amendments? Excuse me, #..."

Clerk O'Brien: "That was...2 and 3 were withdrawn previously. That was Floor Amendment #4."

Speaker Breslin: "Amendment #4, Mr. Black."

Black: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I appreciate the Sponsor's forbearance and cooperation on this. Amendment #4 simply incorporates the language of House Bill 929, that passed out of this chamber with 107 'aye' votes and 0 'nay' votes. All this Amendment #4 does to Senate Bill 126, is it permits the presentence reports to be inspected by a receiving probation department of a person on probation, who is transferred by means of courtesy probation. It also permits a probation department to inspect the report if the department is assigned to conduct a presentence investigation. And this is necessary according to probation department officials who have worked with me on this, because some courts are interpreting the current statute to say that a receiving probation department does not have access to this report. I think this Amendment will clarify that. And I think you'll find that there's no opposition to it. And I do appreciate the Sponsor's willingness to accept Amendment #4 to Senate Bill 126. And I would ask for your favorable consideration of the Amendment."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 4 to Senate Bill 126. On the question, the Gentleman from DeKalb, Representative Countryman."

Countryman: "Will the Sponsor yield?"

Speaker Breslin: "He indicates he will."

Countryman: "Representative Black, so we're clear in the record,

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this has nothing to do with the Juvenile Justice Act that we passed two years ago, any extension or modification of it, is that correct?"

Black: "For purposes of intent, absolutely not. It has nothing to do with the Juvenile Jail Detention Act in any way, shape or form."

Countryman: "Thank you."

Speaker Breslin: "The question is, 'Shall Amendment 4 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Representative Homer now ask leave for immediate consideration of House Bill (sic - Senate Bill) 126 on Third Reading. Does he have leave? Hearing no objection, leave is granted by use of the Attendance Roll Call. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 126, a Bill for an Act in relation to criminal procedures and sentencing. Third Reading of the Bill."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker. Very briefly, I had...I had previously explained the Bill. Just have to refresh your recollection very briefly. That the Bill as currently amended, would allow for associate judges outside of Cook County, where designated by the chief judge to authorize eavesdropping applications. Secondly, it specifies contents of presentence reports in misdemeanor cases. Thirdly, it changes the grounds upon which a motion and arrest of judgement shall be granted. And finally, it has the provisions of Amendment 4 that we just adopted, Representative Black's Amendment, which...which expanded the class to whom presentence reports can be issued. I

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would submit that I believe at this point the Bill is noncontroversial. I would however answer questions."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 126. This Bill is on the Order of Short Debate. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 126 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. The Chair would recognize that Judge Greiman is on the floor. Welcome, Judge. The next Order of Business is the Order of Environment and Natural Resources, Second Reading. The Sponsors are Kubik...Kubik and Balanoff. Are either of the Gentleman in the chamber? Representative Balanoff is here. Senate Bill 1073. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1073, a Bill for an Act to amend Sections of an Act in relation to natural resources. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Representative Balanoff is recognized to present the Bill on Third. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1073, a Bill for an Act in relation to natural resources. Third Reading of the Bill."

Speaker Breslin: "Representative Balanoff."

Balanoff: "Yes. What this Senate Bill 1073 would do, would require the Department of Energy and Natural Resources, in cooperation with the Illinois Environmental Protection Agency to study the feasibility of excavating landfills to

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recover recyclable materials. And require the department to report to the Illinois General Assembly the findings of this study by January 1st, 1991. Nobody in this chamber, I'm sure, wants a landfill in their backyard and if they found that it was cost-effective and feasible because of the construction cost on incinerators and landfills is just outrageous these days. It would extend the life of existing landfills by removing recyclable...materials that are recyclable and further, it would in some cases, provide us the opportunity to take out certain toxins that may be leeching into the ground. So I would just urge adoption of this study...of this Senate Bill...requiring this study."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1073. On the question, is there any discussion? There being none, the question is, 'Shall Senate Bill 1073 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 117 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. On the Order of Environment and Natural Resources, Third Reading, there are two Sponsors, three Bills. Representative Currie and Representative Balanoff. The first Bill is Senate Bill 103...1086, Representative Currie. Out of the record. Senate Bill 1379, Representative Balanoff. Out of the record. Senate Bill 1385, Representative Balanoff. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1385, a Bill for an Act to amend the Energy Conservation Act. Third Reading of the Bill."

Speaker Breslin: "Representative Balanoff."

Balanoff: "Yes. Yes, this is another Bill that would require a study. And I was informed by DNR that this is a study that

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wouldn't cost any money, basically because they have the information available, they just have to compile it. And it would amend the Energy Conservation Act to require the Department of Energy and Natural Resources to report annually on its assistance to units of local government in promoting energy efficiency. So I urge an 'aye' vote."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1385. On that question, is there any discussion? There being none, the question is, 'Shall Senate Bill 1385 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Representative Ronan. Mr. Ronan on House Resolution 194. Out of the record. We'll come back to it shortly. Going back to the Order of Second Reading on this Order of Environment and Natural Resources appears Senate Bill 83, Representative Kubik and Sutker are hyphenated Sponsors. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 83, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Representative Sut... Excuse me. Are there any Floor Amendments?"

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

Speaker Breslin: "Excuse me, Representative Sutker."

Sutker: "Madam Speaker, Representative Kubik asked me if this matter comes up, to seek leave to place this Bill in Interim Study."

Speaker Breslin: "Do you want the Amendment adopted,

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Representative Kubik, first? Withdraw the Amendment. Any further Amendments, Mr. Clerk? Any further Amendments, Mr. Clerk? Withdraw this Amendment."

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "The Bill is on Third Reading. Representative Sutker..."

Sutker: "...Well, I see...I see Representative Kubik's in the hall, so I will...defer to him..."

Speaker Breslin: "...That's fine...both Gentlemen requested the Bill be put on the Order of Interim Study. Hearing no objection, leave is granted. The Bill will be placed on the Order of Interim Study. On this same Order of Environment and Natural Resources under Third Reading, there appears House Resolution 194, Representative Ronan. Do you need to read the Resolution? Representative Ronan. Representative Ronan is recognized."

Ronan: "Thank you, Madam Speaker. I urge the passage of House Resolution 194. It passed out of the Energy Environment Committee 14 to nothing. Deals with the continuation of Lincoln Park Gun Club. There's been some discussions between the Gun Club and Chicago Park District and I think it's a worthwhile Resolution knowing that...letting the Chicago Park District know that we want the Gun Club to exist. I'll be glad to answer any questions."

Speaker Breslin: "The Gentleman has moved the adoption of House Resolution 194. On the question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. I would reluctantly rise in opposition to the Resolution. It's only because the Lincoln Park Gun Club is in my district and there's a controversy going on there. There's some people dealing with, namely the friends of the park, who are upset with

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the idea of the Lincoln Park Gun Club possibly polluting Lake Michigan. And they have asked the park district to kick out the Lincoln Park Gun Club, which is on the shores of Lake Michigan. So, I'm not sure what the best answer is, but probably the best thing would be for us not to pass a Resolution in Springfield and let the Chicago Park District and the appropriate state agency work it out. So that's why I'm indicating my reluctant opposition."

Speaker Breslin: "The Gentleman from Cook, Representative Levin on the Resolution."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I can only echo the sentiments expressed by the last speaker. The Lincoln Park Gun Club is in my district. It's my understanding that there have been negotiations between the Chicago Park District and the Gun Club. Those negotiations ought to go ahead and we ought to leave it to the park district to resolved this problem and not impose the Illinois General Assembly, on what is clearly a local issue...local environmental issue and one that ought to be resolved locally. So I..."

Speaker Breslin: "Representative Levin, can you advise the Body as to how the Resol...how the Gun Club happens to be in your district and Representative Cullerton's district at the same time? You both told us that the Gun Club...it's like Wrigley Field, I see. Any further discussion? The Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think it's a floating Gun Club, it floats on the lake. And it's really a traps...a skeet shoot, they call it. This Gun Club's been there over seventy years. We've heard this Resolution in the Energy Environment Committee and I think it's a worthwhile Resolution and it should be passed."

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Speaker Breslin: "There being no further discussion, Representative Ronan to close."

Ronan: "Thank you, Madam Speaker. You know, we...the people at the Gun Club have been there for a long time. They understand the environmental issues. They've been working with the park district for the last year to solve that. And they've gone to extraordinary measures to make sure that there is a negative environmental impact in the...in Lake Michigan. I understand the concern of those two Members, but I think that it's important for everyone in the State of Illinois, who favors skeet shooting, to have an opportunity to participate in that worthwhile endeavor. And I think that we should let the park district know that it makes sense to allow people who practice that sport, to be able to continue to participate as they have for the last seventy years in the City of Chicago. And I move for the adoption of House Resolution 194."

Speaker Breslin: "The question is, 'Shall House Resolution 194 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Matijeich, one minute to explain your vote."

Matijeich: "I'm voting 'present' until I find out whose district it's in. There's a little argument going on back here, whether it's in Cullerton's district or Levin's district. I'm enjoying the argument. I rather this go on, so I find out whose district it's in."

Speaker Breslin: "Representative Bowman, is recognized to explain whose district this Gun Club is in."

Bowman: "I'll settle this once and for all. It's in my district."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 95 voting 'aye', 9 voting 'no' and 10 voting 'present'. And the Resolution is

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adopted. The next Order of Business is the Order of Government Administration, Second Reading. The Sponsors are Granberg, Wolf, Cullerton, Keane, Hicks, McGann, Curran and Breslin. The first Bill is Senate Bill 107, Representative Granberg. You're prepared to move this Bill, Sir? Out of the record. Senate Bill 162, Representative Wolf, out of the record. Senate Bill 238, Representative Cullerton. Mr. Cullerton. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 238, a Bill for an Act regarding certain aspects of corporations. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Cullerton. Mr. Clerk. Excuse me, proceed, Representative Cullerton."

Cullerton: "Madam Speaker, there is I believe, four Amendments adopted...or filed, and I'm attempting to determine which of those is...yes, I believe Amendments #1 and 2 are the ones I wish to adopt. This was promised in committee...in the Judiciary Committee when we determine whether or not we should pass this Bill, which deals with the Business Corporation Act, buying certain holding companies, the certain rights. There was a second part of the Bill dealing with liability. And what the...the agreement was to take that language out. So that's what Amendment #1 does and I would move for its adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 1 to Senate Bill 238. On the question, is there any discussion? There being none, the question is, 'Shall Amendment 1 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have

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it. The Amendment's adopted. Any further Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, Amendment #2 is to have the Bill have an immediate effective date. I move for its adoption."

Speaker Breslin: "The Gentleman moves the adoption of Amendment 2 to Senate Bill 238. On the question, is there any discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Any further Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, I would move to withdraw #3 and #4."

Speaker Breslin: "Withdraw #3 and #4. Any further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 238, a Bill for an Act regarding certain aspects of corporations. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. The Illinois Business Corporation Act and the Illinois Banking Act contain conflicting provisions regarding whether or not a corporation or bankholding company, organized or qualified to do business in Illinois, may use the word 'bank', 'banker' or 'banking' in connection with his business, or more particularly as part of its corporate name. Section 4.1052 of the Business

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Corporation Act, specifically prohibits domestic and foreign corporations from using any word or phrase in their corporate name, which indicates or implies that the corporation is authorized or empowered to conduct the bank...business of banking. Section 46 of the Banking Act permits a new or existing business, not engaged in the business of banking, and which does not hold itself out to the public as being so engaged to apply to the commissioner of banks and trust companies for permission to use the foregoing words in connection with its business. If the commissioner determines there's no substantial likelihood, the public would be misled, the business may use the foregoing words upon such conditions as the commissioner may oppose. This Bill as amended, is intended to resolve this conflict between the present statutes by amending the Business Corporation Act to provide a procedure comparable to that under the Banking Act. Thus, the domestic and foreign corporations will be permitted to use the foregoing words in their corporate name, provided that such use has been approved by commissioner of banks and trust companies and upon compliance with such conditions as the commissioner imposes. Under existing law, bankholding companies may not use the foregoing words in their corporate names, but if the law is amended as a proposed bankholding companies would be permitted to do so with the approval of the commissioner. I would...know of no opposition. I would appreciate a favorable vote."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 238. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 238 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the

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record. On the question there are 111 voting 'aye', none voting 'no' and 2 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 257, Representative Keane. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 257, a Bill for an Act in relation to financing of local correctional facilities. Second Reading of the Bill. Amendment #2..."

Speaker Breslin: "Any Motions or Amendments?"

Clerk O'Brien: "...Was adopted previously."

Speaker Breslin: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Read the Bill on Third."

Clerk O'Brien: "Senate Bill 257, a Bill for an Act in relation to financing of local correctional facilities. Third Reading of the Bill."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Chairman. Senate Bill 257 amends the Code of Corrections, the Illinois Development Finance Authority, the General Obligation Bond Act and the State Finance Act. It raises the authorization for general obligation bonds for use in construction of jails and juvenile detention centers and in order to pay for the bonds, it imposes an additional penalty of \$10 for each \$40 of fine imposed for convictions for the use of county jail revolving loan fund. The Bill establishes this additional penalty and it's imposed by the courts in criminal and in traffic cases. The proceeds are paid into a new fund in the state treasury called the Correctional Facilities Assistance Act. When the monies are deposited into that new fund, they can be used to pay the principal and

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interest on any bonds issued under the General Obligation Bond Act relating to correctional facility construction and renovation. They can be used to reduce interest rates on bonds issued by the Illinois Development Finance Authority, which were issued for the purpose of construction or rehabilitation of correctional facilities. And lastly, they can fund the County Jail Revolving Loan Fund. The Bill increases the bonding to \$175,000,000 to this...for the acquisition, development, construction and improvement of correctional facilities. The Bill also includes...it's a new inclusion, it includes juvenile detention centers among those facilities that are eligible for financing. It also changes the maximum amount of grants because of the new funding that presently exists. It's from 90 percent of the project cost with a maximum of 7,000,000, that's what exists now to 20 percent of the total authorization of bonds under the General Obligation, or 90 percent of the project cost, whichever is less. The ceilings have gone up. Amendment #2 corrected some problems that were in the original Bill. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 257. On the question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you. Parliamentary inquiry. Does this require 71 votes for passage as it increases the GO Bond authorization?"

Speaker Breslin: "We'll look at it, Representative, and get back to you. Is there any other discussion? Representative McCracken."

McCracken: "Yes. This increases the Bond Authorization Fund, or would increase it by \$175,000,000. It represents a potential General Obligation debt of \$345,000,000. I rise

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in opposition."

Speaker Breslin: "Representative McCracken, the Bill does require 71 votes for passage. On the question again, the Lady from Sangamon, Representative Hasara."

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

Speaker Breslin: "He indicates he will."

Hasara: "Representative, I'm interested in the fine. This is an additional add on to what is already being charged?"

Keane: "In the event...yes, in criminal and traffic cases. Basically, the concept behind it is, most county jails are overloaded. DuPage County just completed a new county jail and needs another one. They...under this Bill would get about \$30,000,000, just to take one county, and that would go a long way to correcting and meeting the needs that they have. Cook County jail, one that I'm more familiar with...we end up, because the county does not have enough existing funds to build a county jail, we turn loose criminals, sometimes violent criminals, back into society simply because we don't have the jail space and the courts have mandated that."

Hasara: "Representative, I totally agree with you concerning the need. The problem is, we're not raising the traffic fine. It would still, in most cases, be a \$50 fine."

Keane: "I think what you would find is...and the purpose of this Bill is...there's no one that knows more...is more aware of the need for not only new jails and adequate jails that are humane places to put prisoners, than the courts. Because the courts are seeing people coming back the week after they've convicted them, or they thought they sentenced them and put them away for awhile and those people are out. Every day the sheriff of Cook County is told to release prisoners that he does not want to release. I'm sure the same thing is happening in other counties."

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Hasara: "It's been my experience, however, that most judges feel that fines are now just about as high an amount as they are able to collect. In fact, in most counties it is true that thousands, even millions of dollars of fines that are levied go uncollected each year. You must remember that if a judge fines someone, let's say \$50 or \$100, in most cases, that is fine and costs, and so all these add ons end up coming off the total fine and in the long run it's your county that loses out. The state gets all the surcharges first and then what's left over goes to the county and every time we add on another \$10 surcharge or another \$25 surcharge, we take money right out, indeed, of the county treasury, which is defeating the whole purpose that we're trying to accomplish here. So I think to say that the judge will tack on an additional \$10 is not realistic because most judges end up giving someone time to pay in the first place. State's Attorneys don't have the money to go out and find these people who owe \$50 or \$30 and it's the counties that end up suffering in the long run. So while I understand your very worthy purpose, I'm afraid that this will not work."

Keane: "Well in response to your question. What we really have to do is, we have to get the judges to be educated between the difference of fines and costs, because we have judges that will do...will not levy mandatory fines at the present time. I've been asked to take the Bill out of the record for an opportunity to clarify with some of...some Members who have questions on a complicated Bill and I'd be happy to do so now."

Speaker Breslin: "Out of the record. Senate Bill 819, Representative Hicks. Mr. Hicks. Out of the record. Senate Bill 853, Representative McGann. Clerk, read the Bill."

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Clerk O'Brien: "Senate Bill 853, a Bill for an Act in relation to property taxation. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Representative...are there any Motions or Amendments?"

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

Speaker Breslin: "Representative Stange. Is Mr. Stange in the chamber? He is not. Representative McGann."

McGann: "...Amendment please?"

Speaker Breslin: "The Gentleman moves to table Amendment #1. On the question, is there any discussion? There being none, the question is, 'Shall Amendment 1 be tabled?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, the Amendment is tabled. Are there any further Motions or Amendments?"

Clerk O'Brien: "Floor amendment #2, offered by Representative McGann."

Speaker Breslin: "Representative McGann. Representative Keane in the Chair."

McGann: "Thank you, Madam Speaker and Members of the Assembly. Amendment #2 to Senate Bill 853 just handles the effective date. The Act becomes...takes effect upon becoming law and I'd ask for its adoption."

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

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 853, a Bill for an Act in relation to property taxation. Third Reading of the Bill."

Speaker Keane: "Representative McGann."

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McGann: "Thank you, Mr. Speaker and Members of the Assembly. Senate Bill 853 as amended, amends the Revenue Act. Requires the Department of Revenue to forward copies of certification of disabled veterans homestead exemption to local assessors. This is exactly what it does and I would ask for passage and be happy to answer any questions."

Speaker Keane: "Representative McCracken."

McCracken: "Thank you. Will the Gentleman yield? Representative McGann, we've already passed out a Bill identical to this that has already gone to the Governor. Is it your intention to use this Bill as a vehicle, have the Senate nonconcur and put this into a Conference Committee?"

McGann: "No. My understanding, this is a Bill that's been asked by the Cook County Assessor and my understanding is that it's going to be held till the fall for any action whatsoever to be taken on it."

McCracken: "Pardon me? I didn't hear that."

McGann: "My understanding, it's going to go back over...if we pass this out of here, it'll go back over to the Senate and be held till the fall for further consideration."

McCracken: "Okay. Thank you."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 116 voting 'aye', none voting 'no', none voting 'present'. And Senate Bill 853 having received the required Constitutional Majority is hereby declared passed. House Bill...or Senate Bill 965, Representative Cullerton. Out of the record. House (sic - Senate) Bill 983, Representative Curran. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 983, a Bill for an Act to amend the

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Illinois Development Finance Authority Act. Second Reading  
of the Bill. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. Amendment #1 amends the Illinois Development  
Finance Authority that would provide that the Illinois  
Development Finance Authority shall establish a program  
under which the authority shall issue bids...performance  
bonds for small business. It would create a fund to  
provide loans to assist certain minority and female owned  
business. And it would create a fund from which loans can  
be made and authorized by the authority. I would like to  
have an affirmative vote on this Amendment."

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

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 983, a Bill for an Act to amend the  
Illinois Development Finance Authority Act. Third Reading  
of the Bill."

Speaker Keane: "Representative Curran."

Curran: "Mr. Speaker, Ladies and Gentlemen of the House, you've  
just heard the Amendment that we just put on unanimously.  
In addition to that, what the underlying Bill does is allow  
the Illinois Development Finance Authority to provide for  
the payment of the projects non-capital cost. I ask for an  
'aye' vote. I don't think there's any controversy on  
this."

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Speaker Keane: "Any discussion? There being none, the question is, 'Shall this Bill pass?' Representative McCracken."

McCracken: "This is a...will the Sponsor yield?"

Speaker Keane: "He indicates he will."

McCracken: "This Amendment is the attempt to conform to recent Supreme Court cases requiring certain findings of fact before a cause of action exists for discrimination against a municipality, is that right?"

Speaker Keane: "Representative Curran."

Curran: "Can we have Representative LeFlore answer the question about his Amendment?"

LeFlore: "Representative McCracken, from my understanding, this does not apply."

McCracken: "Pardon me?"

LeFlore: "It does not apply."

McCracken: "It does not apply."

LeFlore: "No."

McCracken: "Does this allow the minority and female small businesses to collateralize bid bonds, or performance bonds with promised revenue from the job?"

LeFlore: "Repeat the question, I didn't..."

McCracken: "Does...does this allow these businesses to collateralize their bid bonds, or performance bonds by security of the contract itself?"

LeFlore: "Exactly."

McCracken: "Okay. We've voted on this before, Ladies and Gentlemen. It's controversial. I think it's a sham. I don't think we should be supporting it. I rise in opposition."

Speaker Keane: "Any further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have

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all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 57 voting 'aye', 47 voting 'no', 6 voting 'present', and the Gentleman asks for a Poll of the Absentees."

Clerk O'Brien: "Poll of those not voting. Farley. Giglio. Hasara. Mautino. Saltsman. Stange and Turner. No further."

Speaker Keane: "Representative Turner votes 'aye'. Any further...anyone wishing to vote? On this issue there are 58 voting 'aye', 47 voting 'no', 6 voting 'present', and Senate Bill 983 having failed to receive the Constitutional Majority...the Gentleman...the Sponsor asks for leave for Postponed Consideration. Leave? And the Bill will be on the Order of Postponed Consideration. Senate Bill 999, Representative Breslin. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 999, a Bill for an Act concerning child care services. Second Reading of the Bill. No Committee Amendments. No Committee Amendments."

Speaker Keane: "Any Floor Amendments?"

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

Speaker Keane: "Representative Pedersen. Representative Breslin."

Breslin: "Parliamentary inquiry. I question the germaneness of this Amendment."

Speaker Keane: "The Lady questioning...questions the germaneness of Amendment #1. While that's going on, Representative McCracken...Representative McCracken."

McCracken: "Mr. Speaker...just briefly to address the Motion. The Amendment deals with child care, just as the underlying Bill does. It merely represents an alternative to that proposed in the Bill itself, and on that basis, the Chair should find that germane."

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Pedersen: "Yes, Mr. Speaker. Our general policy toward child care should be to treat all families the same. Amendment #1, takes one small step in that direction..."

Speaker Keane: "Representative Pedersen, would you address your statement to the Motion? The Lady found...the Lady had moved that the Amendment was not germane. Do you have any comments on the germaneness?"

Pedersen: "I was just getting to that. That by providing a direction...by providing an additional \$1,000 personal exemption for each child in the family under the age of 6. So what we're really trying to do is address the problem that she's trying to address. That's why we feel it's germane."

Speaker Keane: "The Amendment is not germane, because the Bill deals with income tax and the Amendment...I'm sorry, the Amendment deals with income tax and the original Bill deals with child care services. For that reason, the Amendment is not germane. Mr. Clerk, any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Didrickson and Countryman."

Speaker Keane: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. We've had this initiative pass out of this House overwhelmingly prior, but the Senate version of this, we feel, needs some cleanup with regards to...number one, and this is what Amendment #2 deals with, allowing the Department of Children and Family Services to have an inter-agency funding arrangement with regards to the implementation of the resource and referral system. Number two, it deletes the provision that allows for the Department of Commerce and Community Affairs to establish the low interest loan program and actually provides for the Health Facilities Authority Act to do that same...provide that same kind of a

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loan program, because they can do it for a lower digit interest rate, because of their not-for-profit status. And I ask for its adoption."

Speaker Keane: "Any discussion on the Amendment? Representative Breslin on Amendment #2."

Breslin: "I support the Lady's Amendment."

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

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

Speaker Keane: "Representative Breslin."

Breslin: "Withdraw #3."

Speaker Keane: "Withdraw on 3. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Breslin and Flowers."

Speaker Keane: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. Amendment #3 is by agreement with the Governor's Office and with the Department of Children and Family Services to switch the loan..."

Speaker Keane: "Excuse me, Representative Breslin, we're on Amendment #4."

Breslin: "Yes."

Speaker Keane: "You withdrew Amendment #3."

Breslin: "Yes, I'm sorry Amendment #3...is what I speak to..."

Speaker Keane: "We have a point...Representative McCracken, for what purpose do you rise?"

McCracken: "To ask if this has been printed and distributed. We don't have it yet."

Speaker Keane: "Mr. Clerk, has it been printed and distributed? I am told it has been printed and distributed."

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McCracken: "He just nodded no."

Speaker Keane: "I don't know...it's been...yes, it has been printed and distributed."

McCracken: "Oh, alright. Okay. Thank you."

Speaker Keane: "Representative Breslin."

Breslin: "Amendment #4 is by agreement with the Governor's Office and with the Department of Children and Family Services to establish the loan program, the low interest loan program for low income...that would provide services for low income families in the Department of Children and Family Services, using the bonding authority of the Illinois Health Facilities Authority. I move for the adoption of the Amendment, Mr. Speaker. I move the adoption of the Amendment."

Speaker Keane: "The Lady moves the adoption of Amendment #4. Is there any discussion? Representative McCracken."

McCracken: "Parliamentary inquiry. If this is adopted and goes to Third Reading for a vote, it will require 71 votes to pass as it increases debt authorization?"

Speaker Keane: "While we're checking on that, Representative Didrickson."

Didrickson: "I just rise in support of the Lady's Amendment."

Speaker Keane: "Representative Didrickson, while we're looking at that, maybe you would want to make your remarks."

Didrickson: "Thank you, Mr. Speaker. Yes, I would. Because the Amendment that I put on here, from my interpretation of Amendment #2, it doesn't increase the authority at all. It just allows them to access into that bonding authority. It just adds them to that approved list."

Speaker Keane: "Thank you. In response to your inquiry of the Chair, Representative McCracken, the Chair is not in the habit of...making advisory comments as to how or...they will or will not respond. The...under the present

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situation, it takes 60 votes. Representative McCracken."

McCracken: "I'll bet a lawyer told you what to say. That...that sounded like my first year constitutional law class."

Speaker Keane: "Some of us just move our lips and the words come out. Representative Pedersen."

Pedersen: "Thank you...thank you, Mr. Speaker and Ladies and Gentlemen of the House. As I mentioned earlier, our general policy toward child care should be to treat all families the same. All these Amendments in this Bill does is...is try to put in place an infrastructure for promotion of day care for all kinds of families and studies and what have you, to...to increase the power and what have you of the day care establishment. What we should be doing is treating all families the same, whether you use their day care or not. If you're a mother with young children, you should have the choice of whether or not you want to take a job in the marketplace, or whether you'd like to stay home with your young kids. That's why the best approach should be like a personal exemption under income tax for each child under the age of 6. This kind of...this kind of legislation just promotes the notion that we ought to have more child care centers, more kids that aren't being taken care of the family, and so we should be opposing all of these kind of initiatives."

Speaker Keane: "Representative Laurino in the Chair."

Speaker Laurino: "Further discussion? Seeing none, Representative Breslin moves the adoption of Amendment #4 to Senate Bill 999. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, the Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 999, a Bill for an Act concerning

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child care services. Third Reading of the Bill."

Speaker Laurino: "Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill is the same Bill as House Bill 414 that we all voted in favor of just a few weeks ago. That Bill passed out of this House 98 to 12 to 4. We have made some Amendments in the House at the request of the Governor's Office and DCFS. Now, the Governor's Office and DCFS stand in full support of the legislation crafted in this manner. It is good for children. It is good especially that we build in the infrastructure that is going to be necessary in order to handle welfare reform that is coming down to us from the federal level. It is absolutely essential that we pass this legislation in order to be ready to care for the many, many more children that are going to be in need of day care services in the future. I want to tell you that I am not in support of having a greater need for day care services. I have not created that need, you have not created that need. But the need exists, and it is the responsibility of this government to provide for that need. This is the mechanism to help set the infrastructure to provide for that need. I will be happy to answer any questions."

Speaker Laurino: "Any discussion? Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. There's a great rush to encourage, subsidize and make it easier, make it more affordable for women to leave their young children in centers and take a job in the marketplace. And we all know if you want more of something, you subsidize it. One of the problems it makes worse, is the tax burden on traditional families, who have experienced tremendous increases in taxation over the past 20 years, while taxation on singles and marrieds without children has remained about the same. This tends to force

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a lot of women who prefer to stay home with their young children to take a job in the marketplace. Our policy should be to treat all families the same. Lower their taxes, eliminate discrimination between families, give mothers a choice. This Bill is another example of promoting all kinds of innocent sounding initiatives at the national and state level, and even locally, which increase discrimination against the traditional family by skewing further the tax burden of those who are struggling to maintain a traditional home. This Bill provides things like low interest loan programs for new and existing day care centers. That's a subsidy. It provides technical assistance and training to child care services. That's increased spending and subsidy. Analyzing wages, standards, qualifications, a whole raft of investigations with the almost certain result of reporting a tremendous need out there. But standards, training, requirements, raise everybody's cost and reduces supply. In truth, there's no shortage of day care. We had a dramatic growth in recent years and providers say they can easily expand. We must be careful also not to confuse the welfare family, the poverty stricken female head of household and other hardship situations with the legislation that would apply to all families. I don't think this Bill distinguishes between them. The child care issue is not about welfare. Mothers on welfare in most states are already entitled under existing law to full compensation of day care expenses at the market rate in their locality. In addition, the federal government spends 3 billion dollars a year for various programs for child care for low income mothers. Robert 'Rector' of the Heritage Foundation points out that with families with children under six, there are actually more traditional working class families with

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incomes less than 15,000 a year, than there are families headed by employed single mothers. He calls these low income traditional families, America's forgotten families. They're paying the taxes for others with higher income to pay the cost of their day care. It appears to me this Bill sort of innocently puts the mechanisms, the infrastructure in place for a massive push for more centers in the future at a tremendous cost. Joan 'Beck', The Chicago Tribune, stated in one of her columns in November '87, that day care is a bottomless hole into which endless federal and state dollars can be poured, and that also ought to be a warning to our business community. It seems to me that the solution is to empower parents. That we would save billions of dollars in countless ways, if we invested in the best child care, that's family care. And we should praise and encourage mothers who are willing to stay home with their young children."

Speaker Laurino: "Further comments? Representative McCracken."

McCracken: "Apparently, we don't have a position on this officially, so those of you who don't want to listen to the speech may feel free to tune out. I stand up personally, because I think this takes us down a road, it's the first step down the wrong road. And I don't object just out of some philosophical basis that government is not required to do everything for everybody. I rise because I think to the extent we make these decisions at this level, we take those same decisions on the realistic opportunity to implement some decisions, away from the people making the most intimate of decisions. I think this is a matter of choice, and I think setting up a new bureaucracy that the government will tell us is good for our children, is going to cause less money to be available for a private choice. It's going to cause less debt, even, to be available in

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order to finance a private choice. It's going to discriminate ultimately...and and irrevocably against non-government types. What will...what will follow sure as night follows day, based on our last 50 years of experience at the federal level, is that we will be told what is good day care and what is bad day care. We will be told that no religion can be taught in day care centers, because they are federally financed or state financed. We will be told that the day care provider has to be certified. A new bureaucracy will be set up to certify the day care people. People will become professional day care people, and maybe in some respects that's good. But what it really means is that there will be a professional class of people who do nothing else but care for our children, and why is that such a good thing? Is that such a good thing because they will be more qualified than their parents? Is it such a good thing because they will know better than the child's mother or father what is good...Speaker...Speaker."

Speaker Laurino: "Sorry, Tom."

McCracken: "Okay, thank you. Let's see, now I lost my train of thought. Oh yes, I was talking about the quality of life and the freedom of choice. Something I know all of you on that side of the aisle value. To the extent you do this today, you co-opt anyone else doing it. You stultify the creative expression of mothers looking for the best environment for their children. You will in...inevitably, tell them that there is a right way and a wrong way to do it. Take into account the last 50 years of this country's experience. Haven't we learned that big government is not good government? Haven't we learned that in types of these...or this type of case, that it is the local level which should be doing the decision making, and in a case such as this, it should be the mother and father who are

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doing the decision making. To the extent you formalize, to the extent you institutionalize day care in this country, you do violence to the family. Now I know that some will stand up and say that we are doing only what no one else can do, because this is to serve only the low income people. If it were only to serve the low income people, but you are genuinely concerned about creating a bureaucracy, then you would say, you would conclude, that to the extent we can put some money in those pockets without any well, cause it's not doing anything. It's letting people make their own decisions. It's giving them the freedom to make their own decisions. So, if you want to help people, if you want to address the day care crisis, what about a tax exemption? What about a tax credit? What about freeing up debt so that people can finance their dreams in this area, just as we encourage them to finance the dream of owning their own home. Let us not go down a road which 50 years of experience has proven to be the wrong road. Stand up today for freedom. Stand up today for choice. Tell people that you are not willing to tell them how to raise their children, that you want them to do that themselves, and that you will help them realize their dreams."

Speaker Laurino: "Further discussion? Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. I'm pleased to follow my two colleagues after their very impassioned emotional speeches, because they feel very strongly about this issue. That does not mean that I feel any less strongly. I would just simply like to say that this is a very conservative approach to child care in the State of Illinois. It has nothing to do with establishing child care centers across this state. It does basically

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three things. Number one, we are not blazing new trails and setting a new precedent, because the Department of Commerce and Community Affairs has already had a loan program out there for establishing day care centers. What we are doing is establishing under the Health Care Facilities Act, a loan program. A loan program, not a give away for low income, there's a needs test here, for low income families who need to have the child care and family care so that they can go out and be productive members of this society. That is what it does, number one, with regards to the loan program. Number two, it establishes just exactly what the State of Michigan has done, with regards to putting together a referral system, and that is saying what is out there with regards to family care and child care, if indeed you need to access it. That is number two, that is all that it does. Number three, what it simply also does, beyond the reporting of child care in referral system out there, with regards to the loan program, it does not say that we are setting up what they are thinking about at the national level with regards to an ABC program, or even a tax credit. We didn't even attack it from that perspective. It is a simple initiative that just simply says that we in the State of Illinois recognize that some planning needs to be done. A simple referral reporting system with regards to the Department of Children and Family Services. The component with that, that says Department of Children and Family Services, as it was just amended, will work with other agencies on an inner agency agreement, for example, the Department of Public Aid. That is it. It's a simple measure and it really deserves your support."

Speaker Laurino: "Further discussion? Representative Bowman."

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

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House. I rise in support of this legislation. If you listen to the statements in opposition, they are basically statements in opposition to institutional day care. As if somehow we could deny the very real problem that we're facing in the United States today. The problem in the United States is that our standard of living is eroding. That many families are finding that there has to be two wage earners and if there are not two wage earners in the family, they will fall behind. Their standard of living will fall. And of course the situation is much, much worse for single parent heads of households, particularly female heads of households. Now, I represent a community that probably has more day care per capita than any other community in the State of Illinois. We have at least a thousand subsidized day care slots in my community, many more that are unsubsidized. The local schools provide day care, and yet there are waiting lists. There are waiting lists all over the city of Evanston. There is, in fact, a real shortage. And let me tell you what happens when there's a shortage of day care. The children are the ones who get hurt. Because in these families, who are trying to maintain their standard of living, where both parents have to work, they have makeshift arrangements for day care. They leave their children with neighbors, or distant relatives, they're lucky if they can leave them with...blood relatives. And very often these children become latchkey children. You know what a...latchkey child is. That's a child who comes home after school with a latchkey tied on a string around his neck so he can get into the house by himself and then is unsupervised for the remaining hours of the day because he has no place else to go and no supervision. We need to put an infrastructure in place, such as contemplated by Senate Bill 999. We need to

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develop a quality day care program throughout the State of Illinois that provides access to everybody, so that everybody who has to work can be assured that their children will be safe and well cared for in their absence. I'm proud to support Senate Bill 999 and I hope that all of my colleagues will see it the same way. Thank you."

Speaker Laurino: "Further discussion? Representative Hasara."

Hasara: "Thank you, Mr. Speaker. I think most of the points have been well made. I would like to remind everyone that this is not the same Bill that started out in committee originally. It has been agreed to by the Governor's Office, the Department of Children and Family Services and the Sponsors. I would also like to remind everyone that no one disagrees that parents know best about the needs of their children. There's probably not a Representative in this Body that would not like to see both parents at home with pre-school children, and children being able to come home after school to see parents there. I know I stayed home with my children and I really sincerely think that they were better off for it. But that was a lot of years ago. The world today is different. To ignore the fact that there is a need that sometimes only government can help fill, says we have our heads in the sand. This is not just a low income issue. My personal feeling is, it has every bit as much to do with those people, particularly women, who are now so well educated, with Master's Degrees and Ph. D's and certainly college educations, that they are choosing to continue their careers. We must respect them for that decision, even if we don't agree with it. We must see the need to help fill some of these...to get some more slots that need to be filled for good, quality day care. Our constituents are begging us for help in this regard, both male and female, both middle and higher income, and

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both low income. I ask for a 'yes' vote on this agreed to Bill."

Speaker Laurino: "The Chair recognizes Representative Sam Wolf."

Wolf: "Mr. Speaker, I move the previous question."

Speaker Laurino: "The Gentleman moves the previous question.

Motion is that the main question be put. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it, the main question is put. Representative Breslin to close."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, I wish to thank those of you who have risen in support of the Bill, and I would ask you to disregard the red herrings that were raised by those who oppose the Bill. You heard those same red herrings a few weeks ago, and only 12 of you agreed to vote against this Bill. There are no mandates in this Bill. There is nothing that requires anybody to use day care as...in this Bill. There are no subsidies in this Bill. This Bill only requires that we do a needs assessment for day care in this state every two years. That DCFS is the lead agency for day care in this state. It establishes access to a low interest revolving loan program financed in a manner that the Governor agrees to and that DCFS agrees to, and it establishes a statewide resource and referral system for day care in this nation. Why? Because in a few years, under welfare reform, people are going to be required to go back to work, even though they have children of 6 months age and older. They're going to need day care. It is estimated that we need 60 to 80 thousand more day care slots for low income people in order to meet those mandates. Those mandates that were imposed on us by the Federal Government for welfare reform and our Project Chance. We need to be ready to do that so that these children are cared for. I move passage of

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Senate Bill 999."

Speaker Laurino: "Representative Breslin moves that Senate Bill 999 shall pass. All those in favor vote 'aye', those opposed vote 'nay'. This is final passage. Voting is open. Representative Parcels, one minute to explain your vote."

Parcels: "Thank you, Mr. Speaker. I wasn't going to speak on this Bill, but I think it's very important to point out something that was misconstrued, perhaps by accident, by one of the speakers who spoke previously. They talked about loans...and the impression was that the loans were to the families. That's absolutely incorrect. It says right here, such loans shall be available only to child care centers and family day care homes serving children of low income families. That's entirely different than helping out a poor family by giving them money. It would certainly cost us less and help that family more if you gave low income families a thousand dollar credit and let them decide what to do. Those day care centers would pop up, or the church day care centers would pop up, and Representative McCracken is absolutely right, we will be outlawing church and other types of day care and grandparents, when this final Bill, when it's all done and over. A study isn't bad, but this could be disaster. I suggest a 'no' vote."

Speaker Laurino: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 103 'ayes', 12 'nays', and 0 voting 'present', receiving the required Constitutional Majority is hereby declared passed. And we'll proceed to Economic Development, Third Reading. On your Calendar, page 4. Senate Bill 525, Representative Saltsman. Read the Bill, Mr. Clerk."

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Clerk O'Brien: "Senate Bill 525, a Bill for an Act in relation to economic development. Third Reading of the Bill."

Speaker Laurino: "Representative Saltsman."

Saltsman: "Yes. This started as a shell Bill with DCCA to decrease the Enterprise Zone Acts and I'm ready to accept some Amendments. The Amendments will make the Bill."

Speaker Laurino: "Representative Saltsman, you have to bring it back to Second Reading. The Gentleman ask leave to bring it back to Second Reading..."

Saltsman: "...Yes..."

Speaker Laurino: "Leave is granted. The Bill shall be placed on Second Reading. Are there any Motions, Mr. Clerk?"

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

Speaker Laurino: "Representative Granberg on Amendment #2 to Senate Bill 525."

Granberg: "Thank you, Mr. Speaker, Members of the House. Amendment #2 to Senate Bill 525 gives the Department of Commerce and Community Affairs the authority to certify 7 additional enterprise zones in the state. It also provides that those enterprise zones shall not lie within municipalities or unincorporated areas of counties that abut or are contiguous to enterprise zones currently certified by this section in order to avoid them having them right immediately next to each other. It also incorporates language to change the dates of these 7 additional enterprise zones would be open to new applicants. So those three components and we would ask that Amendment #2 be adopted."

Speaker Laurino: "Representative Granberg moves that Amendment #2 to Senate Bill 525 be adopted. Any discussion? Representative McCracken."

McCracken: "Thank you. We've considered this prior to this time,

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haven't we? Didn't we do something on this last week or...has this Bill been taken out of the record?"

Granberg: "Representative McCracken, Senate Bill 240, which came over from the Senate with Senator Watson, I was the House Sponsor...I did not call it during negotiations taking on regarding Senate Bill 525 and Senate Bill 240. Hopefully, Senate Bill 240 would be called later today. They will be exactly the same. We have...we will amend Senate Bill 240 in accordance with what the Department of Commerce and Community Affairs has requested. They'll be exactly the same. But this has not been voted on."

McCracken: "Alright. And the Department is in favor of this?"

Granberg: "Yes, Representative."

McCracken: "Alright. Thank you."

Speaker Laurino: "Representative Harris."

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

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

Harris: "The Amendment...the Amendment is worded in such a way...it says, 'the additional enterprise zones shall not lie within municipalities or unincorporated areas of counties that abut or are contiguous to enterprise zones certified, et cetera, et cetera. Is there a particular reason for that kind of wording? Is there some concern that there might be two enterprise zones right next to each other, or..."

Granberg: "Representative Harris, that was the concern and the reasoning for that language. We met on this two days ago. We were concerned that we'd have two enterprise zones immediately next to each other. If a business is looking to come in to one, then another one might be granted one with the additional...one of the additional 7 enterprise zones would be the authority now. So...we didn't want to invalidate or affect any negotiations that are currently

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going on in good faith with an area that has an enterprise zone."

Harris: "So could this language possibly benefit a particular company that might be looking to relocate within Illinois right now?"

Granberg: "Representative, I don't...I really don't know how many there are. I'm familiar with one that, if we would do this, and we would allow one of the 7 to go right next to another one, we could affect negotiations and we didn't feel that would be appropriate."

Harris: "Thank you."

Granberg: "Sure."

Speaker Laurino: "Representative Granberg moves the adoption of Amendment #2 to Senate Bill 525. Representative Hultgren."

Hultgren: "I'm sorry, has this one been distributed? I don't seem to have it on my desk."

Speaker Laurino: "Yes, it has. All those in favor will...all those in favor of Amendment #2 to Senate Bill 525 indicate by saying 'aye', those opposed vote...say 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 525, a Bill for an Act in relation to economic development. Third Reading of the Bill."

Speaker Laurino: "Representative Saltsman."

Saltsman: "Yes, thank you, Mr. Speaker. That Amendment is the Bill. This was a shell Bill. You've heard the controversy and the arguments for that and I do ask for the passage of Senate Bill 525."

Speaker Laurino: "Representative Saltsman moves passage on...the Gentleman asks leave that this Bill be heard the same day. Is there leave? Leave being granted by the use of the

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Attendance Roll Call, Senate Bill 525. All those in favor will vote 'aye', those opposed vote 'no' on Senate Bill 525. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 109 'ayes', 1 voting 'nay' and 3 voting 'present', having received the required Constitutional Majority is hereby declared passed. Senate Bill 768, Representative Keane. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 768, a Bill for an Act in relation to international trade. Third Reading of the Bill."

Keane: "Thank you, Mr. Speaker. Senate Bill 768 is the omnibus international trade Bill. It creates the Small Business Export Development Act to develop innovative export trade strategies through a small business export development grant program. It establishes an Illinois World Trade Center in Chicago. It creates a 20 member task force on international trade to review state efforts to promote trade, joint ventures and other economic links to foreign markets. The Bill expires January 1, 1990. The task force expires...the task force has 11 Democrats and 9 Republicans on it as the Bill has been amended. The Bill places a cap on the existing performance bond fund...guarantee fund based on the amount appropriated to the fund. It establishes an export loan guarantee fund with a cap based on the amount appropriated. In terms of what the Bill will cost, as indicated in my earlier comments, the Bill has no funds in it except those funds that would be appropriated by us. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Laurino: "Representative Keane moves that...for the passage of Senate Bill 768. Is there any discussion? Representative Ropp."

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

Speaker Laurino: "He indicates he will."

Ropp: "Representative Keane, can you explain briefly the difference between this Bill and the existing programs that the Lieutenant Governor's been involved with now?"

Keane: "Well, there's really no...there isn't that much difference because the Lieutenant Governor is in support of this Bill."

Ropp: "Well, that may be, but most agencies want to get bigger. Most agencies want to get bigger and I guess I'm questioning...I thought that the previous programs that we had were pretty effective and that to expand on them might've been better than to create a new kind of entity here."

Keane: "Well, as you know, the present law only is...handles pre-export. This would be an extension and cover two of the existing weaknesses. Namely, working capital and post-export assistance. So it would allow for very, very small business people, very small exporters to compete and to...and to, in fact, export."

Ropp: "Yeah. But I'm...I was almost positive that that's what a couple of those existing programs were doing and that to establish a new group of 20 additional people seemed like now we have 3 bodies attempting to promote export, even with small companies as well as large companies, in addition to providing some guaranteed funds for the small businessman. So I...I know that the Department of Commerce and Community Affairs, as I understand it, is not in favor of this, is that right?"

Keane: "No. Representative Ropp, you are exactly correct in what you've said. The current body just basically now...it reviews existing programs for the enhancement of international exports being carried on by the state with a

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view to making improvements in and augmenting the economic development of the state. This task force that will go into effect for maybe 6 months, is to carry that much further to develop a broad program which would not only cover pre-export but also the funding...the funding for small people who cannot compete now as well as post-export assistance. We're...we would help, let's say, take a small exporter or someone who cannot afford the...doesn't have the expertise...we could help him through that post-export period while he's waiting for his money. While...we could probably have someone deal with our embassy or our consulate over there. It takes...it takes...it's the Lieutenant Governor's hope that this will bring in people who just said, 'I can't afford to compete, I don't have the resources to do it'."

Ropp: "Okay. Well, I understand that, but it seems to me like those are the very same points that were used in passing previous legislation and it appears that this is just either an extension or expansion of existing programs. Thank you."

Speaker Laurino: "Representative Davis."

Davis: "Thank you, Mr. Chairman. I would just like to have the House welcome Father Pflieger from the famous Saint Sabina's Church in Chicago. Thank you. Father Pflieger."

Speaker Laurino: "Representative Balanoff."

Balanoff: "Yes. Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of Senate Bill 768 because I believe it is one piece of legislation in a larger effort we must undertake to create jobs that are based in a new global economy. This legislation would make it possible for the medium and small businessmen to tap foreign markets where currently only large corporations may sell their products. The spill over to other sectors of the economy

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would be significant. For example, my district contains Chicago port...Chicago's port which would be a major employer and it should be a major employer, but instead has languished for years in comparison to other ports, such as Milwaukee's. In fact, my only complaint about this Bill is that it excludes any provisions to improve the operations of the port. This Bill is a sort of enlightened, meaningful, economic development we should engage in. With the state guaranteeing the loans to established small businesses to set up exporting markets, the risk is almost non-existent. It will benefit small businesses across the state. This Body has given handouts to sports stadiums. It has welfare programs in the form of tax breaks for our large corporations. The larger you are as a corporation, the more likely you are to get a break. Well, this Bill's for the little guy. Many in this chamber talk about the problem of unemployment whenever they're up for reelection. Well, this Bill does something to finally solve that problem. This is one of the first pieces of legislation that legitimately will hit at the heart of the problem and put people back to work. This is a legitimate job's Bill, and I urge your 'aye' vote."

Speaker Laurino: "Representative Mautino. Representative Harris."

Harris: "What's the matter, Dick, you don't want to say anything? Thank you. Thank you, Mr. Speaker. Question..."

Speaker Laurino: "...you know, I can only speak Italian, but I didn't understand that sign language."

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

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

Harris: "We...we addressed the question of the task force when it was amended, but I think it's appropriate to once again go over that a little bit, if you could. Is the task force

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duplicative of the...of the Illinois Export Authority? Are we setting up simply another body to do exactly the same thing that's in existence right now?"

Keane: "No. It actually goes beyond and would be...it's only a temporary thing. It's a six month task force. There are, as I indicated in my opening remarks, there are 11 Democrats and 9 Republicans. Three of the Republican appointments are by Lieutenant Governor Ryan. It's...it's an effort to focus those people, those 20 people, on an effort to promote trade and joint ventures as well as economic links. It then goes out of existence."

Harris: "Okay."

Keane: "And the...and the Council stays in existence."

Harris: "Alright. We are, under this Bill, we are making a...right now, we provide assistance to companies through DCCA that might want to export. Some sort of pre-shipment assistance. Putting them in touch with perhaps, representatives of foreign countries and the like."

Keane: "Right."

Harris: "And we are taking now a step guaranteeing, as I understand it, guaranteeing payment post-shipment. Is that correct?"

Keane: "Well, the federal law now is...the department of...the federal Department of Commerce has a guarantee. In other words, if you ship widgets to Germany, there's an insurance guarantee that if those widgets get damaged, as long as you've got a deal...as long as you've made an export sale, if something outside of your control, if there's a revolution or something like that, you're covered. And that's the way of protecting and developing young exporters. What we would do on the state side would be infinitesimal, but it would be a similar kind of a thing as...in the...in the..."

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Harris: ...So are we talking about damaged shipments or damaged goods? Or we are talking about potential non-payment?"

Keane: "It covers anything, any loss...you know, the feds do an insurance deal so that any loss...the State of New York and the State of New Jersey have come together. Each of their Legislatures has given money to the Port Authority of New York and the Port Authority of New York has been doing this for years. They go out and they get small manufacturers who do not have the expertise themselves or the people that can speak the foreign language or identify the foreign markets and they become middlemen until those links are established, so that they can sell foreign products and they have the bank connections and they have their connections in the foreign countries. That's what we're attempting to expand the Bill into now."

Harris: "I follow. And as I understand it, the other...one of the other provisions of the Amendment, and I asked this in ...when we were talking about the Amendment. The initial Bill limited the guarantees to a maximum of 5,000,000. I believe now we have increased that to 10,000,000. Is that correct?"

Keane: "No, it's not correct. It is limited, first of all, it would go five..."

Harris: "Okay. I am wrong, so it's only 5,000,000."

Keane: "...But only if we appropriate 5 into that fund. Cause if we don't appropriate anything, it doesn't go in."

Harris: "Okay...Alright. Well, I appreciate the thoroughness of the Sponsor's answers, but to the Bill, Mr. Speaker. Ladies and Gentlemen of the House, there is a significant concern here, which the Chairman of the Revenue Committee was very forthright in answering. We go from pre-shipment assistance to people who want to engage in export, companies that want to engage in export here in the State

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of Illinois, to post-shipment guarantees. Seems to me that turns into business with no risk. Now a businessman is going to assess his risks when he has to ship a product overseas and say, 'Hey, am I going to get paid? The company or the...the country or the individual to whom I am shipping my product is, indeed, he going to pay me?' And that's going to be a factor in his business decision. Now, it seems to me under these guarantees that the State of Illinois is going to be offering, he doesn't have to worry about whether or not he's going to be paid, because the State of Illinois is guaranteeing that he will be paid at least up to 85 percent of the value of his shipment. That to me is business with no risk. That is a significant change from what we are doing now in the State of Illinois. I think it's a significant change which should not be made and I would, for that very reason, recommend a 'no' vote on this Bill."

Speaker Laurino: "Representative Mautino."

Mautino: "Thank you very much, Mr. Speaker. Will the Gentleman yield?"

Laurino: "He will."

Mautino: "Representative Keane, when the Export Council and the Export Development Authority was established, it was to stand on its own by virtue of the sale of bonds and the revolving fund on the return on those bonds that generated loans for export entities. Is it not true that they generate approximately \$200,000 as their income portion under this Council?"

Keane: "They generate income. Exactly how much, I don't know."

Mautino: "Well, I think that on a 5,000,000 provision, which was originally 15 millions in bonds...I think I remember from the appropriations process, they have about \$200,000 of actual cash flow. Is that the same cash flow that will be

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used to guarantee the loans to the private sector that that exporter obtains on the post-market provision?"

Keane: "No. That money will not be used for...what we're talking about..."

Mautino: "Well, then what will..."

Keane: "...What we're talking about...let me clarify something. What we're talking about is an insurance. We are talking about, if a loan...if a loan is given. If we cover the interim while the...more than the pre-assistance, we assist during the course of the transactions and in the shipping and in the time that the small manufacturer is waiting for his money, we're doing that, covering points. We're also building in...we will also build in a fund to pay off any debts or any losses that are incurred. It's the same as the feds do, it's the same as New York does and it's the same as California does."

Mautino: "That would have to be done by appropriation then to this agency, would it not?"

Keane: "No, no. If you were a manufacturer making the widgets and you went in for financing, in part of the deal, you went to your bank or you went to a financial institution, that would be built in. That's built in as part of your financing. The 5,000,000 is really nothing more than seed money."

Mautino: "Well, I guess what I'm trying to figure out is how the state guarantees that outstanding indebtedness for the exporter to the private financial sector. Where do we get the money to do that?"

Keane: "Well, it's the same way we...we loan money. As I understand it, to the university students. They go to a bank, the bank loans them the money. If there is in fact a deficit, we cover the deficit out of the appropriation. Hopefully, hopefully, the council that would set this thing

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up, in the course of their deliberations would tell the financial institutions, we want you to charge another one or two points so that you can cover any losses. Now, let me explain to you exactly what the Port Authority of New York does. They use the seed money...they get a business going. Once the business is on its feet and has a relationship with foreign markets, they turn those...they turn those Manufacturers over to regular banking contacts and they withdraw. All their money then is refunded. They keep their...they keep their nut. The 5,000,000 in fact, they also years ago, received 5,000,000 between the part of...between the State of New Jersey and the State of New York for the start up funding."

Mautino: "To the legislation, Mr. Speaker, if I may. I truly admire the responses by Representative Keane, one of our Leaders on this side of the aisle and I certainly respect the views of the Senate Sponsor who has worked very diligently for economic development. I do have some concerns on the legislation. The concerns I have is a speculative nature of which we are establishing for the post-export provisions. The guarantee, as laid out, I don't think is workable in the sense of the scholarships for the students going to school. I think what we are saying is exactly what Representative Harris provided. We are selling the bonds up-front to provide the funds for that private enterprise exporter. And then we provide the guarantee for the private funds of which he must provide or she must provide, as their formula funding portion to obtain that low interest loan, or right now its a little high interest loan. In fact, I think because of market conditions, they're having a difficult time providing assistance anyway to those exporters. The problem that I see with the guaranteed end of it, is that it's one thing

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to guarantee an agricultural program when we're doing business here in the State of Illinois and that entity is based here..."

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

Mautino: "...And that product we have some available line to. When we...when we address the guarantees for exporters, it's extremely speculative, because once the product is shipped to a foreign nation, we have basically lost all total control, even as the exporter, I'm sure will tell you up-front. I reluctantly stand in opposition, because I don't think it should be expanded under the current provisions that are adopted or established in this legislation."

Speaker Laurino: "Representative Keane to close."

Keane: "Thank you, Mr. Speaker. Let me just make a few points that...in answer to the Gentleman...to the two Gentlemen's...the Gentlemen that were in opposition to the Bill. In regard to one comment that this is business with no risk, that's exactly correct. We do not want...if we don't aid the exporters, these fledgling people in start up of export...their export business, they're not going to export. A German...a German firm that is starting business looks to do about 75 percent foreign sales in order to make their business work. Most United States firms look only to the domestic market. One of the things that we have to do, and I think Lieutenant Governor Ryan...done an outstanding job, is we have to assist...we have to assist these people, these fledgling firms in order to go out and learn how to compete on an international basis. If we do that, we create jobs, the jobs create income taxes and revenues for the state. How do you do that? You can't tell someone who is in a little town in central Illinois, 'You ought to sell your product in Germany'. He doesn't speak German, he

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doesn't have anyone to go over there and sell for him, he doesn't have any process, he doesn't know how to ship, he doesn't know the insurance laws that he needs to send it overseas. That is what this program is intended to do. Not only help him in the prestructure of it, but help him fund it and help him wait while he receives his money from that sale. Once the...once that manufacturer's done it, and becomes comfortable with it, turn him over to a local bank or to a bank that handles export stuff and we now have created new jobs in the State of Illinois. In terms of the risk of the money, the 5,000,000 or whatever amount of money that we are going to put in, and remember, it has to be appropriated money, this is similar to the agri-loan guarantee that we gave the farmers and the SGP agri-industrial farm development authority loans. Since November of 1985, when the agri-loan guarantee to farmers was given and we had a total principal...we had a total principal of 140,000,000, only \$60,000 has been...have been losses in that...that period. On 140,000,000, not on 5,000,000, there has been a loss of \$60,000. That has been a very, very good investment for the State of Illinois because we've saved a lot of farmers. In the agri-business side of it, we put in \$35,000,000. In 1986 we put \$35,000,000 into that fund. The loss from that fund from bad losses is zero. There have been no losses. This Bill is an attempt to allow, especially downstate manufacturers, manufacturers in small towns and counties throughout the state, to come in to the state through the Governor...Lieutenant Governor's Office and make a linkage with foreign buyers. And I would urge an 'aye' vote."

Speaker Laurin: "Representative Keane moves that Senate Bill 768 pass. All those in favor indicate by voting 'aye', those opposed vote 'nay'. This is final passage. Voting is

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open. Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 65 'ayes', 47 'nays', 2 voting 'present', and having received the required Constitutional Majority is hereby declared passed. In the Chair for the moment is Representative Morrow for the purpose of an introduction. Representative Morrow."

Morrow: "Thank you, Mr. Speaker. The real Speaker's in the Chair now, and that's why you saw those lights flickering, because I have that kind of power. It is my honor to present to you Walt Whitman and the Soul Children of Chicago. Walter Whitman is the Gentleman to my left here. He's a young man that's been doing a great job with these young women and men that you see behind us here in the gallery, Speaker's gallery. I want to thank Senator Howard Brookins, an ex-Member of this chamber for helping me bring these young kids down. I also want to thank Alice 'Trigate' who's the Chairman of the Soul Children of Chicago. And I have with me on my right, Father Mike Pflieger of Saint Sabina's Catholic Church, who is the Chaplain of the Soul Children of Chicago. Mr. Clerk, I would like you to read a Resolution that was presented on June 14, 1989, and then we will continue. Mr. Clerk."

Clerk Leone: "House Resolution 672, offered by Representative Morrow.

WHEREAS, The Soul Children of Chicago (SCC) was formally organized in 1981 under the leadership of Walter Whitman, Jr.; and WHEREAS, The mission of SCC has remained constant: to serve as a laboratory and demonstration workshop that utilizes the choir experience to teach discipline, professionalism, socialization and responsibility; and WHEREAS, Founded and grounded in the Church and education, the Soul Children of

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Chicago not only represents excellence in music and culture, but also represents both moral and academic excellence and development; and WHEREAS, Recognized as an award-winning cultural group, the Soul Children of Chicago choir has performed for a wide range of audiences that have included the World Conference of Mayors, the Honorable Bishop Tutu, the Outdoor Artists Workshop of South Loop Planning Board, the NAACP, the Illinois Institute of Technology, Operation PUSH, Museum of Contemporary Art, the Catholic Education Conference and more than 50 churches and community groups; and WHEREAS, They have been featured in numerous magazines and newspaper articles, and have appeared on ABC-TV, CBS-TV, WGN-TV, WCFC-TV and radio stations WVON, WGCI and WJPC, as the grand prize winner of the WJPC/General Mills Choir Competition; and WHEREAS, The Soul Children of Chicago has just completed its first record album, entitled WE ARE ONE, which is on the I AM record label; and WHEREAS, As these young people mature and develop responsibility and dedication, they become better people for themselves, their community and the State, and the Soul Children of Chicago choir is a source of great pride for all of us; therefore, be it Resolved, by the House of Representatives of the Eighty-Sixth General Assembly of the State of Illinois, that we commend the Soul Children of Chicago on the excellence of their performance and their dedication to community service; and be it further RESOLVED, That a suitable copy of this preamble and resolution be presented to the Soul Children of Chicago as a token of our appreciation and esteem."

Morrow: "Thank you, Mr. Clerk. Before we let the young men and women sing, I'd like to allow Walter Whitman to say a few words. Mr. Whitman."

Walter Whitman: "To, Mr. Speaker, to the Speaker and to the

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Speaker and to the Members of the House, to Representative Charles Morrow III, to Senator Howard Brookins, to Alice 'Trigate', to Reverend Michael Pflieger, we thank you all for allowing us to come and be a part of your meeting here. We would like to just tell you what you have before you is a group of young people between the ages of 7 and 17. Which, first of all, they're drug free, they are gang free and they're academically inclined and they're doing very well. The majority of them are Honor Roll students. So you have a group of young people standing up before you and you'll get a chance to hear them. We're going to be down here in concert tonight, if you would like to hear us, at the Saint Paul AME Church, if you would like to hear us. We've done quite a bit...we've performed in front of many people and we've traveled a little bit, and as you heard our album which is out. We are One, which has made Billboard and we've had a new album which is coming out in January. We would just like to say, thank you again, and we hope that you'll come out and support us tonight at the AME Church of Saint Paul."

Morrow: "While Mr. Whitman is going down, I will remind you that they will be in concert tonight at St. Paul AME Church, 11...1130 South 16th Street at 6:30 p.m. If you're able to make it there, you will see or hear a concert that is unique. These young men and women not only come from the City of Chicago, they come from the areas of Cook County, Glencoe, Maywood, Olympia Fields, Hazel Crest. So some of you guys who represent those areas, pay attention. I don't want to have to use this. Let's have a little order. Mr. Whitman, proceed. (children sing) The Soul Children of Chicago, Ladies and Gentlemen, under the direction of Walt Whitman. Give them a big round of applause. Before they leave, I would like to announce that one of the members of

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the choir is the daughter of Senator Howard Brookins. I would like for her to raise her hand. She's gone that fast, okay. Representative Laurino back in the Chair. Thank you."

Speaker Laurino: "Thank you, Representative Morrow for the enlightening experience. The House will proceed to Government Administration, Third Reading. Page 3 on your Calendar, Senate Bill 237. Representative Keane. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 237, a Bill for an Act to amend the Business Corporation Act. Third Reading of the Bill."

Speaker Laurino: "Representative Keane."

Keane: "Thank you, Mr. Speaker. I'd ask leave to take the Bill back to Second for an Amendment?"

Speaker Laurino: "The Gentleman asks leave to take the Bill back to Second. Appears he has leave. Proceed, Representative."

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

Keane: "Thank you, Mr. Speaker. Floor Amendment #2 is being offered at the request of the Secretary of State's Office. The Bill...the base Bill and the Amendment deal with the corporation franchise tax revision, which you know is under the control of the Secretary of State's Office. Amendment #2 is technical in nature and is primarily a reflection of language word choice and the adjustments to the timing associated with the filing of the report. The intent is solely to clarify the Secretary of State's responsibility and procedures for administering the law. I would move its adoption."

Speaker Laurino: "Representative Keane moves for adoption of Amendment #2 to Senate Bill 237. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have

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it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk Leone: "There are no further Amendments."

Speaker Laurino: "Third Reading. Does the Gentleman have leave to have this Bill heard today? Indicates...the House indicates by Roll Call that he does. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 237, a Bill for an Act to amend the Business Corporation Act. Third Reading of the Bill."

Speaker Laurino: "Representative Keane."

Keane: "Thank you, Mr. Speaker. The Bill as amended, represents over two years work by advisory committees of the Taxpayer's Federation and the Secretary of State's Corporation Division. The Bill is supported by the Secretary of State, the Taxpayer's Federation, the Illinois State chamber of Commerce, the Illinois Manufacturer's Association, the Illinois Retail Merchant's Association, the Civic Federation of Chicago and numerous other corporations. The Bill...the changes will enhance the business climate of the state by revising a corporate franchise tax system, deemed to be one of the most complicated in the nation. It's basically a good government step that provides corporate taxpayers with a more comprehensive system and eventually will streamline the administration of the tax for the Secretary of State's Office. I'd be happy to go into any detail, ask for a favorable Roll Call."

Speaker Laurino: "Representative Keane moves that Senate Bill 237 pass. All those in favor vote 'aye', those opposed vote 'nay'. This is final action. Voting is open. Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 111 'ayes', 0 voting 'no'

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and 0 voting 'present' is hereby declared passed, having received the Constitutional Majority. Senate Bill 255, Representative McPike."

Clerk Leone: "Senate Bill 255..."

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

Clerk Leone: "...A Bill for an Act in relationship to public transportation. Third Reading of the Bill."

Speaker Laurino: "Representative McPike."

McPike: "Thank you, Madam (sic - Mr.) Speaker, Ladies and Gentlemen of the House. Amendment...Yea, Amendment 4 is really the Bill. It says that the CTA will receive sixteen million dollars annually from the RTA to be spent on security. Will be glad to answer any questions on the Bill."

Speaker Laurino: "Representative McPike moves that Senate Bill 5...255 pass. On that, are there any discussion? Representative McCracken."

McCracken: "Thank you, will the Sponsor yield?"

Speaker Laurino: "...Indicates he will..."

McCracken: "Does the sixteen...the sixteen million come out of CTA's total share or does the sixteen million come off the top from that given to the RTA for turnover to the various subgroups?"

McPike: "Well, the way we set the structure up, as I said the other day on the floor, no one gets a budget until everyone gets a budget. That's a nine vote requirement on all budget considerations, and this money would come off the top and then they would go into negotiations."

McCracken: "Okay. Well alright, I rise in opposition to it then, because apparently this fifteen percent under some circumstances could be used to entirely dry the fund up for Pace and Metra. And for that reason, I rise in opposition."

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Speaker Laurino: "Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker. Would the Sponsor yield, please? Representative McPike, are we circumventing the budgetary system of the RTA? Or why are we coming to the state for sixteen million dollars for this?"

McPike: "No, we're not coming to the state. This is not...this is not coming out of DOT or GRF. This comes out of the RTA's current funds."

Didrickson: "But my question...I understand that, but my question is, are we subverting the budgetary system of the RTA by coming to the state for this authority to do that?"

McPike: "Well, I'm not trying to change the super majority vote, it's still a nine...a nine vote requirement out of thirteen, and no one gets a budget until everyone gets a budget. So, I don't think it's circumventing the process we set up in '83."

Didrickson: "Well, what would prevent Pace or Metra from coming down here and doing the same thing?"

McPike: "Nothing, and then they would still have to go into negotiations and negotiate over the bottom-line."

Didrickson: "To the Bill, Mr. Speaker. I think this is inappropriate to come down here to the General Assembly. There is a budgetary system that is set up for the RTA. It is exactly correct with what Representative McCracken said. I, too, have some concerns as a suburban Legislator that they would be coming down here and taking funds out of the Pace and the Metra appropriations that go thru the normal budgetary procedures, thru the RTA. We already in the suburban Cook area give a quarter of a cent of our sales tax to the CTA with very little back in return for that and this is a 'no' vote."

Speaker Laurino: "Representative Parcells."

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

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way I read this and maybe I'm wrong, but it's my understanding that right now the CTA gets eighty-five percent of the money, Pace and Metra, that we send up there from here, and Pace and Metra gets the other fifteen percent between the two of them. And, of course, we in the suburbs are served by Pace and Metra, although, yes, we do use the CTA when we're in the city. I know that they do need this police protection, but it seems that with this additional sixteen million off the top, they'll be getting almost ninety-nine percent of the money that we send them and that Pace and Metra, who are raising a great deal of that and serve the large suburban area, will be left with what...that very small amount. Am I looking at this incorrectly?"

McPike: "Oh, yes, I think you are. I'll say again, it takes nine votes to get a budget. CTA gets no budget until all three of the negotiating groups are satisfied. No one gets a budget until everyone gets a budget. So, I just don't think you are correct."

Parcells: "Well..."

McPike: "In other words...in another words, why would...why would Pace and Metra agree to the CTA's budget and allow them to take ninety-nine percent of the funds? They're not going to agree to that, are they?"

Parcells: "Well, you would think not, except that they have more members perhaps and therefore the majority rules."

McPike: "No, they have...it takes nine votes to pass a Bill. Chicago has five of the thirteen. They can't pass a budget. They need nine."

Parcells: "Then it would seem that this Bill might not be necessary cause if they're doing it through the budgetary process, why do we have to legislate this down here, this fifteen percent or this sixteen million, excuse me, off the

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top?"

McPike: "Would you suggest that I table President Rock's Bill?"

Parcells: "No, not the whole Bill, but the Amendment might be alright."

McPike: "Well, the Bill came across at fifteen percent and the Amendment simply changed it to sixteen million. There wasn't a lot of difference."

Parcells: "Well, no, I'm not suggesting that you table President Rock's Bill..."

McPike: "I'll tell him that."

Parcells: "I'm suggesting that this is once again us meddling in affairs at the state level that we shouldn't be meddling in. We've seen it time and time again, and I would suggest a 'no' vote on this Bill."

Speaker Laurino: "Representative MCPike to close."

McPike: "Well, thank you. I don't think anyone argues, in fact, the last speaker acknowledged the problem with security on the CTA. I don't think anyone argues the fact that they need better security. There have been at least one murder in the last month that I'm aware of and everyone's aware of the crimes that are committed on the CTA. So there's no question everyone agrees that there should be more security. I think this is an effort to say to the RTA that everyone involved in the transportation system in the metropolitan area believes that security should be a priority and this Bill addresses that and simply says to the RTA, we think you should address it and take the money and give it to them and then go on and negotiate for the budget. I move for the passage of the Bill."

Speaker Laurino: "Representative MCPike moves for the passage of Senate Bill 255. All those in favor vote 'aye', those opposed vote 'no'. This is final passage. The board is open. Have all voted who wish? Have all voted who wish?"

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Have all voted who wish? What reason does the Representative from Cook, Representative DeLeo, arise?"

DeLeo: "Thank you, Mr. Speaker, Members of the House. In support of Majority Leader McPike's statement in regards to this. This a very important Bill. I'm holding today's Sun Times. There was a murder this morning involving the CTA, this morning, not two months ago. This is a very important piece of legislation and I would ask for a 'yes' vote on this."

Speaker Laurino: "Have all voted who wish? Representative Weller, for what reason do you rise?"

Weller: "Thank you, Mr. Speaker. I certainly respect the objectives of the Sponsor of this legislation but you may recall when this Bill was on Second Reading, I offered some Amendments that addressed the fairness issue. As you know, there are twenty-seven townships in the RTA district, where their pockets are being picked by the RTA, where they're collecting taxes and are not paying service. Let's send a signal to the RTA, it's time they gave some service in return. I urge more 'no' votes."

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

Black: "Well, thank you very much, Mr. Speaker. As the light was on, I would just request a verification of the Affirmative Roll."

Speaker Laurino: "The Gentleman requests a verification. Mr. Clerk, poll the Absentees."

Clerk Leone: "A poll of those not voting. Representative McAuliffe is not voting on this Bill."

Speaker Laurino: "Alright, for the edification of the Members there are 64 voting 'aye', 50 voting 'nay' and 2 voting 'present'. Representative Keane requests leave to be verified. Representative Black. Representative Black,

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there are a few people who are wishing to be verified.  
Representative Keane."

Black: "Yes, Sir."

Speaker Laurino: "Representative Lang."

Black: "Yes, Sir."

Speaker Laurino: "Breslin, 'aye'. Mr. Clerk, would you record  
Representative Breslin as 'aye'. Representative Hicks as  
'aye'. Representative Davis requests to be verified.  
Representative Stern, for what reason...verification?  
Representative Stern requests to be verified. Proceed with  
the Affirmative Roll Call, Mr. Clerk. Representative  
Hartke wishes to be verified. Representative Dunn wishes  
to be verified."

Black: "...on, thank you."

Speaker Laurino: "Representative Giorgi wishes to be..."

Black: "I can't agree with you on the verification if my  
microphone isn't on."

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

Black: "That's fine. Thank you."

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

Clerk Leone: "Poll of the Affirmative. Balanoff. Bowman.  
Breslin. Brunsvold. Bugielski. Cullerton. Curran.  
Currie. Davis. DeJaegher. DeLeo. Dunn. Edley. Farley.  
Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig."

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

Clerk Leone: "Hartke. Hicks. Homer. Lou Jones. Shirley Jones.  
Keane. Krska. Kulas. Lang. Laurino. LeFlore.  
Leverenz. Levin. Martinez. Matijevich. Mautino.  
McGann. McNamara. McPike. Morrow. Mulcahey. Munizzi.  
Novak. Phelps. Preston. Rice. Richmond. Ronan.  
Saltsman. Santiago. Satterthwaite. Shaw. Stange.

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Steczo. Stern. Sutker. Terzich. Trotter. Turner.  
White. Williams. Wolf. Woolard. Anthony Young.  
Wyvetter Younge. And Mr. Speaker."

Speaker Laurino: "Are there questions of the Affirmative Roll  
Call, Mr. Black?"

Black: "Thank you very much, Mr. Speaker. Representative  
Stange?"

Speaker Laurino: "Representative Stange. Representative Stange.  
Is the Gentleman in the chamber? It appears that he is  
not, remove him."

Black: "Representative Leverenz?"

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

Black: "Representative Mulcahey?"

Speaker Laurino: "Representative Mulcahey. Representative  
Mulcahey. Is the Gentleman in the chamber? Remove him,  
Mr. Clerk."

Black: "Representative Farley?"

Speaker Laurino: "Representative Leverenz is in the stairwell by  
the House well. Return him to the Roll Call, Mr. Clerk.  
Representative Farley is in his chair as always."

Black: "Thank you. Representative Giglio?"

Speaker Laurino: "Representative Giglio. He's right here by the  
well. Doing fine, Mr. Black."

Black: "Thank you very much. Is Representative Van Duyne?"

Speaker Laurino: "Representative Van Duyne. He's in his chair."

Black: "Thank you."

Speaker Laurino: "He's voting 'no'."

Black: "Well, what a good vote. Is Representative Wolf in the  
chamber?"

Speaker Laurino: "Representative Wolf. Sam Wolf is in his  
chair."

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Black: "Thank you. Representative Munizzi?"

Speaker Laurino: "Representative Munizzi. Representative  
Munizzi. There she is."

Black: "Oh, in another chair. I didn't know she had moved."

Speaker Laurino: "Well, she's dealing with Al Ronan."

Black: "Is...Representative Hartke?"

Speaker Laurino: "Representative Hartke. He's sitting next to  
Representative Breslin. He was verified off anyway."

Black: "Yeah, but I forgot. I think you only verified forty.  
Okay, thank you. Representative Morrow?"

Speaker Laurino: "Representative Morrow. Representative Morrow  
in the chamber? Maybe he's taking a gospel lesson. Remove  
him, Mr. Clerk."

Black: "Representative Homer?"

Speaker Laurino: "Representative Homer. Representative Homer.  
Is the Gentleman in the chamber? Remove him, Mr. Clerk."

Black: "Representative Ronan? Is Representative Ronan in the  
chamber?"

Speaker Laurino: "Representative Ronan still is confiding in  
Representative Munizzi."

Black: "Representative Preston?"

Speaker Laurino: "Representative Preston. Right at the well to  
my left."

Black: "Thank you."

Speaker Laurino: "To your right."

Black: "Representative Shirley..."

Speaker Laurino: "Representative Lou Jones wishes to be verified,  
Representative Black..."

Black: "That's fine, thank you. Representative Shirley Jones?"

Speaker Laurino: "Representative Shirley Jones. Representative  
Shirley Jones in the chamber? Appears she is not, remove  
her."

Black: "Representative Krska?"

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Speaker Laurino: "Representative Krska. Representative Krska in the chamber? It appears he is not, remove him."

Black: "Representative Bugielski?"

Speaker Laurino: "Representative Bugielski in the chamber? He's standing next to Representative Cullerton."

Black: "Representative Santiago?"

Speaker Laurino: "Representative Santiago in the chamber? Representative Santiago. We have to look closely for him. It appears he is not in the chamber. Representative Shaw, for what reason do you seek recognition? Representative Shaw wishes leave to be verified."

Black: "Representative Lang?"

Speaker Laurino: "Representative Lou Lang was verified."

Black: "I'm sorry, you're right. Nothing further, Mr. Speaker. Mr. Speaker, I'd accept a Postponed Consideration if you'd like to roll it and move on to other business."

Speaker Laurino: "Representative Morrow has returned to the chambers."

Black: "I'll be darn. That's amazing, Mr. Speaker, how do you do that..."

Speaker Laurino: "...Put Representative Morrow back in the Roll Call. This Bill having received 60 'aye', 49 'nay' and 1 voting 'present', having received the required Constitutional Majority is hereby declared passed. Senate Bill 392, Representative Matijevich. Out of the record. Senate Bill 555, Representative Hoffman. Representative Ronan. Out of the record for the moment. Senate Bill 716, Representative Bowman. Read the Bill, Mr. Clerk."

Clerk Leone: "On page 10 of the Calendar, Senate Bill 716, a Bill for an Act in relationship to taxation. Third Reading of the Bill."

Speaker Laurino: "Representative Bowman."

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

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House. This Bill is very similar to House Bill 40, which as you know, deals with modifications to the sales tax reform Bill that we passed last year. The principal item of controversy in the legislation deals with continuing the appropriations of the municipal tax that is collected by the state on behalf of municipalities. Now, the...there are some slight differences between this Bill and House Bill 40. However, they are very slight, and they do not deal with the issue of appropriations. House Bill 40 passed the Senate yesterday clean and is on its way to the Governor. I am offering you Senate Bill 716 once again, for a couple of reasons. One is that some of you may want to change your vote, want to be on the Roll Call now that House Bill 40 has passed and gone to the Governor. And the other is that there are some slight modifications, some differences between this Bill and that legislation. One of which involves the definition of photo processing in terms of the printing industry and plate engraving that will be helpful to the Department of Revenue if we were to pass this legislation in addition to House Bill 40. But the...we all know the issues involved in House Bill 40 and involved in Senate Bill 716, so I don't believe there's any further need for discussion, but I'd be happy to answer any questions that Members might have. I move its passage."

Speaker Laurino: "Representative Bowman moves for the passage of Senate Bill 716. Are there any questions? Representative Ryder."

Ryder: "Thank you. Will the Gentleman yield for a question, please?"

Bowman: "Yes."

Ryder: "Representative, you inferred that there were some nuances on this Bill that was not existing within House Bill 40, which is now on the Governor's desk. What are those

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nuances? Why do we need this Bill that duplicates a Bill that's already on the Governor's desk?"

Bowman: "Okay, the main thing that this Bill adds that is not in Sen...House Bill 40 is, and in fact I think the only thing, and please correct me if you have any other information; that this Bill provides some different language with respect to the definition of photo processing. so that the newspaper industry and anyone using web presses would have the status of their plate engraving clarified as far as the photo processing tax is concerned. That we're not taxing the entire output of the printing presses, but only the plates."

Ryder: "Does this Bill provide that all sales tax share automatically goes to municipalities? Does this provide that the continuing appropriation for the fair share for municipalities should go to them as was under the prior Act?"

Bowman: "Excuse me, just one moment, please."

Ryder: "Certainly."

Speaker Laurino: "Representative Barger."

Bowman: "I'm sorry, I hadn't responded to the Gentleman's question."

Speaker Laurino: "Oh, I'm sorry, well continue."

Bowman: "And I'm sorry, I was...I was distracted by another question closer at hand and I would like to ask you if you could repeat it, please."

Ryder: "The question that I had asked concerns the continuing appropriation for the sales tax that is due municipalities. And I'm wondering if this one corrects that problem?"

Bowman: "It corrects it in exactly the same way that House Bill 40 corrected it. All old money is continued, will be subject to continuing appropriation. The new money through the new use tax and the photo processing tax will be

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appropriated."

Ryder: "So any new money that is generated by municipalities does not get continually appropriated, it's still held hostage by the Legislature."

Bowman: "Well, the money..."

Ryder: "My words, not yours."

Bowman: "I was going to say they certainly are your words, not mine. The money is generated by the state, however, not by the municipalities. We are levying it. We are collecting on behalf of the municipalities. But it's only new money."

Ryder: "To the Bill. There is still no need in passing this. It failed miserably the last time it came up before us. It was placed on Postponed Consideration. I would suggest that it should have the same result this year or this time as it did previously. I would ask all of those who voted against it the last time to join in defeating it."

Speaker Laurino: "Representative Ropp."

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

Speaker Laurino: "Indicates he will answer."

Ropp: "Just one question, Representative, relative to the money going back to the municipalities. I understand the money that they had received before goes back on a continuing process. The new money that is appropriated, is that done on a pro rata basis or is it all that is generated within an existing community?"

Bowman: "Okay, the...the use tax is on a per capita basis, allocated on a per capita basis. I beg your pardon, strike that. The photo processing tax is allocated to municipalities and counties on a per capita basis. The use tax, however, is used for the purpose of providing waste water treatment facilities in, I think it's 247 or approximately 247 communities throughout the State of Illinois."

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Ropp: "But the tax that is...that goes back to them based on what they had received before and the new money that is appropriated. That new money that is appropriated, is that appropriated on a pro rata basis?"

Bowman: "Per capita basis, I believe you mean. Is that...you mean per capita..."

Ropp: "Okay, per capita. So what that means then in an area, let's say like Bloomington/Normal that is is expanding on its tax revenues, would receive less of it and that it would go to those cities that might not be producing a lot of revenue because their population...I mean, those that...correct or not?"

Bowman: "Representative Ropp, let me try to assure you of...of a couple of things. Number one, the new money is money that they've never had before. Their...we have not had a tax on photo processing before. We have not had a use tax before. The Bloomington/Normal and every other community in the State of Illinois will be getting some money that they didn't have before. Now part of that money will be allocated on a per capita basis and part of it will be appropriated for specifically for waste water treatment facilities, and as all of us know because this issue's been with us a long time, that there are...not every community in this state is in violation of federal clean water standards. There were some communities that were in violation and really needed, desperately needed help. We provided that help and that is subject to annual appropriation."

Ropp: "Okay, thank you."

Speaker Laurino: "Representative Bowman to close."

Bowman: "I think we all understand the issues here, but I want to make sure that everybody understands one very significant fact. House Bill 40, which we debated earlier, passed the

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Senate yesterday with no Amendments. House Bill 40, which provides for the appropriation of funds to communities on a continuing basis in the case of pre-existing taxes and the annual basis for new taxes, that Bill is going to the Governor. So, the only reason for this particular piece of legislation is that there is a modest change as far as photo processing definition is concerned as it affects the printing industry. Now that's the only reason that we need Senate Bill 716. So, that is why I'm calling it for a vote today. But as far as these issues that have been raised about the continuing appropriations versus annual appropriations, that issue has been resolved by the House and by the Senate and the Governor will get a chance to affix his signature to that piece of legislation. So that's not an issue here. The only issue is the printing industry. So you want to help the printing industry, vote for 716. Thank you."

Speaker Laurino: "Representative Bowman moves that...for the passage of Senate Bill 716. All those in favor vote 'aye', those opposed vote 'no'. This is final action. Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 42 'ayes', 70 'nays', 4 voting 'present', fails. Senate Bill 392, Representative Matijevich. Out of the record? Out of the record, Mr. Clerk. Senate Bill 1059, Representative Matijevich. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1059, a Bill for an Act to amend the Illinois Development Finance Authority Act. Third Reading of the Bill."

Speaker Laurino: "Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1059 provides that the Illinois Finance

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Development (sic - Illinois Development Finance) bonds, the IDFA bonds are exempt from the state income tax. It would place IDFA bonds in the same category as the Illinois Development Authority, IHDA, infrastructure assistant, Quad City Development Authority or a college saving bonds authority programs. The same ones which also exempt the bonds from the income tax. The Bill is in Economic Development and Senate Bill. Its importance now is because of the restrictions in the use of industrial revenue bonds which are exempt from federal income taxation. But the incentive provided in the traditional industrial revenue bonds for manufacturing facilities is being eliminated by the end of the year under the provisions of the Federal Internal Revenue Code. And there are no indications that that will be changed. I would ask for your support. There is a revenue loss to the state, but the Illinois Development...Illinois Finance Development Authority (sic. Illinois Development Finance Authority) feels that that loss will be overcome by the incentives provided for promoting the building of manufacturing facilities and the saleability of bonds by this Bill. Appreciate your support."

Speaker Laurino: "Representative Matijevich moves for the passage of Senate Bill 1059. And on that...on that, is there any discussion? Representative Black."

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

Speaker Laurino: "Indicates he will."

Black: "Thank you. Representative, how many in billions of dollars...what's the outstanding principal on these bonds at the present time?"

Matijevich: "Well, the Department of Revenue has provided me with the...statistics that show...we've put on an Amendment so

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that the Bill would be prospective only. But the Department of Revenue has provided me with the information that based on their projections, that if at an average rate of 8% the interest liability would be 40...if 70, in effect, 75% of the bonds are sold to corporations, 25 percent to individuals based on last year's bonds that are sold, that we would probably lose 2.2 million in revenue loss. But the authority feels that we've got to be concerned about economic activity and the incentives to...to sell bonds. And mainly because of the fact that the federal law is changed now where they don't get the incentive of the exemption from the federal income tax. So, you know, I want to be honest up-front. There is that possibility of losing 2.2 million dollars, but do we want to do this to promote economic activity? IDFA feels that it is important because of the federal law change that we do...do this."

Black: "Well, I don't quarrel with that, and I think that's the question that all of us will have to wrestle with is the trade-off. And...what's the worse case scenario? What could be the potential loss of income to the state treasury? Did they give you that worse case scenario figure on how many millions we could lose in general revenue stream?"

Matijevich: "Well, I think you're probably basing that question before the Amendment which the Amendment makes it prospective only. We're not talking about bonds already sold; we're talking about bonds in the future."

Black: "You're right. I'm sorry, Representative. You are correct on that. What about, let's focus our attention very briefly on tax-free municipals, and I obviously...everything you said about economic development and IDFA is true and I certainly don't quarrel with you on

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that. But our municipalities certainly have some serious infrastructure needs, and they are out in the marketplace as well with tax-free municipals. Would these IDFA bonds then be more attractive, let's say, than a tax-free municipal? In other words, I guess what I'm trying to get at is the...are we...are we creating a competitive tax-free bond that might, and I say might, make it more difficult for our local units of government to market their tax-free municipals?"

Matijevich: "Well, the problem, Representative Black, after...when I talked to the Mr. Goodrich from the General Counsel from IDFA, was that the bonds presently have been saleable because of the attractiveness, because of having to have the exemption of the federal income tax. But losing that, they are fearful that the bonds will not be attractive in the future unless there's some exemption, at least from the state income tax. That's their problem and that's why they feel this is very urgent."

Black: "Well, I appreciate your patience, Representative. Mr. Speaker, to the Bill. You know, I hold the Sponsor of this measure in the highest regard and I know that he's aware of that. And I think that he has raised some very interesting points, and I think economic development is an issue that all of us are concerned with. I guess I would just simply have to reluctantly speak against the Bill on two points. And that is irrefutably, if you make all IDFA bonds tax exempt, even though the Gentleman is correct, it's prospectively, you are creating a potential income loss, a revenue loss, if you will, to the State of Illinois. And furthermore, I think you are creating another tax-free interest bearing note here or bond that will, indeed, compete in the marketplace for municipal tax-free obligations and certainly those tax-free municipals are

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getting harder and harder to market. And for that reason and that reason alone, I would stand in opposition to the Bill. Thank you, Mr. Speaker."

Speaker Laurino: "Representative Regan."

Regan: "Thank you, Mr. Speaker, Members of the House. To the Bill. You know, I'm a little confused with the Committee on Revenue that would accept this wide, broad interpretation when they refuse to consider House Bill 1776, which took the cap off the IDFA bonds for school districts and capital development bonds. My Bill would...give the opportunity for lower interest rates on open marketplace for capital development for education. And now they open this up to any venture. I don't think it's good. It's not good enough for schools, I don't think it should be good enough for anybody else, and I'd say 'no'."

Speaker Laurino: "Representative Frederick."

Frederick: "Yes, thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Laurino: "Indicates he will."

Frederick: "Representative Matijevich, did you say that the exemption will occur prospectively only?"

Matijevich: "Yes."

Frederick: "And it doesn't matter...I think originally the Bill..."

Matijevich: "Originally, it was not prospective and then it would have been...it would have been a windfall profit for the bondholders."

Frederick: "Okay."

Matijevich: "But we have...it is now prospective only."

Frederick: "Okay. Is it true that some of the projects will be financed with these bonds are things like moving picture industry. Is that correct?"

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Matijeich: "That's possible. I don't know, but that's possible."

Frederick: "That troubles me a great deal if that is the case. And so, if I might speak to the Bill, Mr. Speaker. In spite of my good friend, John Matijeich, I'm concerned about the revenue loss which the Economic and Fiscal Commission said could be as much as eleven million dollars. Now, I do not know who is correct on this, but for that reason, I rise in opposition to this Bill."

Speaker Laurino: "Further discussion? Seeing none, Representative Matijeich moves for the passage of Senate Bill 1059. Would you like to close, Representative? Representative Matijeich to close..."

Matijeich: "...Yes, I'd like to close, because I would like to respond to those issues. First of all, the Illinois Economic and Fiscal Commission report was the Bill before it's amended and it is now prospective. I would like to tell them...the Members because of the attractiveness of bonds, that will lower the interest rate and there will be less debt service. I would also like to respond to the Representative Regan's point with regards to the school construction bonds. They are not affected by the change in the federal laws. It is only the industrial revenue bonds that are affec...that affect the federal law, and they lose their federal income tax exemption. The school construction bonds do not lose their federal income tax exemptions. And that's why this Bill is important with regards to industrial revenue bonds. If you're interested and concerned about economic activity, I believe that you ought to vote for this Bill, because it does make the bonds saleable and we will continue to have construction. We will continue to have industrial activity. So I would urge the Members to support this Bill."

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Speaker Laurino: "Representative Matijevich moves for the passage of House...or Senate Bill 1059. All those in favor vote 'aye', those opposed vote 'nay'. This is final passage. The vote is open. Have all voted who wish? Representative Doederlein."

Doederlein: "I would like to be voted 'no' on this Bill."

Speaker Laurino: "Representative Doederlein wishes to be recorded as 'no'. Representative Harris wishes to be recorded as 'no'. Have all voted who wish? Take the record, Mr. Clerk. Representative McCracken, what reason do you rise?"

McCracken: "Verification."

Speaker Laurino: "Representative McCracken wishes a verification. This Bill having received 61 'aye', 49 'nay' and 4 voting 'present'...verification has been requested. Call the Absentees, Mr. Clerk."

Clerk Leone: "Poll of those not voting. Giglio."

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

Breslin: "Leave to be verified."

Speaker Laurino: "Leave to be verified, Representative Breslin. Representative Hartke, leave to be verified. Call the Absentees, Mr. Clerk."

Clerk Leone: "Representative Giglio, Kirkland and Stange."

Speaker Laurino: "Call the Affirmative Roll Call."

Clerk Leone: "Poll of the Affirmative. Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Cullerton. Curran. Currie. Davis. DeJaegher. DeLeo. Dunn. Edley."

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

Clerk Leone: "Flinn. Flowers. Giorgi. Granberg. Hannig.

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Hartke. Hicks. Homer. Lou Jones. Shirley Jones. Krska.  
Kulas. Lang. Laurino. LeFlore. Leverenz. Levin.  
Martinez. Matijevich. Mautino. McNamara. McPike.  
Morrow. Mulcahey. Munizzi. Novak. Phelps. Preston.  
Rice. Richmond. Ronan. Saltsman. Santiago.  
Satterthwaite. Shaw. Steczo. Stern. Sutker. Terzich.  
Trotter. Turner. Van Duyne. White. Williams. Wolf.  
Woolard. Anthony Young. Wyvetter Younge and  
Mr...correction, no further."

Speaker Laurino: "Questions of the Affirmative Roll Call,  
Representative McCracken."

McCracken: "Representative Leverenz?"

Speaker Laurino: "Representative Leverenz. Representative  
Leverenz in the chamber? Remove him."

McCracken: "Representative Ronan?"

Speaker Laurino: "Representative Ronan. Representative Ronan.  
Gentleman in the chamber? Remove him."

McCracken: "Representative Kulas?"

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

McCracken: "Representative Keane?"

Speaker Laurino: "Representative Leverenz has just returned to  
the chambers. He's at the well, to my left.  
Representative Keane, he's voting 'present'."

McCracken: "Representative Giglio?"

Speaker Laurino: "Representative Giglio is not voting."

McCracken: "I'm going to have to talk to my people about marking  
this little piece of paper."

Speaker Laurino: "Either that or they can have my glasses."

McCracken: "Representative Farley?"

Speaker Laurino: "Representative Farley."

McCracken: "I want to know who filled this piece of paper out?"

Speaker Laurino: "Representative Farley is voting 'present'."

McCracken: "Representative...now I'm going to have to look up.

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Representative Richmond?"

Speaker Laurino: "Representative Richmond. Representative Richmond in the chamber? Remove him."

McCracken: "Representative Hicks?"

Speaker Laurino: "Representative Hicks in the chamber? Representative Hicks. Remove him."

McCracken: "Representative Hartke?"

Speaker Laurino: "Representative Hartke. He was verified."

McCracken: "He was verified? Alright. Representative Lang?"

Speaker Laurino: "Representative Lou Lang. He's sitting next to... Barbara Bush."

McCracken: "Okay. Representative Curran?"

Speaker Laurino: "Representative Curran. Representative Curran in the chamber? Yes, he is. He's standing right in front of you, Tom."

McCracken: "Huh? Oh, alright. Representative Morrow?"

Speaker Laurino: "Representative Morrow, standing right in front of you also. Representative Keane has returned to the chamber. Add him to the Roll Call...or vote him 'aye'."

McCracken: "Representative Flowers?"

Speaker Laurino: "Representative Richmond has returned to the chambers. Put him back on the Roll Call. Representative Hicks is at the well. He wants to be recorded as 'aye'."

McCracken: "Representative Homer?"

Speaker Laurino: "Representative McGann is in the chambers, wishes to be recorded as 'aye'."

McCracken: "I see Representative Homer. Representative Anthony Young?"

Speaker Laurino: "Representative Anthony Young. Representative Anthony Young in the chamber? Remove him."

McCracken: "Representative Bowman?"

Speaker Laurino: "Representative Bowman. Representative Bowman. Is the Gentleman in the chamber? Remove him."

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McCracken: "Representative DeJaegher?"

Speaker Laurino: "Mr. McCracken, the Speaker wishes to be recorded as 'aye'. So change his vote..."

McCracken: "I was wondering when that was coming."

Speaker Laurino: "...From 'present' to 'aye'."

McCracken: "Representative DeJaegher?"

Speaker Laurino: "Representative DeJaegher. Representative DeJaegher. Is the Gentleman in the chamber? Remove him. Representative Farley wishes to have his vote changed from 'present' to 'aye'."

McCracken: "Representative Breslin?"

Speaker Laurino: "Just a moment, Mr. McCracken. Remove Mr. DeJaegher and put Mr. Farley on as an 'aye'. What was your question, Mr. McCracken?"

McCracken: "Representative Breslin?"

Speaker Laurino: "Representative Breslin was verified."

McCracken: "Alright. Representative DeLeo?"

Speaker Laurino: "Representative DeLeo is in his chair as always."

McCracken: "As always. I should have known. Representative Krska?"

Speaker Laurino: "Representative Krska. Representative Krska. Is Representative Krska in the compound? It appears he is not. Remove him."

McCracken: "Representative Terzich?"

Speaker Laurino: "Representative Terzich in the chamber? Representative Terzich. Remove him, Mr. Clerk."

McCracken: "Representative Shirley Jones?"

Speaker Laurino: "Representative McGann, for what reason do you arise?"

McGann: "Mr. Speaker, I would like to know how my vote got changed from 'present' to 'aye' after the call was taken?"

Speaker Laurino: "It was apparent to the Chair that you changed."

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If you wish to be recorded as 'present'..."

McGann: "I did not change that...my vote. I will...I will change it now from 'present' to 'aye', but I did not change my vote and I think that my vote should be left until I make a decision. I had voted 'present'."

McCracken: "That's right, that's right. That's right, that's right, you guys. That's right."

Speaker Laurino: "Representative Terzich has returned to the floor. Representative McGann wants to stay 'aye', I assume. Representative Terzich has returned to the chambers. Add him to the Roll Call."

McCracken: "Representative Shirley Jones?"

Speaker Laurino: "Representative Shirley Jones."

McCracken: "Yea, you guys, that's right."

Speaker Laurino: "Representative Shirley Jones in the chamber? Representative Shirley Jones in the chamber? Remove her. Representative Bowman has returned and he wishes to be recorded as 'aye'."

McCracken: "Representative Dunn?"

Speaker Laurino: "Representative John Dunn. Representative John Dunn. Is Representative Dunn in the chamber? Remove him."

McCracken: "Representative Santiago?"

Speaker Laurino: "Representative Santiago. Stand up, Representative Santiago. He's right here near the aisle."

McCracken: "Representative...ready?"

Speaker Laurino: "We're ready."

McCracken: "Representative McNamara?"

Speaker Laurino: "Representative John McNamara. Representative John McNamara. Is the Gentleman in the chamber? Remove him, Mr. Clerk. John McNa...Oh, John McNamara, he's standing behind me in the chambers."

McCracken: "Nothing further."

Speaker Laurino: "Representative Ronan has returned to the

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chambers. Representative Al Ronan has returned. Add him to the Roll Call. Representative Dunn has returned to the chambers. Add him to the Roll Call. Representative Kirkland, for what reason do you rise? Representative Kirkland votes 'no'. Does Representative McGann wish to change his vote again?"

McGann: "Mr. Speaker, please don't get cute with me."

Speaker Laurino: "This Bill, Senate Bill 1059, having received 61 'aye', 50 'nay' and 0 voting 'present', having received the required Constitutional Majority is hereby declared passed. Representative McGann on Senate Bill 1200. Good luck."

Clerk Leone: "Senate Bill 1200, on page 10 of the Calendar, a Bill for an Act to amend the Public Aid Code. Third Reading of the Bill."

Speaker Laurino: "Representative McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. I'd ask leave of the House to turn this back to Second Reading for the purpose of removing an Amendment."

Speaker Laurino: "The Gentleman asks leave of the House to bring this Bill back to Second Reading. Does he have leave? It appears he does with the Attendance Roll Call. Second Reading, Mr. Clerk. Proceed, Representative McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. As much as there has been so much controversy over Amendment #7 of this Bill, because of the interpretation of the Amendment by many parties, whether they be the providers for mental health or the department, and in conference with the department and the providers, I have agreed to remove Amendment #7. And then we will be working out the fine tuning during the summer on hearings and hopefully come back in the fall on another Bill with a proper comprehensive local planning for the mentally handicapped of this state, which is so badly needed. And I'd ask that

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we would table Amendment #7 at this time."

Speaker Laurino: "Gentleman requests to table Amendment #7...was it Amendment #7, Representative McGann?"

McGann: "Amendment #7, I'd ask to be tabled."

Speaker Laurino: "Amendment #7 to be tabled to Senate Bill 1200. Does the Gentleman have leave? Leave being granted, the Amendment is tabled. Any further Motions or Amendments, Mr. Clerk?"

Clerk Leone: "No further Motions or Amendments."

Speaker Laurino: "Third Reading. The Gentleman requests that this Bill be heard on Third Reading. Does he have leave? Leave being granted by the Attendance Roll Call, proceed. Read the Bill, Mr. Clerk."

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

Speaker Laurino: "Representative McGann."

McGann: "Thank you...Thank you, Mr. Speaker, Members of the Assembly. Senate Bill 1200 now has Amendment #5 which became the Bill, which is requested by the Mental Health Association of Illinois and also Amendment #6, which handles a problem for Representative Turner. That is what the Bill is presently. I have no opposition that I know of, and I would ask for favorable consideration at this time for Senate Bill 1200."

Speaker Laurino: "Representative...Representative McGann moves that Senate Bill 1200 pass. All those in favor vote 'aye', those opposed vote 'nay'. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 111 'aye' votes, 0 voting 'nay' and 0 voting 'present', having received the required Constitutional Majority is hereby declared passed. Representative Martinez, for what reason do you arise? The Bill's been

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recorded, but do you wish to be...the record will reflect that Representative Martinez wishes to be an 'aye' vote on this Senate Bill 1200. Senate Bill 1402, Representative Capparelli. Out of the record. Senate Bill 1421, Representative Hicks. Out of the record. Senate Bill 1443, Representative Giorgi. Out of the record. Representative Keane, for what reason do you arise?"

Keane: "Thank you, Mr. Speaker. I took a Bill on this Order out of the record earlier. I ask that we go back to Senate Bill 237."

Speaker Laurino: "Representative Keane on Senate Bill 237."

Keane: "I'm sorry. Pardon me. It was not on this Order of call. I apologize."

Speaker Laurino: "Representative Keane, for your edification, we passed Senate Bill 237."

Keane: "...I was looking for 257. Yes, I know, I made a mistake. Thank you."

Speaker Laurino: "You're welcome. Now we'll proceed to Order of Human Services, page 7 of your Calendar, Senate Bill 376, Representative Williams. Senate Bill 376. Representative McPike. Somebody's got Representative McPike's light on. Representative Williams."

Williams: "Yes, like to continue on with Senate Bill 376. I believe there are some more Amendments to be added to the Bill. Yes, we..."

Speaker Laurino: "Further Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #3, offered by Representative Ryder, Williams and Currie."

Speaker Laurino: "Representative Ryder on Amendment #3 to Senate Bill 376."

Ryder: "Thank you, Mr. Speaker. The Sponsors of this Amendment intend that the Amendment provide that persons who are unable to participate in Project Chance due to substance

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abuse, would not be punished therefore and would instead be referred for treatment. And I would move the adoption of the Amendment."

Speaker Laurino: "Representative Ryder moves for the adoption of Amendment #3 to Senate Bill 376. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. Amendment #3 is adopted. Further Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative Levin on Amendment #4 to Senate Bill 376."

Levin: "Withdraw Amendment #4, please."

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

Clerk Leone: "Floor Amendment #5, offered by Representatives Shaw and White."

Speaker Laurino: "Amendment #5, Representative Shaw."

Shaw: "Thank you, Mr...thank you, Mr. Speaker, Ladies and Gentlemen of the House. I...I have to tell this Body this. Originally, I had introduced a Bill in committee and why this became an Amendment because it was the judgement of the committee that they turn this...turn the Bill into an Amendment. But I informed the Chairman of this committee at the time that I'd met with the...met with the U.S. Attorney and the Police...and the Superintendent of Police in Chicago...and with the Superintendent of Police in Chicago and this Amendment dealt with a problem that they had with the food stamps up there. The drug pushers are taking the food stamp cards, holding those food stamp cards until such time that the food stamps reach the currency exchange and then they take their...the recipient back to the currency exchange with the food stamp card and retrieve

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the food stamps. This Amendment is an Amendment that deals with that. And there is no state law where that the police can lock up the person for being in possession of that food stamp card. And they are trading the food stamp card for drugs all and...all over this state. I don't know why the Department of Public Aid would oppose an Amendment like this, knowing full well that the police cannot lock up a person who's dealing drugs and selling food stamps or trading food stamps for drugs. And the police go in all the cons. and housing projects all over Chicago and retrieve the card, but they don't have any law to operate on, and the U.S. Attorney...we informed the U.S. Attorney that it is a federal law, but there is no state law dealing with that and this is a good Amendment. It should be put on this Bill. And I don't know why Public Aid would oppose this Amendment. I ask for a Roll Call vote."

Speaker Laurino: "Representative Shaw moves for the adoption... moves for the adoption of Amendment #...Amendment #5 to Senate Bill 376. And on that, is there any discussion? Representative Williams."

Williams: "Yes. In all due respect to the Sponsor of this Amendment, as a Member of my Caucus and a good friend, I have to stand in opposition to this Amendment, because of the fact that this piece of legislation is the comprehensive agreement dealing with public aid, which will enhance the overall program and we need the program. And the Amendment itself will have the effect of somewhat deterring the real purpose of this Amendment, of this Bill, to take care of something which may very well need to be taken care of, but I would hope not on this Bill. And so, in all due respect, I have to rise in opposition to the Gentleman's Motion and I would urge that we defeat Amendment #5 to Senate Bill 376."

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Speaker Laurino: "Further discussion? Representative Wojcik."

Wojcik: "Mr. Speaker, I yield my time to Representative White."

Speaker Laurino: "Representative White."

White: "Mr. Speaker, Ladies and Gentlemen of the House, I, too, respectfully rise in opposition to this Amendment. A deal is a deal, and an agreement is an agreement. This is a wonderful piece of legislation that passed this House and got sidetracked in the Senate. This is not the piece of legislation that we want to attach to this Bill at this time. And I agree with Representative Williams and I agree with Representative Wojcik that we should resist this Amendment even though the Amendment has merit. So I rise in opposition to this Amendment."

Speaker Laurino: "Further discussion? Seeing none, Representative Shaw moves for the adoption of Amendment #5 to Senate Bill 376. All those in favor indicate by saying 'aye'...you want to vote? Roll Call on Amendment #5 to Senate Bill 376. All those in favor vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Amendment having received 13 'ayes', 89 'no' and 4 voting 'present', fails. Representative Wojcik, for what reason do you arise?"

Wojcik: "I would just like to point out to the board and state that normally when you do make a statement that you will honor your commitment and you don't, I think you should look at the board and see what happens to you."

Speaker Laurino: "Representative Keane in the Chair."

Speaker Keane: "Mr. Clerk, are there any further Amendments? Oh, excuse me, Representative Shaw."

Shaw: "Yea, I rise on a point of personal privilege. And Mr. Speaker and Ladies and Gentlemen of the House, I never made such a commitment on that Amendment. And I didn't ask the

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Amendment to be put on that...on this Bill in the first place. I introduced a Bill to the committee. And they, themselves, the committee, put...turned my Bill into an Amendment. And that's all my argument was and it should have had a fair hearing. But if they don't want to stop drugs in the projects, that's alright with me and the record speaks for itself. We can talk about it, but then the vote speaks for itself. And every Member that just voted for this Amendment...voted against this Amendment, the record will show that they, themselves, will make one speech on the House floor and vote something different. Drugs are flourishing in every public housing project in this state, and I am very unhappy with the way this Bill was conducted and turned into...into an Amendment and it should not have been. It should have went through the regular process. And again, I made no commitment and I felt as though that I honored my commitment with the Superintendent of Police and the U.S. Attorney up in Chicago."

Speaker Keane: "Mr. Clerk, are there any further Amendments?"

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

Speaker Keane: "Representative Trotter."

Trotter: "Thank you very much, Mr. Speaker, Members of the House. I'm scared straight, so I respectfully withdraw my Amendment at this time."

Speaker Keane: "Amendment #6 is withdrawn. Any further Amendments?"

Clerk Leone: "Floor Amendment #7, offered by Representative Currie."

Speaker Keane: "Withdraw Amendment #7. Any further Amendments?"

Clerk Leone: "Floor Amendment #8, offered by Representative Levin."

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Speaker Keane: "Withdraw Amendment #8. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Keane: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 376, a Bill for an Act to amend the Illinois Health Finance Reform Act. Third Reading of the Bill."

Speaker Keane: "Representative Williams."

Williams: "Yes. As the Bill now stands with Amendment 1, 2 and 3, what it does is this Bill now will extend child care and medical benefits from six months to one year to implement federal welfare reform. It will deal with Project Chance reporting to provide the Legislature with more information on Project Chance and also the department is required to do assessments of participants in Project Chance. And this Amend...and the Bill will provide that persons who are unable to participate in Project Chance due to their substance abuse not be punished but referred for treatment. This is the work of an agreement between the Human Services Committee on both sides of the aisle: Representative Ryder, Representative Wojcik, Representative Currie. We've got a lot of people work on a lot of time to come up with this Bill, and I believe it's an agreed Bill and I just urge an 'aye' vote."

Speaker Keane: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. I rise in support of the Bill and compliment the CoSponsors, Representative Williams, Representative Currie, for their additions and support on behalf of this Bill. It is now in the shape that I can give it my complete support and would ask all Members of this House to do the same. This is a worthwhile piece of legislation and I hope that we'll all be able to cast green votes. Thank you."

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

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those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 115 voting 'aye', none voting 'no' and none voting 'present' and Senate Bill 376, having received the required Constitutional Majority is hereby declared passed. Senate Bill 1010, Representative Ryder. Mr. Clerk, read the Bill."

Clerk Leone: "On page 9 of the Calendar, Senate Bill 1010, a Bill for an Act in relationship to Public Aid. Has been read a second time previously. There are no Committee or Floor Amendments."

Speaker Keane: "Third Reading. Read the Bill."

Clerk Leone: "Senate Bill 1010, a Bill for an Act in relationship to Public Aid. Third Reading of the Bill."

Speaker Keane: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. Senate Bill 1010 proposes four minor changes to the law. This is the form in which the Bill came to us from the Senate. It is for the purpose as indicated within the Bill. It has not been amended, and therefore we expect to send it on to the Governor. And I'd ask for your affirmative vote. Thank you."

Speaker Keane: "Representative Flowers."

Flowers: "Mr. Speaker, will the Gentleman yield, please?"

Speaker Keane: "He indicates he will."

Flowers: "Representative Ryder, could you please give me an example of some of the minor changes you're in reference to?"

Ryder: "Certainly. First, it seeks to change the State Property Transfer Law to conform with changes made in federal law under the Medicare Catastrophic Coverage Act of 1988. Okay. Do you need further examples, Representative?"

Flowers: "No, no, that's okay."

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Ryder: "Okay. It has minimal fiscal impact and it hasn't attracted any negative votes along the way. Okay?"

Flowers: "Okay. Thank you very much."

Speaker Keane: "Is there any further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 116 voting 'aye', none voting 'no' and none voting 'present', and Senate Bill 1010 having received the required Constitutional Majority is hereby declared passed. We will now return to Government Administration, Representative Matijevich on Senate Bill 392. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 392, a Bill for an Act to amend an Act relating to energy assistance and funding. Third Reading of the Bill."

Speaker Keane: "Representative Matijevich."

Matijevich: "Mr. Speaker, we have leave to return this Bill to the Order of Second Reading for the purpose of Amendments?"

Speaker Keane: "The Gentleman asks leave. Is there leave? Leave. And the Bill is on Second Reading."

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

Speaker Keane: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I commend the Sponsor. I think he has got an agreed Bill worked out and I would withdraw Amendment #2."

Speaker Keane: "Withdraw Amendment #2. Any further Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representative Matijevich and Levin."

Speaker Keane: "Representative Matijevich."

Matijevich: "Mr. Speaker, that Amendment shows it's sponsored by Representative Representative...myself and Representative

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Levin. It should also show Representative Gene Hoffman and Todd Sieben, who had input on this Amendment. The Amendment reflects the work of our staff, Jack Johnson and Mona Lamkin from the Republican Staff, also Bernard Lacour from the Legal Assistance Foundation, Bonny...Bobby Bennett from the Affordable Budget Coalition, Larry Suffredin and Milt Green from People's Energy and other utility representatives, and also representatives from the agencies of the Governor's Office. We have fairly well reached agreement. I would tell the Members of the House that Senate Bill 392 creates a permanent Illinois Residential Affordable Payment Program. Commonly called IRAP, under the Department of Commerce and Community Affairs. Since 1985 when the Legislature created a temporary IRAP program, funded by money from the court ordered Exxon Oil overcharge refund, we have seen the wisdom of such a program. It has been good for both...for both low income...it has been good for low income households, because it has provided a way to avoid the utility disconnections in winter months. Last year, an estimated 65,000 households were on the IRAP program. The program is good for the public utilities, because it has provided a way for many to manage their public utility bills. It would place the...the administration of the present IHEAP, the Illinois Home Energy Assistance Program, and IRAP under the new Energy Assistance Act of 1989. The...the participants in this meeting we had yesterday that I mentioned, tried to resolve some unresolved issues. They hammered it all out. There is still...there was still some question with regards to the preprogram arrearages, and they came up with an agreement on that. I understand that the Senate side had...still has some difference with that, but the Affordable Budget Coalition can live with either what we

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have come up with or what the Senate has suggested. Also with regards to the matter of short...shortfall that is already experienced, because that is in the old program, the decision was to include that in the...in another Bill that is sponsored by Representative Levin. The bottom line is that we have come to agreement. It is a good program. We want to continue it, and I would urge the Members to adopt the Amendment #3 so that we can pass this Bill on Third Reading."

Speaker Keane: "Representative Hallock."

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

Speaker Keane: "Indicates he will."

Hallock: "Is there a funding source for this program?"

Matijevich: "Representative Hallock, when this Bill was first presented, the...it was presented in the Bill as introduced with the computer software. That has now been changed. The Senate has been very adamant that this be funded through general revenue funds, and nobody has diverted from that course. We're going to have to come up with the funds, but that's where everybody wants it to come from."

Hallock: "Well, I rise in support of the Amendment. I believe it makes a bad Bill better. So we'll speak to the Bill when it's on Third, but I do support the Amendment."

Speaker Keane: "Representative Sieben."

Sieben: "Thank you, Mr...thank you, Mr. Speaker and Ladies and Gentlemen of the House. I also rise in support of Amendment #3. This Amendment does represent a tremendous amount of work and effort on the part of the utilities and the community action providers that have worked through a task force procedure for the last six months, to develop a plan that will be effective and that can be paid for. It goes a long way in expanding this program to really meet the needs of the truly needy and will provide a program, I

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think, that will help eliminate many of the disconnects during the winter months in the heating program. And I would commend the Members of the task force on both sides of the aisle that worked on this, the utility representatives and the various providers that got together and spent approximately six months to resolve this issue in the best interests of all parties, and I would urge a 'yes' vote on both sides of the aisle for this Amendment."

Speaker Keane: "Representative Morrow."

Morrow: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I also rise in support of Amendment #3 to Senate Bill 392. As many of you are aware, I have a conflict of interest in this situation, but just to let you know and working for people's gas for going on thirteen years, I've been working on this issue for the last three years that it has been in effect. The IRAP Program has allowed many people to keep their heat on during the wintertime, to allow senior citizens to stay warm, young people to stay warm. I urge 'green' votes on Floor Amendment #3 to Senate Bill 392. Thank you."

Speaker Keane: "The question is, 'Shall Amendment #1...Amendment #3 be adopted?' All those in favor say 'aye', all opposed 'no'. The 'ayes' have it and Amendment #3 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Keane: "Third Reading. Representative...Mr...is there leave to hear the Bill on Third Reading by use of the Attendance Roll Call? Leave. And, Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 392, a Bill for an Act in relation to energy assistance and funding therefore. Third Reading of the Bill."

Speaker Keane: "Representative Black. Representative Black."

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Black: "Thank you very much, Mr. Speaker. I just simply would rise in support of the Gentleman's Bill. We should commend him for..."

Speaker Keane: "Let me...Let me have...I thought you had a point of order that you wanted to make."

Black: "No, I'm sorry. I thought he already closed."

Speaker Keane: "Representative Matijeich."

Matijeich: "Did he read it a third time? I didn't hear him."

Speaker Keane: "Clerk has read the Bill a third time."

Matijeich: "Alright. Mr. Speaker, Ladies and Gentlemen of the House, this is the IRAP Program now and the IHEP and the Weatherization all into one program. I commend those who served on the task force here in the House. I know Todd Sieben and the Majority Leader, Jim McPike, and in the Senate, John Maitland and John D'Arco. I didn't serve on that task force, but as House Sponsor of the Bill, I saw the good work that they did. I appreciate your support. It's a good program. We need it and it ought to get everybody's support. Thank you."

Speaker Keane: "Representative Black."

Black: "Thank you very much, Mr. Speaker. I would like to ask the Gentleman one question. I think we need to establish some legislative intent, if I might."

Speaker Keane: "Gentleman indicates he will yield."

Black: "Thank you. Representative...and I congratulate you and commend you. You've worked very hard on this, but I do think following up on a question Representative Hallock asked. I think we need to establish some legislative intent, because there is some concern in some areas that we might be moving toward making IRAP an entitlement program under the Department of Public Aid. For the record, Representative, will you state your intent on that issue?"

Matijeich: "Yes, Representative Black, I'm glad you asked that,

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because in the Bill it is very specific that this is not an entitlement program, it is dependent on appropriations. So, that clearly is the record both with intent on the floor and specifically in the Bill."

Black: "Well, thank you very much, Representative. Mr. Speaker, to the Bill. Again, I commend the Sponsor for his diligent efforts to work out what we have in Senate Bill 392 and that is an agreed Bill. To my colleagues on this side of the aisle, our Leader has signed off on this Bill. There has been a great deal of work put into this effort. I commend the Sponsor, the Community Action Association of Illinois and all those who have worked very diligently to come up with what I think is a very reasonable piece of legislation, and I'm very happy to rise in support of the Gentleman's Bill and urge an 'aye' vote."

Speaker Keane: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Bill there are 113 voting 'aye', none voting 'no', 1 voting 'present', and Senate Bill 392, having received the required Constitutional Majority is hereby declared passed. We will now go to the Order of State and Local Government, Second Reading. And on that, Senate Bill 890. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 890..."

Speaker Keane: "Representative Laurino in the Chair."

Clerk O'Brien: "...A Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill."

Speaker Laurino: "Any Amendments, Mr. Clerk?"

Clerk O'Brien: "No Committee Amendments."

Speaker Laurino: "Any Floor Amendments?"

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

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Williams and Ryder."

Speaker Laurino: "Representative Williams, Amendment #1 to Senate Bill 890."

Williams: "Hello. Okay, thank you. Amendment #1 replaces the original language to provide that all Project Chance participants will be tested for literacy skills and placed in education, work or training programs as appropriate. This was pretty much the original aspects of the Bill and I urge for its adoption."

Speaker Laurino: "Representative Williams moves for the adoption of Amendment #1 to Senate Bill 890. Is there any discussion? Seeing none, all those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

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

Speaker Laurino: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. This Amendment corrects the disincentive, sometimes known as retrospective budgeting or transitional payments...supplementary payments. We believe that this will assist in what has become a very significant and...significant problem for those who wish to take employment, but now do so at the risk of losing some assistance under the public aid rules. I would ask for this Amendment to be adopted."

Speaker Laurino: "Representative Ryder moves for the adoption of Amendment #2 to Senate Bill 890. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Ryder and Williams."

Speaker Laurino: "Representative Ryder."

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Ryder: "Thank you, Mr. Speaker. This Amendment provides statutory authority for the Department of Public Aid and the Department of Children and Family Services to contract with each other for the provision of extended child care services. Those services are currently being accomplished. This simply provides a statutory authority to do so and I would urge that the Amendment be adopted."

Speaker Laurino: "Representative Ryder moves for the adoption of Amendment #3 to Senate Bill 890. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #4, offered by Representatives Williams and Ryder."

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

Williams: "Yes. This Bill passed the Senate without an effect...including an effective date. This Bill decrees that appropriate identification, such as the alien registration number be provided for child support orders. It's principally a technical Amendment and I urge its adoption."

Speaker Laurino: "Representative Williams, moves for the adoption of Amendment #4 to Senate Bill 890. All those in favor indicate by saying 'aye', opposed 'nay'. The 'ayes' have it and the Amendment is adopted. Further Amendments, Mr. Clerk?"

Clerk Leone: "Floor Amendment #...there are no further Amendments."

Speaker Laurino: "Third Reading. Mr. Clerk, with leave of the Attendance Roll Call, this Bill...the Sponsor would like to have this Bill heard today. Does he have leave? He does...Attendance Roll Call. Representative Ryder on Senate Bill 890."

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Clerk Leone: "Senate Bill 890, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Ryder: "Thank you, Mr. Speaker..."

Speaker Laurino: "Representative Ryder."

Ryder: "Thank you, Mr. Speaker. The Amendments 1 through 4, that have been placed on the Bill now become the Bill. We have as a result of negotiations, cooperation between many parties, including the Department of Public Aid, have a Bill that has been agreed and I would move for us to pass that Bill and ask for favorable votes. I thank my Cosponsors and all of the people who worked so hard, including the advocacy groups, to present what I think is a well-fashioned Bill to make some reforms within this area."

Speaker Laurino: "Representative Ryder moves for the passage of Senate Bill 890. On that, is there any discussion? Representative Williams."

Williams: "I just rise to concur what the Gentleman said. This is an agreement and it worked out. Representative Currie, Representative Ryder and all of the individuals that were involved. I think this is a good Bill and I urge its adoption."

Speaker Laurino: "Question is, 'Shall Senate Bill 890 pass?' All those in favor vote 'aye', those opposed vote 'no'. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 115 'ayes', 0 'nay' and 1 voting 'present', having received the required Constitutional Majority is hereby declared passed. Senate Bill 243 on page 10 of the Calendar, Representative Terzich. Representative Terzich in the chamber? Out of the record, Mr. Clerk. I'm sorry. I didn't see you, Bobby, coming down the aisle. Senate Bill 243, Representative Terzich. Read the Bill, Mr. Clerk."

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Clerk Leone: "Senate Bill 243, a Bill for an Act to amend an Act to create sanitary districts. Third Reading of the Bill."

Speaker Laurino: "Representative Terzich."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 243 amends the Water Reclamation District Act. It provides for the transfer of function of a civil service board. It establishes the...the salary for the newly elected commissioners in 1990 election and also provides for some annexation for some property within the reclamation district. And I would appreciate your support."

Speaker Laurino: "Representative Terzich has moved for the passage of Senate Bill 243. On that, is there any discussion? Representative Black."

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

Terzich: "Yes, I will."

Black: "Thank you. Representative, if I heard you correctly, you're transferring the authority for giving hiring preference to veterans from the Civil Service Board to the director of personnel."

Terzich: "That's correct."

Black: "The director of personnel of what? Of the city or of the Sanitary District?"

Terzich: "Reclamation District."

Black: "Of the Reclamation Board?"

Terzich: "Yes."

Black: "Could you explain to me very briefly, why...why do you want to do that? It would seem to me like it would be better to leave it under Civil Service."

Terzich: "Well, I...that's not the case. Why do you seem that it would be better to leave it under the Civil Service, rather than the director of personnel?"

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Black: "Well...I think...you know, I don't know that's why I asked you. I just...by the very virtue of the name Civil Service Board, I think that...the perception is that that's perhaps a more equitable way of doing hiring practices than to move it over to a director of personnel of a specific agency."

Terzich: "Well, currently the director of personnel is making the decisions with regard to the veterans' preferences and the Bill merely gives the Director this the power. The Civil Service Board only meets once a month and due to this and other time constraints, the director of personnel has assumed these duties. So that's the reason they want the change."

Black: "Okay. But, I guess then if the director of personnel would be doing the hiring, then perhaps..."

Terzich: "The director of personnel does not do the hiring..."

Black: "Would recommend, I understand that, would recommend. So, I guess...would it be a fair assumption to say then that perhaps the veterans, being recommended by the director of personnel may or may not be covered or recommended by a Civil Service Board or agency or entity."

Terzich: "No, they...the veterans' preferences and everything would simply be applied. It's just that...it just applies it over to...administered by the director of personnel. It really doesn't do anything. It's part of the examination process. What difference does it make whether it was the Civil Service Board or director of personnel?"

Black: "Okay. Well, I understand what you're saying. I guess it just sounds to me like you're taking it away from a Civil Service Board that has a...has kind of a nice ring to it and turning it over to an individual, but I understand, that's fine. Let's get to the salary increase if..."

Terzich: "No, the salary establishment of a salary, it's not a

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salary increase."

Black: "Oh, you're establishing a salary schedule."

Terzich: "That's correct."

Black: "Am I to understand then that you are going to build in some increases to the salary schedule?"

Terzich: "The salary adjustment is for the newly elected members which will be elected in January, 1991. And what it does, it provides for an approximate 2.8 percent salary adjustment after they are elected, which is every six years, is a six year term. So it establishes a salary and it provides for an adjustment in that salary of the newly elected members of approximately 2.8 percent per year."

Black: "Okay, and..."

Terzich: "The total amount is approximately six thousand dollars. There's three commissioners and a two thousand...it's six thousand dollars annually."

Black: "What does the president of the Board of Commissioners...salary as of January, 1989?"

Terzich: "The President...salary as of January...I'm sorry, January 1889, (sic-1989) forty one thousand, five hundred dollars."

Black: "And what would the proposed salary for the President be as of January 1991?"

Terzich: "Forty-three thousand, five hundred dollars. Which is a two thousand dollars adjustment. That's currently what the schedule is basically now for the members of the district, and there's also a differentiation for members who are either the president, the vice president and the finance chairman."

Black: "What's the...what's the line item I see in the file on the proposed salary as of January, 1991, of fifty thousand dollars?"

Terzich: "That would be the...the new president as of 1991, that

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that would be the differential between the elected commissioners and the President of the board. Which would be fifty thousand dollars."

Black: "Okay. Alright, thank you very much, Representative. Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. Senate Bill 243 has some unique salary proposals in here that some Members, I think, might want to take a look at and I think we're also moving a personnel function from a Civil Service Board to what basically would be then the recommendation of an individual, and I think there are some people in the chamber that might wish to take a little...a second look at that, if you would. And I would stand in opposition to the Gentleman's Bill."

Speaker Laurino: "Further discussion? Seeing none...Representative Parcels, excuse me."

Parcels: "Thank you, Mr. Speaker. This is a Bill that I had tried to amend to make that salary, the president, the same as our Speaker. I don't think the president works any harder than the Speaker of the House who works constantly, and the vice president's salary, the same as our Majority Leader, there's another hard worker. And the board members the same as we, we work pretty hard down here but we were just going to...that Amendment was not accepted. And I think these salaries are out of line and said so the last time that we voted on this Bill, and the Bill failed yesterday or the day before. And I would suggest that we vote 'no' on it again."

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

Terzich: "Well, yes...those are really shallow statements. Number one, is that the metropolitan district of Cook County is one of the largest districts in the entire world; has worldly acclaim, they do an excellent job. That

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this...there's no state money involved. This unfortunately that the state has enacted this legislation and that they have to come to the General Assembly to establish these salaries. But it all comes from the Cook County area because it's a Cook County reclamation area. They do an excellent job. These elected officials that are there are basically underpaid. This is a very, very minor salary adjustment. As a matter of fact, I think their staff probably makes more money than they do and they do an excellent job. And this if for the newly elected officials that will run for office if 1990. There's no state money involved and I would appreciate your support."

Speaker Laurino: "Representative Terzich moves for the adopt...for the passage of Senate Bill 243. All those in favor will vote 'aye', those opposed will vote 'nay'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 64 'aye', 44 'nay' and 4 voting 'present', having received the required Constitutional Majority is hereby declared passed. Senate Bill 247, Representative Munizzi. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 247, a Bill for an Act to create the sanitary districts. Third Reading of the Bill."

Speaker Laurino: "Representative Munizzi."

Munizzi: "Thank you, Mr. Speaker. Senate Bill 247 allows the Board of the Metropolitan Water Reclamation District of the Greater Chicago...of Greater Chicago, by a two-thirds vote, to make transfers of appropriations of funds between departments. We've discussed this before. I ask for a favorable Roll Call."

Speaker Laurino: "Representative Munizzi moves for the passage of Senate Bill 247. All those in favor will indicate by

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voting 'aye', those opposed by voting 'nay'. This is final passage. The vote is open. Representative Hallock, for what reason do you arise?"

Hallock: "Well, to explain my vote, Mr. Speaker. We debated this Bill a few days ago. It was bad then, it's bad now. I want everybody on this side to know what this Bill is and I urge you to vote 'no'. And I would ask for a verification, if this in fact receives the requisite numbers..."

Speaker Laurino: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. This Bill having received 67 'ayes', 48 'nays' and 1 voting 'present'. Representative Hallock, asked for a verification. Representative Matijevich asks for leave to be verified. Leave being granted. Representative Preston also wishes to be verified, Representative Hallock. Leave. Read the Attendance Roll Call, Mr...for the...read the Affirmative Roll Call, Mr. Clerk."

Clerk Leone: "Poll of those voting in the Affirmative. Balanoff. Barnes. Bowman. Breslin. Brunsvold. Bugielski. Cullerton. Curran. Currie. DeJaegher. DeLeo. Dunn. Edley. Farley. Flinn..."

Speaker Laurino: "Excuse me, Mr. Clerk. Representative Young wishes to be verified. Representative Stern wishes to be verified. Representative Hallock, do they have leave? Grace Mary, would you hold on a second? Representative Hallock, does Representative Stern and Young have leave to be verified? Stern and Anthony Young. Yes, leave to be verified. Proceed, Repre...Mr. Clerk."

Clerk Leone: "Representative Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hicks. Homer. Lou Jones. Shirley Jones. Keane. Krska. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McAuliffe. McGann. McNamara.

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McPike. Morrow. Mulcahey. Munizzi. Novak. Phelps.  
Preston. Rice. Richmond. Ronan. Saltsman. Santiago.  
Satterthwaite. Shaw. Steczo. Stern. Sutker. Terzich.  
Trotter. Turner. Van Duyne. White. Williams. Wolf.  
Woolard. Anthony Young. Wyvetter Young. And Mr.  
Speaker."

Speaker Laurino: "Questions of the Affirmative Roll Call.  
Representative Hallock."

Hallock: "John Dunn?"

Speaker Laurino: "Representative Dunn? Representative Dunn in  
the chambers? Representative Dunn? Remove him, Mr.  
Clerk."

Hallock: "Representative Krska?"

Speaker Laurino: "Representative Krska? Representative Krska in  
the chambers? Appears he is not. Remove him."

Hallock: "Representative Van Duyne?"

Speaker Laurino: "Representative Van Duyne? Representative Van  
Duyne? Is the Gentleman in the chamber? Appears he is  
not. Remove him, Mr. Clerk. Representative Dunn has  
returned to the chambers. Representative Dunn has returned  
to the chambers. Representative Van Duyne has returned to  
the chambers. Add them to the Roll Call, Mr. Clerk."

Hallock: "Representative Hicks?"

Speaker Laurino: "Representative Hicks? Representative Hicks?  
Representative Hicks? Appears he is not in the chamber.  
Remove him."

Hallock: "Representative Kulas?"

Speaker Laurino: "Representative LeFlore, for what reason do you  
arise?"

LeFlore: "Leave to be verified, Sir."

Speaker Laurino: "Does the Gentleman have leave?"

Hallock: "No. Mr. Speaker, we've gave leave to five Members, I  
think that's enough."

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Speaker Laurino: "Representative LeFlore, you do not have leave.

What was your next question?"

Hallock: "Representative Richmond?"

Speaker Laurino: "Representative Richmond? He's in his chair.

Representative Hicks has returned to the chamber, he's at the right of my...the well. Return him to the Roll Call, Mr. Clerk."

Hallock: "Representative Williams?"

Speaker Laurino: "Williamson? Representative Williamson? She's voting 'no'."

Hallock: "Williams?"

Speaker Laurino: "Oh, I'm sorry. I get them confused too..."

Hallock: "...Not Williamson."

Speaker Laurino: "Representative Williams? Representative Williams? Is the Gentleman in the chamber? It appears he is not. Remove him."

Hallock: "Phelps?"

Speaker Laurino: "Representative Phelps is on the side talking to a very beautiful young lady."

Hallock: "Kulas?"

Speaker Laurino: "Representative Kulas? He's in the back."

Hallock: "Breslin?"

Speaker Laurino: "Representative Breslin? Representative Breslin in the chamber? Appears she is not. Remove her, Mr. Clerk."

Hallock: "DeLeo?"

Speaker Laurino: "Representative DeLeo? Representative DeLeo in the chamber? He's in the back waving his arms."

Hallock: "Santiago?"

Speaker Laurino: "Representative Santiago is in his chair. He's standing in his chair."

Hallock: "No further questions."

Speaker Laurino: "No further questions. This Bill having

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received 64 'ayes', 48 'nays', 1 voting 'present', having received the required Constitutional Majority is hereby declared passed. For what reason does, Representative Munizzi, arise? Senate Bill 248, Representative Leverenz. Read the Bill, Mr. Clerk."

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

Leverenz: "I thank you, Mr. Speaker..."

Speaker Laurino: "Representative Leverenz. Representative Parke, for what reason do you arise?"

Parke: "Yes, a point of order. Has a fiscal note been filed, as amended, under Amendment #1?"

Leverenz: "Yes, it has. It was filed this morning, as amended."

Parke: "Mr. Speaker, we withdraw that."

Speaker Laurino: "Representative Parke, at ease for a moment."

Parke: "No, we withdraw that. Thank you."

Speaker Laurino: "You withdraw your objection?"

Parke: "My inquiry. Thank you..."

Speaker Laurino: "...Your inquiry. Representative Leverenz, proceed with Senate Bill 248."

Leverenz: "I thank you, Mr. Speaker. This Bill we have passed, I think we've passed it before, if not we're doing it for the first time and it's been passed in the Senate, this provides for the Department of Transportation to set flow limits where a waterway crosses a county line. It is applicable to the same area that is encompassed by the Northeastern Illinois Planning Commission. It has been amended now, to provide that any project underway or a permit has been taken out and construction has not begun, would be grandfathered into the Bill. And I would answer any questions and ask your 'aye' vote to pass this Bill."

Speaker Laurino: "Representative Leverenz has moved for passage

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of Senate Bill 248. On that, is there any discussion?  
Representative Hallock."

Hallock: "Will the Sponsor yield for a question?"

Speaker Laurino: "He indicates he will."

Hallock: "As I read this Bill, it appears the impact is that some  
of the collar counties are going to get walled off by this  
Bill, and it seems to me floods don't stop at the county  
line. What happens if there's a flood in Lake County?  
Under this Bill, what would happen?"

Leverenz: "If a flood happened in Lake County, what happens under  
this Bill?"

Hallock: "I mean, the water..."

Leverenz: "The Department of Transportation would calculate the  
rate of flow on water coming into Cook County. That's  
all."

Hallock: "But what if the rate of flow is greater than the spill  
suggests? Won't it then back up?"

Leverenz: "Pardon me?"

Hallock: "If the flood rate velocity is greater than this Bill  
allows, won't it then back up into Lake County, for  
example?"

Leverenz: "I don't think...I think you're going off on a tangent  
that really isn't applicable to the Bill. This provides  
that the flow limits are used by the units of local  
government in issuing permits, and it may provide that a  
municipality might have to have the developer have on-site  
retention of water. That's what the Bill really  
addresses."

Hallock: "Are there then, if that's your response, are there  
funds put aside to help the locals provide for retention  
ponds for that purpose?"

Leverenz: "No, but we're building them like crazy as you well  
know."

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Hallock: "Well, Mr. Speaker, Members of the House, to the Bill.

Although this Bill is somewhat technical, I suppose you could have a situation whereby you have the flood waters moving along at such a speed that exceeds the speed limit suggested here in this Bill. The impact of that would be of course, that the flood waters would have no place to go because this Bill, which said they could not enter Cook County and obviously, you would have floods in the collar counties around that would really be unable to be managed, because of that you could have some devastating impact. I mean devastating impact on those counties that surround Cook County. This is a very bad idea, a very bad Bill. It could be very serious for those collar counties especially. And I would suggest a 'no' vote."

Speaker Laurino: "Representative Piel."

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

Leverenz: "Absolutely."

Piel: "Representative, with the...with the...we now have adopted Amendment #1. Correct?"

Leverenz: "That is correct."

Piel: "With Amendment #1 the fears of the home builders, realtors and municipalities throughout Cook County have been alleviated?"

Leverenz: "It is my understanding that that is true."

Piel: "And so they have no problems now that Amendment #1 is adopted?"

Leverenz: "They participated in crafting the Amendment."

Piel: "Fine. Thank you very much."

Speaker Laurino: "Further discussion? Seeing none... Representative Hoffman."

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

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Leverenz: "For the second Dean of the House, yes."

Hoffman: "Where are the realtors on this issue after the Amendment?"

Leverenz: "As the Gentleman previously spoke and asked the question, I understand that they participated in the crafting of the Amendment that is now on the Bill, and that they are now going along with it. It does not injure, damage, impair any existing development in anything that might be underway by permit in development or in construction."

Hoffman: "Well, I appreciate your comments. I...my understanding is different than yours, but we will just leave it at that. How about the Department of Transportation, do they have a position on this?"

Leverenz: "The Department of Transportation to the best of my knowledge, is still opposed to it. The Gentleman in front of you is leading the witness."

Hoffman: "I'm the witness. Alright, thank you very much. I...you know, this kind of thing is really...is really unenforceable, that's one of the reasons why the Department of Transportation is for it. I understand the Gentleman's interest in this. There's certainly times in our communities where we wish we could have kept the water in Cook County, but that ain't the way they set the world up. So, I think rather than to try to change the course of...of history, we...we ought to stand opposed to this legislation."

Speaker Laurino: "Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I also rise in opposition. This Amendment is the perfect example of some people's belief that just because you believe something to be true, it must be true in reality. What this says is that the ideology of flood control will make it come true. That is,

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if you set speed limits, water will observe the speed limits. It'll stop like a motorist stops at a stop sign. It'll slow down the yield for other water flowing into the county from different directions. It's a silly Bill. It's going to kill construction in the metropolitan area of Chicago. It is a blatant power grab on behalf of Cook County and the Metropolitan Sanitary District. It's no good for anybody except the Metropolitan Sanitary District trustees and employees, who can claim that they've done something good for the county. It's not going to stop water flowing into the county, all it's going to do is stop construction and development in the county and the other counties contiguous to Cook County. I rise in opposition."

Speaker Laurino: "Representative Terzich."

Terzich: "Yes, I support this Bill. The Cook County...that there's been billions and billions of dollars that have been spent by the Water Reclamation District, whether it's with the deep tunnel project and a number of reservoirs which there are billions of dollars more going into it to help alleviate the flooding. This is really not any problem for Chicago, this is basically a lot of the suburban areas within Cook County, whether it's in Schaumburg or anywhere in the Cook County area...Des Plaines...the Des Plaines River, all of these things have overflowed. There's been a lot of money spent in the communities in Cook County to help build these reservoirs, to alleviate the flooding and certainly if there's a big deluge coming in, whether it's Lake County or any other county, isn't going to alleviate the water from coming in on its natural flow, but certainly with the development in these other counties, that they also should be setting up their reservoirs. They should be cognizant of the fact of

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the flooding problem in Cook County and I think that this certainly deserves the support of everybody in this Assembly."

Speaker Laurino: "Representative Harris, what reason do you arise?"

Harris: "Thank you, Mr....thank you, Mr. Speaker. Two points. First a question of the Chair...parliamentary inquiry of the Chair. Mr. Speaker, two points. First, a parliamentary inquiry of the Chair. The Bill indicates that no permit or any other authorization shall be issued by the department or any unit of local government including home rule units in such metropolitan counties, etc. etc. Does this Bill preempt home rule, and if it does how many votes does it take to pass?"

Speaker Laurino: "Just a moment, Representative."

Harris: "Mr. Speaker."

Speaker Laurino: "Yes."

Harris: "Mr. Speaker, I withdraw my inquiry. I realize I did not read far enough in the Bill."

Speaker Laurino: "Thank you, Representative Harris. Representative Kubik."

Harris: "Mr. Speaker."

Speaker Laurino: "Representative Harris."

Harris: "Yes. I had two points. Thank you very much."

Speaker Laurino: "...Proceed..."

Harris: "One was a parliamentary inquiry, the other was to address the Bill. Along those lines, despite Amendment #1 on this Bill which seems to give some indication on the allowing permits to be issued, it says that local units of government can take this into consideration, that maybe...that maybe something is being done to correct flow limits. Well, they can take it into consideration, however, the Bill it seems to me is extremely explicit. It

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says that no permit or any other authorization shall be issued...by any...by the department or any unit of local government including home rule units in any watershed or subwatershed. Ladies and Gentlemen, a watershed or subwatershed is a significant portion of territory. We are limiting construction here in a significant area of Northeastern Illinois by this simple stroke of the pen. This is a dangerous precedent and should not be started now at all. I would recommend strongly a 'no' vote on this Bill."

Speaker Laurino: "Representative McCracken."

McCracken: "For that ruling; Representative Harris withdrew it, but I can see that the Parliamentarian has prepared his answer..."

Speaker Laurino: "...The Parliamentarian has informed me that this Bill will take 60 votes for passage. Representative..."

McCracken: "Thank you."

Speaker Laurino: "...Have you got any more...Representative Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As a Cook County Legislator, I reluctantly rise in opposition to my floor Leader, and good friend, Representative McCracken. I don't see this as a power grab. I don't think the people who in my district which has the Des Plaines River running through it, who have been consistently hit by heavy flood waters because of poor planning upstream, see this as a power grab. They see this as one way of addressing a very serious problem and unfortunately...you know, we look at this problem only after the flood waters recede and then the problem doesn't take on any significance. Well, folks, it's a very, very significant problem. It think we've got to start doing

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something. I think this is a step in the right direction. I think Representative Leverenz has worked hard with the home builders to remove some of this opposition to the Bill. And I think that unfortunately the opponents of this legislation have utilized what I would say is a poor title to the Bill, 'Speed Limits', as a as a reason for opposition, and I would admit it is a poor...poor title to the Bill. The bottom line is we're trying to keep water and retain water where it falls and that makes a lot of sense and that really is good for those communities that are downstream. My district happens to be one of those communities and I certainly would appreciate an 'aye' vote."

Speaker Giglio: "Representative Barger."

Barger: "Thank you, Mr. Speaker. The Department of Transportation, Ladies and Gentlemen, over the years has had a flow rate limit under all of the major structures in the areas in Illinois. In the instances where parking...where shopping centers are built in one community and the flood water from that runs off, they have a detention requirement and the rate of flow coming out of it. And as I look through this Bill which I did for the first time, there are three major watersheds in DuPage County. Only one of those, Salt Creek, goes into Cook County; the other two-thirds of DuPage County flow into the east branch and the west branch of the DuPage River and they go on down to somewhere in the vicinity of Shorewood; many of you pass it on your way down here, where they enter into the Illinois River system. The Fox River which drains most of Kane County has no relationship to Cook as far as I know, because the drainage out of Kane County goes into the Fox River and downstream, the same way for most of McHenry County. There are large areas here that will be

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controlled, that are totally irrelevant to the problems of Cook. Now when I was a little kid many many years ago, we used to go out to the Methodist campground at Des Plaines in the spring and hose out the cottages and get them ready for summer occupancy. Every year the river flooded in that area. Now this is a natural flood area and it had been used for a church summer camp for many many years. What you want to do is something that is based on the large volume of water that comes down in the spring rains. Retention and detention are good. I built a detention program through the southeast corner of Wheaton and it took 18 years to get that built and working properly. When the new lake is finished down on Butterfield Road, then that area will work right with the proper amount of retention and detention, and it did not require the Legislature to set up the rules for it, because those rules already existed. I think this is a great overkill; for one thing because it is covering areas that are not of concern to Cook County, and the other is that Cook County discharges water out of its lower end into the Des Plaines River system that goes down into Will. And if they set structure limits for water going into Kane...Cook County, it's only proper that they will establish outflow limits on the Des Plaines River where it flows into Will County. So the problems can't be solved by us and should be solved by the Department of Transportation's, Department of Water. And that really rather than trying to do this on our own, we...and in opposition to the Department of Transportation, we should be doing it in cooperation with the Department of Transportation who have had these rules set up for many many years. And if they need to be more stringently adhered to, then there is already methodology for local government to do it. We shouldn't be involving ourselves

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in it and I thank you very much for listening. I know you'll all vote your own conscience or whatever you consider your conscience to be. Thank you."

Speaker Giglio: "Representative Kulas."

Kulas: "I move the previous question."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor say 'aye', opposed 'aye' (sic - 'no'). In the opinion of the Chair, the ayes' have it and the previous question has been moved. Representative Leverenz."

Leverenz: "Thank you, Mr. Speaker. To my detractors apparently on the other side of the aisle, to those who have served on the Governor's Flood Control Task Force, we all know that in the Northeastern Illinois planning area, you have to prepare a stormwater management plan. This would say that the stormwater management plan that is to be required, is developed in a manner that will assure that flows will not exceed the flow limits. The Department of Transportation currently now has metering devices that do exactly what they are being asked to do under this Bill. The only difference is, that they would have to change the location and simply relocate the equipment to the county line. I think it helps as much in DuPage as it helps in Cook, and in Kane as it does for Cook, but it just says that the plan will be managed by what the area can handle. And it's unfortunate that the red herring's come up, and that I think shows that there has been a lot of development. I guess, if left to their own volition, DuPage would probably build in the middle of a creek, but so be it. And in the famed words of Bartles and James, 'We thank you for your support'."

Speaker Giglio: "Question is, 'Shall Senate Bill 248 pass?' All those in favor vote 'aye', those opposed 'nay'. The voting is open. This is final action. Jack...have all voted who

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wish? Have all voted who wish? Have all voted who wish?

Mr. Clerk...Representative Madis...excuse me,  
Representative Stephens, the Gentleman from Madison."

Stephens: "I listened as good as I could to that debate, and you know as a downstater, not a lot of interest in the issue specifically for my district. I never did hear what the speed limit was and I was disappointed about that."

Speaker Giglio: "Have all voted? Mr. Clerk, take the record. Representative McCracken? Verification. On this question there are 66 voting 'yes', 44 voting 'no' and 5 voting 'present'. Senate Bill 248... Representative McCracken moves...asks for a verification. Representative Leverenz. Piel, vote 'aye'. Representative...Representative Wyvetter Younger, 'aye'. Verify? Verify Representative Younger. Representative LeFlore to have leave, Representative McCracken? Representative Leverenz asks for a Poll of the Absentees."

Leverenz: "Yes, Mr. Speaker, we want to poll the two absentees and send our runners to the Senate as they're debating the tax issue now and we're bringing them back, so thank you."

Speaker Giglio: "Representative McCracken. Representative Balanoff, Representative Santiago...Poll the absentees, Mr. Clerk."

Clerk O'Brien: "A poll of those not voting. Representative Stange. No further."

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

Clerk O'Brien: "Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Cullerton. Curran. Currie. DeJaegher. DeLeo. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hicks. Homer. Lou Jones. Shirley Jones. Keane. Krska. Kubik. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McGann. McNamara. McPike. Morrow.

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Mulcahey. Munizzi. Novak. Phelps. Piel. Preston.  
Rice. Richmond. Ronan. Saltsman. Santiago.  
Satterthwaite. Shaw. Steczo. Sutker. Terzich. Trotter.  
Turner. Van Dyne. White. Williams. Williamson. Wolf.  
Woolard. Anthony Young. Wyvetter Younge and Mr. Speaker."

Speaker Giglio: "Alright. Representative McCracken. There's a number of the Reps seeking recognition and they want to hear the tax..."

McCracken: "Yeah, but so do I and I can't go."

Speaker Giglio: "You have to ask Representative McCracken."

McCracken: "We'll just do it quickly, guys."

Speaker Giglio: "Alright."

McCracken: "No, no, no. I'm going to the debate as soon as I'm finished, I will meet you there. Ready?"

Speaker Giglio: "Ready."

McCracken: "Representative Dunn?"

Speaker Giglio: "John Dunn is in his chair."

McCracken: "Representative Shirley Jones?"

Speaker Giglio: "Shirley Jones? Representative Jones? How's the Lady recorded? Remove her from the Roll Call."

McCracken: "Representative Martinez?"

Speaker Giglio: "Representative Martinez? He's in the back."

McCracken: "Representative Krska?"

Speaker Giglio: "Krska? Representative Krska here? How's he voted, Mr. Clerk? Remove him from the Roll Call."

McCracken: "Representative Terzich?"

Speaker Giglio: "Terzich? Representative Terzich in the chamber?"

McCracken: "No. I see him, he's right there."

Speaker Giglio: "There he is."

McCracken: "Representative Edley?"

Speaker Giglio: "Edley? Representative Edley in the chamber? He's in the back here."

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McCracken: "Representative Morrow?"

Speaker Giglio: "Representative Morrow? I believe Morrow was...Morrow, LeFlore..."

McCracken: "No, no. Representative Morrow was not verified."

Speaker Giglio: "Is Representative Morrow in the chamber? How's he recorded, Mr. Clerk. Morrow. Remove him from the Roll Call."

McCracken: "I'll verify Representative Monique Davis if she wants to go."

Speaker Giglio: "Alright. She wants to vote 'aye'. Vote Representative Davis 'aye'."

McCracken: "Representative Matijevich?"

Speaker Giglio: "Representative Matijevich is in his chair."

McCracken: "Representative Giorgi?"

Speaker Giglio: "Representative Giorgi? He's over there sitting next to Granberg."

McCracken: "Representative Brunsvold?"

Speaker Giglio: "Brunsvold? Brunsvold in the chamber? Representative Brunsvold? How's he recorded, Mr. Clerk? Remove him from the Roll Call. Brunsvold..."

McCracken: "Representative...Representative DeLeo?"

Speaker Giglio: "He's in the bathroom. Representative DeLeo in the chamber? He's in the back, Representative McCracken."

McCracken: "Representative LeFlore?"

Speaker Giglio: "LeFlore? He's in his seat. Representative Brunsvold has returned to the chamber. Put Representative Brunsvold back on."

McCracken: "Alright. Representative Breslin?"

Speaker Giglio: "Breslin? Representative Breslin? Leave to be verified."

McCracken: "Representative Mautino?"

Speaker Giglio: "Representative Mautino? He's in the back."

McCracken: "Representative Keane?"

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Speaker Giglio: "Representative Keane's in the back.

Representative Piel, you seeking recognition?"

Piel: "Please change me to 'present', Mr. Speaker."

Speaker Giglio: "Change Representative Piel to 'present'."

McCracken: "Representative Farley?"

Speaker Giglio: "Representative Farley? He's in the back. Is that it, Representative McCracken?"

McCracken: "Unless someone comes to my attention, that's it."

Speaker Giglio: "Alright. On this question there are 64 voting 'yes', 44 voting 'no', 5 voting 'present'. Senate Bill 248, having received the required Constitutional Majority is hereby declared passed. Representative Novak in the chamber? Senate Bill 249. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 249, a Bill for an Act to amend the Illinois Water Well Construction Code. Third Reading of the Bill."

Speaker Giglio: "Representative Novak."

Novak: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Appreciate the opportunity to bring this piece of legislation up again. We dealt with this Bill yesterday and when there was quite a bit of discussion...it's the Bill simple and direct. It provides that people's wells who are depleted by other types of high capacity wells or irrigation systems for that matter, are responsible for replenishing the water source supply for those wells that are impacted. And I ask for your 'aye' vote."

Speaker Giglio: "Any discussion? The Gentleman from DuPage, Representative Pedersen."

Pedersen, B.: "Thank you, Mr. Speaker. Once again, I stand in opposition to this Bill. It is opposed by the Farm Bureau, it's opposed by the IMA. It hasn't change from yesterday to today. It's still a bad Bill and I urge a 'no' vote."

Speaker Giglio: "Representative Ropp."

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

Speaker Giglio: "He indicates he will."

Ropp: "Representative, it was my understanding that in the committee there was some agreement stated by you that there would be agreement, before this Bill would move by those parties involved in...has that not occurred, or has that occurred?"

Novak: "Representative, you're correct. I conferred with the Chief Sponsor of the Bill; we had an Amendment drafted by the Farm Bureau and the Chief Sponsor of the Bill, with deference to him, objected to a number of provisions within the Amendment and requested that I run the Bill as it is and we're out here doing it. So, that's the way it is."

Ropp: "So...okay. So in other words, all parties have not agreed, we're just going to run with the Bill and see...take it or leave it."

Novak: "No, there's quite a bit of...we all know there's quite a bit of disagreement about the whole issue that surrounds this and there is disagreement on this Bill."

Ropp: "Okay. So, logic should prevail and we vote red."

Novak: "No, the logic is to vote green."

Speaker Giglio: "Representative Myron Olson."

Olson, M.: "Thank you, again, Mr. Speaker, Ladies and Gentlemen of the House. Just yesterday morning, we addressed this Bill at length. I'd like to echo the remarks of Representative Pedersen and Representative Ropp, this issue is of such magnitude and the illegal ramifications of this getting into the court system is so expansive, that this issue should be defeated until such time as the parties who may be affected have a chance to work out the ground rules."

Speaker Giglio: "Representative Black."

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

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yield?"

Speaker Giglio: "He indicates he will."

Black: "Thank you. Representative, I...you know, we're practically neighbors in adjoining districts, but...and I'm somewhat familiar with your problem and I commend you for trying to get a straightened out, but obviously there are some disagreements here. Do you know whether or not the...that some of the residents in the Kankakee area, of course, have indeed suffered depletion of their wells etc.; to the best of your knowledge, has the Department of Agriculture inspected several of the residential wells in this particular area?"

Novak: "Representative, after much cajoling, arm twisting, encouragements, enticements, I don't know how many other adjectives I need to use, yes, we finally did get the Department of Agriculture and the Water Survey people to come out and do some investigation."

Black: "Well, you know, that's...I can sympathize with your problem. See, that's the difficulty we face. Those guys don't run for election and it takes a little effort to get them to come out, see, where you have to get out there right away. I understand that. What did the Department of Agriculture find? Did they give you any findings or a report on what some of these residential wells were like?"

Novak: "The Water Survey conducted the well inspections."

Black: "Okay."

Novak: "Some of them are very old. They were put in...I shouldn't say very old, but they were put in from...with the Farmer's Home Administration when low income housing was built on the eastern end of the county. Others are in reasonably good shape. Wells can vary from one farmstead or one homestead to another, how far the well is immersed, the size of the casing and other factors and technical

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factors concerning the makeup of the well. So, everybody's wells can differ. The big part was is that the drought that occurred last year in 1988, exacerbated the situation and made things much worse and it simply impacted over 150 people's wells."

Black: "Okay. Thank you, Representative. Mr. Speaker, to the Bill. I think as Representative Ropp said earlier, there was some hope that an agreement could be reached on this very emotional and very real issue in the Gentleman's district. And I think he's sincerely motivated to try and address a problem that he obviously is facing in his district and I think if any of us were in his shoes, we would probably be doing what he is doing today. But let me point out to you that there are some problems with this Bill. I think, I believe, I hope I'm not misconstruing anything, but that the Water Survey found that in many cases the problem was not the depletion of the water source by the vegetable growers and their irrigation wells, but that many of the current residential wells were simply, as the Gentleman stated, built some time ago and were inadequate or are inadequate to tap the present aquifer or the water source. Now the Department of Agriculture is neutral on this Bill and it has been indicated to me that the Farm Bureau is opposed to it. There are some disadvantages to this Bill. The Bill would allow an equal assessment for the water replacement liability to users regardless of the amount of water that each uses. And there is of course an underlying problem with these vegetable growers, this could be economically disastrous to them and it could of course cause a loss of jobs in the Gentleman's district, but that probably is not the issue here that he's faced with in this Bill. Again, I commend him for trying to serve the constituents and I think his

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reputation is that he does that very well. All I would submit to many of you is that perhaps a 'present' vote would be the reasonable vote on this issue as it is controversial, there is no agreement and some of the parties at issue on this are simply not in agreement. And I would hope, and I'm sure the Gentleman would even join me in saying this, that maybe he has gotten their attention and that an agreement will be worked out before we leave here on June the 30th. So, perhaps for some of you a 'present' vote would be well advised."

Speaker Giglio: "Representative Novak to close."

Novak: "Thank you, Mr. Speaker. Representative Black, I think you're engaging in a little bit of exaggeration when you say that all the wells were impacted but they're substandard. Now, the drought, it really did have an impact. Okay. Alright. I just want to...for the record. But to the Bill, Ladies and Gentlemen, this Bill doesn't cost the State of Illinois one dime or one cent. It is very direct and very simple. It's very...it's a tough Bill, there's no question about it, but if I could have brought down the hundred to two hundred people from the poor area in my district, in Pembroke Township, brought them down here on the floor and said, 'When's the last time you had to boil...you had a chance to boil an egg or a hot dog or make a cup of coffee? Well it's been maybe a week. How about washing your clothes? How about washing your car? How about flushing the toilet or taking a shower?' I mean, we're talking about water that you need to bath yourself and cook. I mean that's what happened in the eastern end of Kankakee County in 1988. So, like I said, it's a tough Bill and it's a club. It's a tough club. It's a significant club and I ask for your support. Thank you."

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Speaker Giglio: "The question is, 'Shall Senate Bill 249 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this...on this question there's 64 voting 'yes', 47 voting 'no' and 5 voting 'present'. Senate Bill 249...Representative Homer."

Homer: "Mr. Speaker, before...before you announce that Roll Call, I would...I mistakenly hit the wrong button and I would like to be recorded as 'no'."

Speaker Giglio: "Vote Representative Homer 'no'. The record now is 63 voting 'yes', 48 voting 'no' and 5 voting 'present'. Senate Bill 249, having received the required Constitutional Majority is hereby declared passed. Representative Leverenz, 852. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 852, a Bill for an Act to amend an Act in relation to fire protection. Third Reading of the Bill."

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

Leverenz: "Thank you, Mr. Speaker. This would allow a fire protection district to annex up to eighty acres instead of the sixty they currently have in the law. And I'd ask for your support to pass the Bill and answer any questions you might have."

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? Have all voted who wish? Mr. Clerk, take the record. On this question there are 64 voting 'yes', 49 voting 'no', and Senate Bill 852, having received the required Constitutional Majority is hereby declared passed. Representative Cullerton, 'aye'. McPike,

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'aye'. McPike...on this question there's 66 voting 'yes', 49 voting 'no'. Senate Bill 852, having received the Constitutional Majority is hereby declared passed. Representative Munizzi...Munizzi. Representative Munizzi in the chamber? Senate Bill 1375. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1375, a Bill for an Act to amend an Act to authorize certain governmental units. Third Reading of the Bill."

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

Munizzi: "Thank you, Mr. Speaker. Someday you guys are going to get this right, and you're Italian."

Speaker Giglio: "You should hear what they done to my name when I first came down here."

Munizzi: "I'd like to ask leave of the House to return this to Second Reading. I understand there's two Amendments."

Speaker Giglio: "You heard the Lady's request. All those in favor say 'aye'. In the opinion of the Chair, the 'ayes' have it. The Bill's on Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "This Bill's been read a second time previously. Floor Amendment #1, offered by Representative Steczo."

Speaker Giglio: "Representative Steczo on Amendment #1 to Senate Bill 1375."

Steczko: "Thank you, Mr. Speaker, Members of the House. I would move for the adoption of Amendment #1, which is sponsored by myself and Representative McCracken. And it's a suggestion of Representative McCracken, and he...he is asking language be included which stipulates that the corporate authorities of any incorporated municipality situated in a county fewer than a million, may contract with the county in which the municipality is located to

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furnish police protection in the county outside of the incorporated municipality. I know of no objections, and I would move for adoption and approval of Amendment #1."

Speaker Giglio: "You heard the Gentleman's Motion. All those in favor 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 O'Brien: "Floor Amendment #2, offered by Representative Preston."

Speaker Giglio: "Representative Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #2 to Senate Bill 1375, is a Bill...or it provides for every Member of the House and the Senate to have as part of their office an administrative assistant to be compensated by the amount appropriated for that purpose by appropriate legislation in the appropriation process. The intent is for an appropriation of \$22,000. The Bill provides in accordance with requests that were made by Members for either a contract employee or at the discretion of the Member who wants not a contract employee, for someone to be a state employee and to receive all state benefits. It further provides that under no circumstances could the money, whether it be used or not used, be used by anyone else, whether it be a Member of Leadership or anyone else, it is to be spent at the discretion of the Member and the individual hired to be an administrative assistant, is that individual hired at the discretion of the individual Member. Any monies not used out of the \$22,000 appropriated would go back to the General Revenue Fund. Those monies could not be used for postage, traveling, anything else that might come to someone's imagination. It is a straightforward Bill. It has been well discussed for a number of months with the Members, both individually and

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as a group. I would urge the Members of the House, if you're indeed interested in this becoming law, to not be cute and watch the board and see how your neighbor's voting. If you're for it, punch the 'aye' button, so that we make a clear statement to Leadership on both sides of the aisle, that we indeed want some help to enable us to be productive Members of the General Assembly. If you were to call the staffs of either side of the aisle, you'll see that the phone is answered, Speaker Madigan's Staff or Minority Leader Daniels's Staff. That indicates clearly who the staffers work for. I think for me to be more productive than I am now, for me to be able to do a better job for the people I represent, I need the assistance of some administrative assistant for that purpose. That's what this Bill does. There's nothing hidden. I'd be glad to answer any questions, though I can't imagine at this point there being many that could be asked. This has been well discussed and I encourage your 'aye' vote."

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

Hallock: "Well, Mr. Speaker, I don't think this Amendment's germane. I would question its germaneness to this Bill. I question the germaneness of the Amendment."

Speaker Giglio: "Mr. Clerk, let the Parliamentarian look at the Bill. Continue discussing the...while the Parliamentarian looks at the Amendment, Representative Preston. Representative Hallock, the Amendment is germane. The Bill deals with governmental unit and the Parliamentarian informs me that the Amendment deals with the Illinois General Assembly, which is a governmental unit. Representative Hallock."

Hallock: "Well, that's your decision. I didn't think it was, but that's not a story. Let me...can I ask a question of the

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Sponsor, please?"

Speaker Giglio: "He indicates he will."

Preston: "What's the amount in this Amendment?"

Preston: "The amount that is intended, which will be by an appro...an Amendment to the appropriation Bill is 22,000 dollars per year, which can be used for however few, again at the request of some Members on your side of the aisle; however many or few administrative...administrative assistance you want up to a total amount of 22,000 dollars per Member."

Hallock: "Twenty-two thousand per Member to be used for what...which purpose?"

Preston: "To be used for the purpose of an administrative assistant for that Member."

Hallock: "A legislative aide to assist in the duties in the regional office?"

Preston: "That's...it can be at the regional office or at your office here. That's again at the discretion of the Member."

Hallock: "And are there to be specified by duties that that person shall incur as a result of... of the...this provision. For example, will it say they...they must work in the office and not be a chauffeur for an automobile, for example?"

Preston: "It says, 'as does the legislation that permits Mr. Daniels and Mr. Madigan to have administrative assistants, it work...the person hired will work at the duties prescribed by the Member'. And as long as those duties are in accordance with law, it will be up to the constituents of that Member to decide if he using his office allotment and his assistance and his own voting record appropriately."

Hallock: "Well, Mr. Speaker, Members of the House, to the

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Amendment then. I rise in opposition to this Amendment. This Amendment would suggest that we spend an additional per Member, 22,000 dollars per year for legislative aide. It seems to me at this point and time, we have a lot more priorities than that in this state. Obviously, with this kind of year that we have, we have some growth and economy and discussing some taxes, so there is some money for different projects available and new concepts as well, I suppose. But it seems to me most logically speaking, that one of our top priorities is not this issue. If we have money to spend on things that are laudable and necessary, we ought to do that first; like education, like mental health, like other social services, and so on. At the bottom of the list should be a legislative aide. Clearly, all of us that have district offices, try to be honest with our budgets as best as possible. I think we can do that in most cases. Perhaps some small amount might in fact be justifiable and maybe even necessary, but they suggests to this chamber that we spend 22,000 dollars per Member for an aide, I think is absurd. It's a waste of money and I urge a 'no' vote on this Amendment."

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

Ronan: "Thank you, Mr. Speaker. Just to clarify a couple of points. One, I rise to support the Amendment of Representative Preston. You know, I'm amazed to listen to some of the dialogue that comes out concerning an issue of how we can better serve our constituents here in the State of Illinois. Members of Congress get allotments of seven and eight hundred thousand dollars to deliver services to their district. We're in a situation where we represent one quarter of that constituency, and yet we have a meager allotment to try to deliver services, keep people informed

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on state government and let people know what our responsibilities are. This is a smart attempt for us to have staff in our district offices, to deliver services, so that we're in a better position to get things done, to bring things home for our people. When they have a problem with the Department of Transportation, the Department of Conservation or any state agency, their job is to come to us and our job is to deliver for them. I think this is a smart Amendment. It's puts some power back in those district offices and I think Representative Preston's doing the right thing. There is not an allocation at this point for this Bill. So, you're not voting for 22,000, you're not voting for any particular amount. You're voting to establish a concept to say that you care about the people in your district and you want to deliver for them. That's what this is all about and I urge 'aye' votes on this Amendment."

Speaker Giglio: "Further discussion? The Gentleman from Champaign, Representative Johnson."

Johnson: "This is a first of several repeat speeches that I'll give on this issue as this comes before us in this form and the various other forms that it'll come, no doubt, in the next week to ten days. Everybody ought to be for this, because among other things and combined with the advantages we have in raising money for re-election and the office allowance we have already, and the staff we have available here; it makes us along with the Members of Congress, far less likely to be defeated for re-election than the members of the Supreme Soviet. We've got a lot more tenure. We've got a lot more longevity and we've got a lot less likelihood of being beat in election than people in communist countries. It's almost impossible in the absence of in...of...abnegation of duty or some incredibly unusual

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combination of circumstances for any incumbent Member of the Illinois House or Senate, for that matter the General Assemblies of most states around the union or Members of Congress to get beat. We ought to have a level playing field. And when we add this Amendment, add another aide, who everybody knows his sole job is to make sure they continue to have a job by our continuing to have a job, we really face a situation where it's just not fair to challengers. It's just not fair in a Democratic system, when we continue to build in advantage, after advantage, after advantage to the place where one or two, if it's in a real unusual year, incumbents get beat. That's not democracy. It's not fair. It's not right. And this Amendment and every other Amendment like it ought to be defeated."

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

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

Speaker Giglio: "Indicates he will."

Parcels: "I'm having deja vu here. Didn't you present this once before, either as a Bill or Amendment?"

Preston: "Representative, I'm not trying to be coy, I really don't even remember. I've been working on various versions of this for so long, this was an Amendment. I...this did come up in...it ended up being passed out of here as a shell Bill to the Senate..."

Parcels: "...Yeah, but once we took this language out..."

Preston: "We didn't...we never put this language on. We didn't take it out. It was never put on..."

Parcels: "But I remember you making those same arguments. Did I dream this?"

Preston: "You could be right, because I know I made it to individuals, if I haven't made it to...on an Amendment."

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But I know this was last year that I made these same arguments. I'm sure the year before, I believe, the year before that I made these same arguments and this is nothing new. It is my long-standing position that for me to do a job for my constituents, I need help. And I don't have sufficient help to do it. And to just give you something to compare it too. In the City of Chicago, a freshman alderman, who is not chairman of a committee, just...first day sworn in, has five to six administrative assistants full-time. We here, no matter how many committees you Chair, no matter how many task forces you Chair and are Members of, you end up having no assistance. It's only as your responsibility increases, your expertise increases that only gives you more work and more inability to do a good job...this I hope will help us..."

Parcells: "...Thank you. I'd like to address the Amendment now. This will cost almost 4,000,000 dollars. And I think that we all have enough money now that we have an assistant. If you have an inefficient one, maybe you better get a more efficient one. There's no reason that on our...the money we now are given, which is plenty, that we can't have an assistant to help us. This is just big government getting bigger. If our time is freed up because we have this person who is doing our job for us, because we're not doing it ourselves, we'll be out there thinking up more Bills, more ways to spend more money, more ways to limit the freedom of our constituents. I know for a fact, our constituents would rather have you leave that almost 4,000,000 dollars in their pocket and not give them these magnificent services, which they should be getting right now anyway, and leave them alone. We have money to do this right now. There is no reason to have any more assistants. Our own Speaker told us when he was sworn in as the

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Speaker, of how it used to be here. We have grown at an enormous rate. And government is getting entirely too big here. I suggest a 'no' vote on this Amendment and I would ask for a Roll Call vote on it."

Speaker Giglio: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This isn't the Soviet Union and nobody's shoving anything down your throat. All we're saying is, if you think that you need an assistant, and a lot of us think that we do need an assistant, then let us hire one. If you don't need one, if you think that you're doing a fine job serving your constituents, then don't hire one; and turn that money back...back to the general revenue fund. But if you do need them, like I think I need an assistant; when I'm down here, I can't take care of things back at home. And I need another person to do things, running around talking to different agencies and so on. My secretary can't do it all. And that money that we have is not enough. So if you want...if you don't...don't need it, don't use it, but let us, those who do need it, use it."

Speaker Giglio: "Representative Myron Olson. Myron Olson."

Olson, M.: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In the famous words of the drug business, 'just say no'."

Speaker Giglio: "Representative Anthony Young."

Young: "I move the previous question."

Speaker Giglio: "You heard the Gentleman's motion. All those in favor say 'aye', opposed 'no'. Opinion of the Chair, the 'ayes' have it. The previous question has been moved. Representative Preston to close."

Preston: "Thank you, Mr. Speaker. One of the previous speakers talked about the needs we have in Illinois for educational concerns, social service needs, all the many needs that the

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people of Illinois have. That's what this is designed to assist, not to hamper. By having assistance to help us do the job that we were sent here to do, it will make us better able to perform and perform well on behalf of the people of Illinois, who we are sworn to serve. It's been debated. I hope you'll vote 'aye' and vote 'aye' early, and vote 'aye' often. Thank you."

Speaker Giglio: "The question is, 'Shall Amendment #2 to Senate Bill 1375 pass?' There's been a motion for a Roll Call. All those in favor vote 'aye', those opposed 'no'. The voting is open. The Lady from Cook, Representative Parcels."

Parcels: "Mr. Speaker, I'd like a verification if this appears to pass."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Representative Hicks votes 'aye'. Have all voted who wish? Representative Matijevecich."

Matijevecich: "Speaker, I think it's assinine that anybody would think this is a Democratic proposal. I have heard more Republicans than I have Democrats, come up to me and say they'd like this. I'm going to change my vote to 'present' because this should not be a Democratic proposal at all."

Speaker Giglio: "Have all voted? Have all voted who wish? Have all voted who wish? Representative Barnes. The Lady from Cook, are you seeking recognition? The Gentleman from St. Clair, Representative Flinn."

Flinn: "Well, Mr. Speaker, I know that somebody's asked for a verification, but in the event it does pass and passes verification, I would like to suggest that all those red votes to get no assistance."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 48 voting 'yes' and 60 voting 'no' and 4 voting

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'present'. And the Amendment fails. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. The Lady ask leave for immediate consideration of Senate Bill 1375. Does the Lady have leave? Hearing none, leave is granted by the Attendance Roll Call. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1375, a Bill for an Act to amend an Act to authorize certain governmental units to purchase personal property supplies in services jointly. Third Reading of the Bill."

Munizzi: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1375 amends an Act allowing governmental units to make joint purchases. It adds public entities created by statutes to the definition of a governmental unit. This Bill has been amended to...to include the language of Representative McCracken's and I ask for a favorable Roll Call on this Bill. Thank you."

Speaker Giglio: "Any discussion? The Gentleman from Cook, Representative Cullerton."

Cullerton: "Just trying to clarify something here. I just want to make sure that the Lady has already passed her first Bill or is this her first Bill? This is not her first Bill. Okay."

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

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

Speaker Giglio: "Proceed."

Black: "Did Amendment #1 get on the Bill and was...was Representative McCracken a Cosponsor of Amendment #1?"

Speaker Giglio: "I believe that's correct. Representative Steczo. Representative Steczo informs the Chair, that's

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true. He's right behind you, Representative Black."

Black: "Oh, there he is. Yeah, I didn't see him. So in other words, Amendment #1 is Steczo - McCracken Amendment is on the Bill. I guess that must make it a pretty good Bill then. Thank you, Mr. Speaker."

Speaker Giglio: "The question is, 'Shall Senate Bill 1375 pass?' All those in favor vote 'aye', opposed 'no'. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'yes', none voting 'no' and none voting 'present'. Senate Bill 1375 having received the required Constitutional Majority is hereby declared passed. Senate Bill 1415, Representative Ronan. Are you ready, Sir? Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1415, a Bill for an Act to amend the Illinois Act on Aging. Third Reading of the Bill."

Speaker Giglio: "Representative Ronan."

Ronan: "Yeah, Mr. Speaker, I want to make sure. There's an Amendment that I filed, is that Amendment been printed? I'd like to bring the Bill back to Second Reading to adopt the Amendment."

Speaker Giglio: "Is the Amendment been printed and distributed? Representative Olson, are you seeking recognition, Sir?"

Olson, M.: "Yes. Thank you, Mr. Speaker. The Republicans request a Conference immediately in Room 118 for at least an hour."

Ronan: "Yeah, Mr. Speaker, how about a Democratic Caucus? How come they talk all the time. Let's have...hey, Giglio, Caucus Chairman, let's have a Democratic Caucus then?"

Speaker Giglio: "Representative Ronan, the Democrats are organized."

Ronan: "Are you full of sh..."

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Speaker Giglio: "Pardon? The Amendment has been printed.

Alright, the Republicans have asked for a Republican Caucus immediately for approximately one hour in Room 118. The Democrats will caucus immediately in Room 114. The House will stand in recess until the two parties return, approximately one hour from now. The Republicans are meeting in 114, the Democrats...118, the Democrats are meeting in 114. There is a Democratic Caucus. I would ask all Members on both sides of the aisle to respectfully go to the rooms that I have mentioned, so we can do what we have to do and get back here and hopefully not work 'til midnight or one o'clock in the morning."

Speaker Giglio: "Ladies and Gentleman as quickly as we possibly can, so we can get out of here hopefully at a reasonable hour. And if a Bill is taken out of the record, I doubt very much if we will be able to get back to that. So, hopefully, all the Members will be in their chairs. They'll be attentive and we'll be able to do what we're supposed to do and get out of here at a reasonable hour. Representative Bugielski, are you ready on 1451? On the Order of State and Local Government appears House Bill 1451. (sic - Senate Bill 1451) Before we do that, Mr. Clerk, Representative Ronan and Representative Phelps, if you're anywhere you could...where you can here me, please come to the floor and we'll take your Bills. Alright, Representative Phelps, 1426, on page six of the Calendar. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1426, a Bill for an Act concerning forest lands and state highway's rights-of-way. Third Reading of the Bill."

Speaker Giglio: "The Gentleman from Saline, Representative Phelps."

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

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House. I request leave to take this back to Second Reading for purposes of an Amendment. Request leave to go back to Second Reading for purposes of an Amendment, Mr. Speaker."

Speaker Giglio: "The Gentleman ask leave to go back to the Order of Second Reading. Does the Gentleman have leave? Representative McCracken."

McCracken: "Just in a showing of good faith, if you take it back to Second Reading and we don't like it, I can hold it on Second Reading and you can't pass it out today. We'll you take it...just take it out of the record for two minutes. Let me look at it and if it's done, it's fine, it's fine..."

Phelps: "...I'm sorry. I thought you were aware of what was going on, Tom."

McCracken: "Okay."

Speaker Giglio: "Take it out of the record, Mr. Clerk. Representative Bugielski, 1451. Representative Breslin in the Chair."

Speaker Breslin: "Ladies and Gentlemen, we are going to try to move a little faster than we have been moving today. We have almost fifty Bills to finish yet today. Ordinarily, it takes us one full day to move fifty Bills, so with the cooperation of all Members and both sides of the aisle, we will ask the Sponsors to inform us as to what their Bill does. I will ask if anyone rises in opposition and then we would like to go to a vote, although we don't wish to cut off debate unnecessarily. Senate Bill 1451, have you read the Bill, Mr. Clerk?"

Clerk O'Brien: "Senate Bill 1451, a Bill for an Act in relation to airports. Third Reading of the Bill."

Speaker Breslin: "Representative Bugielski."

Bugielski: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1451 amends the Civil Administrative

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Code. This is a vehicle Bill. We worked it out and...on both sides of the aisle. The...it will go to Conference Committee and the only thing that will be brought up in the Conference Committee is noise monitoring station for O'Hare Field."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1451. On the question, who rises in opposition, the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you. Representative Bugielski and Cullerton came over and assured us that it would be used for no other purpose than the O'Hare noise monitoring. And on the basis, we're in agreement."

Speaker Breslin: "The question is, 'Shall this Bill pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1415, read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1450..."

Speaker Breslin: "Senate Bill 1415..."

Clerk O'Brien: "...Senate Bill 1415, a Bill for an Act to amend Sections on the Illinois Act on the Aging. Third Reading of the Bill."

Speaker Breslin: "Representative Ronan."

Ronan: "Yes, Madam Speaker, I'd like to bring that Bill back for an Amendment."

Speaker Breslin: "Representative Ronan ask leave...Representative...Representative Ronan, I understand there are objections to bringing this Bill back to the Order of Second. I would suggest that you check with both

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sides of the aisle on the question. 1426, read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1426, a Bill for an Act concerning forestation of lands and state highway's and right-of-ways. Third Reading of the Bill."

Speaker Breslin: "Representative Phelps, quickly please."

Phelps: "Request leave to come back for Second Reading."

Speaker Breslin: "The Gentleman ask leave to return this Bill to the Order of Second. Does he have leave? Hearing no objection, leave is granted. Are there any Amendments filed, Mr. Clerk?"

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

Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment 1 becomes the Bill now. It's an entirely new Bill. What it does is achieve that a new license...license new dealer, who loans a car to his customer while his vehicle is being repaired or serviced, shall not be held under the same provisions as rental cars."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 1 to Senate Bill 1426. Is there any objection? Hearing none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', opposed 'no'..."

Phelps: "...Madam Speaker, sorry. I think there's another Amendment. I need to withdraw 1 and go to 2."

Speaker Breslin: "Withdraw #1. Is there a second Amendment, Mr. Clerk?"

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

Speaker Breslin: "Representative Phelps. The Gentleman indicates that the Amendment does what he said the first Amendment does..."

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Phelps: "...Sure...right..."

Speaker Breslin: "Is there any objection now? Hearing none, the question is, 'Shall Amendment 2 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 1426, a Bill for an Act in relation to motor vehicles. Third Reading of the Bill."

Speaker Breslin: "Representative Phelps."

Phelps: "Thank you, Madam Speaker. It does what the Amendment, as I explained. Appreciate your support."

Speaker Breslin: "Does anyone rise in opposition? Hearing none, the question is, 'Shall Senate Bill 1426 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 924, on the Order of State and Local Government. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 924, a Bill for an Act relating to adopted children. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "I ask to withdraw Amendment #1."

Speaker Breslin: "Withdraw 1. Any further Amendments?"

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

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Cullerton and McCracken..."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. This Bill deals with the issue that we've talked about before, adopted children and the presumption dealing with instruments executed before September 1st, 1955. The Bill contains some provisions dealing with immunity to fiduciaries and other persons. What this Amendment does is to remove the prospective immunity that was granted in the original Bill."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 2 to Senate Bill 924. Is there any discussion? There being none, the question is, 'Shall Amendment 2 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 924, a Bill for an Act relating to adopted children. Third Reading of the Bill."

Speaker Breslin: "Representative McCracken."

McCracken: "This Bill conforms to the wishes of the reviewing staff making immunity from liability retrospective only and codifies what everyone had thought was the law, regarding pre-1955 Wills, relative to adopted children. I move its passage."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 924. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 924 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? The Clerk will take the record. On this question

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there are 107 voting 'aye', none voting 'no' and 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Representative Giorgi, are you seeking recognition? Representative Giorgi is recognized for a Motion."

Giorgi: "Yes, Madam Speaker, I placed a Motion on the Clerk's desk this morning and I've cleared it with the other side of the aisle. Would you read the Motion please, Mr. Clerk."

Clerk O'Brien: "A Motion. I move to extend the Third Reading deadline on Senate Bill 572 until June 30, 1989."

Speaker Breslin: "The Gentleman has moved to extend the deadline on...on on Senate Bill 572. Is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Yeah, this is the Riverboat Gambling Bill. We've agreed to extend the deadline until June 30th."

Speaker Breslin: "The question is, 'Shall the Motion be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And by use of the Attendance Roll Call, the deadline is extended on Senate Bill 572. On the Order of Labor, Second Reading appears Senate Bill 571, Representative McPike. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 571, a Bill for an Act in relation to collective bargaining. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative McPike."

McPike: "Withdraw Amendment 1."

Speaker Breslin: "Withdraw 1. Any further Amendments?"

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

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McPike and Farley."

Speaker Breslin: "Representative MCPike."

McPike: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I convened a number of meetings between labor and management, to deal with both the public sector, collective bargaining law and the education collective bargaining law, and Amendment #2 reflects the agreed Bill that came out of that process. So, I would move for the adoption of the Amendment and be glad to answer any questions on it."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 2 to Senate Bill 571. On the question, the Lady from Cook, Representative Didrickson."

Didrickson: "Yes, thank you. Would the Sponsor yield please?"

Speaker Breslin: "He will."

Didrickson: "Representative MCPike, is there a portion in here with regards to the elimination of publication of listings for the County of Cook and the City of Chicago with regards to employees?"

McPike: "Yes."

Didrickson: "Was that part of the agreed Bill process?"

McPike: "Yes."

Didrickson: "It was my understanding that that was a pronouncement after they had agreed to the items that were in the Bill, is that..."

McPike: "That is not correct..."

Didrickson: "...That is not correct..."

McPike: "...I put that on the table and asked if there was any disagreement with it and there was no one in the process that disagreed with it."

Didrickson: "So, it is your understanding that everybody in that meeting signed off on that?"

McPike: "That is correct."

Didrickson: "Further question. Why is that we're just doing this

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for the City of Chicago and the County of Cook, not suburban Cook and not the rest of the state?"

McPike: "Because that was the only request presented at those meetings."

Didrickson: "I think it's unfortunate. I think it should have been shared across the state and the rest of the area. If I will...I do have some concerns with that. It is our understanding that that was not an agreed to part. If you would take this out of the Bill..."

McPike: "...That is absolutely not correct. I offered that to the group and we discussed it for about fifteen minutes, and I asked is there anyone opposed to this."

Didrickson: "Would you mind taking this out of the Bill for a moment so, that we can chat about this?"

McPike: "Well, no. I'd like to move ahead with the Bill. I...I spent twenty hours in these. And this is the agreement that came out of it. And that's all I can say. It's there and it was agreed too."

Didrickson: "...Okay, a further question. Was...was...did...over in the Senate, did they not...did not the Senate Republicans add an Amendment that would have put Cook County and the City of Chicago back in with regards to the publication and the reporting?"

McPike: "That does not apply, according to my staff, to the city. But to answer your que...it only applies to the county. But to answer your question, yes. It does not apply to the city, it applies to the county."

Didrickson: "And it says nothing in there with regards to municipal? It's our understanding that it does. It does apply. 601 does apply to municipalities."

McPike: "Well, let me check the Amendment. I got the staff right here."

Speaker Breslin: "Representative McCracken."

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McCracken: "I just ask for a few minutes consideration on this.

I don't doubt you. It's not a question of that. Representative Didrickson has been our person on this issue. Give us a few minutes to confirm that we understand it correctly, that's all."

Speaker Breslin: "Representative McPike."

McPike: "Let me read the language. 'Nothing in this Act', it's on page 38 of the Amendment, 'Nothing in this Act will apply to the corporate authorities or any officer of a county, which has a population of more than 3,000,000'. It's on page 38 of the Amendment."

Speaker Breslin: "Is there any further need for discussion here? Representative McCracken."

McCracken: "Yeah, I don't...I don't know the issue. I don't know if..."

Didrickson: "...I'm...I think I'm still on..."

McCracken: "Well..."

Speaker Breslin: "Okay. Let's let Representative Didrickson handle the issue. Proceed, Representative."

Didrickson: "...Okay, Representative McPike, on page 38, you're changing the title. The title of said Act is amended to read as follows, Section 4, on page 38: 'An Act to require the corporate authorities and certain officers of counties of less than 3,000,000 and municipal corporations to furnish statements showing receipts, et cetera, et cetera'. I clearly read that as not only counties, but the municipalities of the City of Chicago."

McPike: "Well, I don't see that it affects the City of Chicago. It affects counties."

Didrickson: "Would you mind just taking that out of the record for clarification?"

Speaker Breslin: "We are really trying to move along here..."

McPike: "...Yes. I would take this out, Madam Speaker, if you

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will allow me to come back with this Bill in about five minutes."

Speaker Breslin: "At any time, Sir."

McPike: "Thank you."

Speaker Breslin: "The next Order is Labor, Third Reading. The first Bill is Senate Bill 32, Representative Balanoff. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 32, a Bill for an Act to amend Sections of the Minimum Wage Law. Third Reading of the Bill."

Speaker Breslin: "Representative Balanoff."

Balanoff: "Madam Speaker, sometimes I guess, half a loaf is better than none at all. And a few weeks back we passed House Bill 494, which would have raised the minimum wage in Illinois regardless of what was done in Congress. This Bill has been amended in the Senate to provide that the state minimum wage will be increased immediately to match any increase in the federal minimum wage. It is coming back to this chamber for concurrence. In 1981, the last time the federal minimum wage was increased, it took Illinois four long years to follow suit. Concurrence will mean that never again will Illinois workers have to wait four long years to come up to the federal level. For this reason, I would request that Senate Bill 32 be taken out of the record."

Speaker Breslin: "Out of the record. Senate Bill 181, Representative Saltsman. Representative Saltsman should come to the chamber if he wishes to pass this Bill. Senate Bill 292, Representative Kulas. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 292, a Bill for an Act in relation to medical and family responsible...responsibility leave. Third Reading of the Bill."

Speaker Breslin: "Representative Kulas."

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Kulas: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 292 creates the Illinois Family Responsibility and Medical Leave Act of 1989. The purpose of this legislation is to allow a qualified employee to take leave from work without fear of loss of employment, benefits or status in the work place. Leave of up to twelve weeks may be taken by the employee due to the birth of a child, adoption or foster placement of a child or a need to care for the serious illness of a child, parent or spouse. Any employer who employs thirty-five or more persons, including governmental bodies is subject to the provisions of this Act. To qualify for the leave, the employee must work not less than twenty hours per week and must have been employed by his or her employer for twelve consecutive months. This Bill is similar to the Bill that we have passed in this House previously. As I had mentioned previously, the change in the modern family where two incomes are necessary for a family to survive, the aging of our population, the increase in single parent households, the deterioration of the family unit has caused about because of these problems. I'll be glad to answer any questions and I would move for the adoption of Senate...for the passage of Senate Bill 292."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 292. It is an issue that has been debated by this House before. I will therefore ask for one person to be recognized in opposition and then we will recognize everyone else to explain their votes. Ladies and Gentlemen, we have debated this issue before. Who would like to speak in opposition? Representative Parcells, are you the lead spokesman on this issue? Representative Stephens, for what reason do you seek recognition?"

Stephens: "Madam Speaker, a point of order. Our rules clearly

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indicate, there's nothing in our rules that say that we change the way we do business on the last day. This is...this is an issue that deserves thorough debate. You cannot stifle debate on this issue. We...I understand we all want to get out of here this evening, none more than I. However, on this particular issue and several others, we...we do not have special rules that say, that we're going to have an explanation of vote in the debate. We want to debate this issue. We want the people of Illinois to understand it..."

Speaker Breslin: "...Representative Stephens..."

Stephens: "...And that is all..."

Speaker Breslin: "...There has been an agreement made with your side of the aisle to allow three people..."

Stephens: "...But we...no, we...I did not agree to anything and neither did these Members."

Speaker Breslin: "The agreement is that three people will be allowed to speak, yourself, Representative Johnson and Representative Parcells. If that is agreeable, we will then allow every other person... we will allow every other Member to explain his or her vote. It is not our object to limit debate, but only to advance this process. Representative Kulas, for what reason do you seek recognition?"

Kulas: "A point of personal privilege, Madam Speaker. I cut short my presentation of this Bill, because it had been amended before. But if the other side is going to be debating the Bill, I would want to proceed with my whole presentation of the Bill."

Speaker Breslin: "And I...I appreciate your position, Representative Kulas. Would you like to save that for your close, perhaps and we would certainly not cut you off? That is...we don't mean to cut you off, Sir."

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Kulas: "Fine."

Speaker Breslin: "Okay. Representative Parcels, proceed."

Parcels: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, this is the Bill I happen to feel the strongest about this year and I hope you'll listen to the other side. This is a warm and fuzzy concept and you think you might be helping your constituents if you vote 'yes', but this is...since when does it say that? But this is just big brother once again messing around in a private sector and mandating something that should be left to the employer/employee relationship, or to collective bargaining. We should not be interfering in the area of labor negotiations. This is sold as a family Bill. Nothing is further from the truth. If you kill the goose who lays the golden egg and destroy business by this extremely expensive mandated benefit, families will suffer when they lose their job. And business is not anti-family, folks. Many of the businesses in this state are family owned and operated. They know if they don't take care of their employees, they will be out of business. Do you know that right now seventy percent of businesses in Illinois already offer some sort of leave and it is tailored for their business and their employees. But if we force this mandate down their throats, they may be forced to drop other benefits they now offer. You know, there is a fine night amount of money of business can put into benefits and still survive. Right now, many employers are offering the cafeteria benefit, where employees can choose among a number of benefits. You know, no one size fits all. Many employers would never use this leave because they don't need it or they can't afford twelve weeks without pay. But they might lose the choice of say, day care, dental care, optical care, shorter work day, shorter work week or a more

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paid vacation, which they truly love. They can't have it all. And this mandate of benefit is so expensive, employers will be forced to drop some or all of these other choices. Why is it so expensive? Because employers will be paying double health insurance for up to twelve weeks and when the original employee returns, the temporary worker files for uninsurance...unemployment insurance. Under the law we passed, which takes effect July 1 of '89, the employer will be responsible for this benefit. So now after the original employee comes back, he pays double salary for that job. Why shouldn't these companies move to a friendlier state. We're always trying to entice business to move here or stay here, but why should they when we meddle in their business and perhaps even put them out of business with this kind of costly mandate. And being practical for a minute, how do you replace a plumber, a lawyer, an architect or a physics professor? I know, you just call your friendly kelly girl. No, no, you beat the bushes for a replacement, train them at great costs and about the time they're producing for you, the first employee returns and you get to pay the unemployment benefits for the replacement. Or worse yet, you can't fill the job at all and your productivity goes down hill. Why would we want to imitate those Western European countries who profess to take good care of their employees by mandated benefits. They haven't created any new jobs since 1975. Their unemployment rate is high. Their GNP is sluggish. They have stagnated. The countries that are producing jobs and prospering with high employment, do the least mandating. They don't put business in a mandated straitjacket and we shouldn't either. Looking at it from the employees eyes, this is a yuppie Bill, folks. This is a yuppie Bill. How many single parents struggling to make

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ends meet, how many couples who need both incomes to survive can take off twelve weeks without pay? The yuppies are the only ones who can survive twelve weeks without salary, yet the lower income worker will be paying for this benefit for the upper income worker; and in the meantime, the option of say a longer paid vacation, will have disappeared. Because the employer can't afford to offer so many options any more. I urge you to look at this Bill through realistic eyes. Businesses of thirty-five employees and over are the backbone of our state. Don't saddle them with this impractical and expensive mandate, that can only be used by their upper income employee. Please vote 'no' of SB 292."

Speaker Breslin: "The Gentleman from Madison (sic - St. Clair), Representative Stephens."

Stephens: "Thank you, Madam Speaker. And I appreciate the agreement that's been worked out to allow us to talk on this issue and I know it's no fault of your own. And it's frustrating for all of us that we were trapped in a system where deadlines are the only thing that move important legislation and it's unfortunate. We ought to do something about that. But, to the Bill. If you want to help families, you don't do it like this. If you want to help families, you lower taxes. If you want to help families, you make it easier for them to live without government interference. And on the other side of the aisle, we see constant government interference. Small business can't live with this. If small business can't live with this, small business doesn't hire. They have less jobs to provide and the people that you purport to what to help, are hurt in the long run. Why do you continue to promote ideas that drive business. The people who provide the jobs are important. You criticize us, time and time again for

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being pro-business. Who is it? It's not the local labor leader that hires, it is business. We want to help business on this side of the aisle because they provide jobs, and jobs are what make this country strong. Jobs are what keep families together. And you continue to give us ideas and concepts like this one, ill conceived that drive those jobs away from your constituents, drive them out of state. Why do you persist? You say you want to help the constituents. Look at the constituencies that you try to help and look at your record. Look at your track record. The urban...urban Black community is one that the Democratic party has appealed to for years and years and years. You say gives us your votes and we will help you. We will make you...we will give you a chance to lift yourselves up. You will no longer be poor. You will no longer live in ghettos. For thirty years you have lied to that community. They are still there trapped in poverty and you continue to promote programs that you know will keep them there. This is one of those programs that will keep urban Blacks in the city without a hopeful future. You tell...you tell the...you tell the labor union, give us your votes and we'll keep you working. I'll tell you where your concept keep them, you keep them on the strike, you keep them in the unemployment line. Their numbers continue to dwindle because of the concepts that the Democratic party pushes and this is an example of it. The social elitist, you continue to appeal to them. Give us your money and your votes and we'll promote your programs. Well that's work, they remain socially elite. The Democratic party has that to be proud of. This is a concept that you continue to demagogue on, on that side of the aisle and in the papers tomorrow, we'll read that the Republicans tried to stop this idea that was supposed to be helpful to the

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American family, the Illinois family. Don't be duped in the press. This doesn't help the American family. This doesn't help anyone. It's just another socialistic tendency, instead of letting this work out in the marketplace, you trying to take the negotiations and bring here on the House floor. That's not right for Illinois. It's not right for America. This is an ill conceived idea. You know it, but you know it works for party politics, because it keeps those very constituencies of yours, trapped where they...where they're under your control; trapped with no future. If these people really wanted to be a part of America's future, they come to this side of the aisle, where we believe in using the basic concepts, the American tenets that have made this country great. We welcome you to this side of the aisle and when you've seen the light, you'll come over."

Speaker Breslin: "By agreement of the parties, we'll now recognize Representative Kulas to close."

Kulas: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, we've heard debate on this Bill before and we've heard these red herrings before, but let's look at the facts. First of all, as you all know that the modern family that has emerged since World War II, is a lot different from that which existed earlier. We no longer have the father as the breadwinner and the mother as the homemaker. Now it takes two incomes for a family to keep its head above water. Today, fifty-seven percent of mothers with children under the age of three hold jobs outside the home, compared with only twelve percent in 1950. By the year 2000, more than one-half of the work force will consist of women and more than eighty percent of those women will be mothers. Accompanying this phenomenon, has been a steady increase in the number of single parent

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households. In addition with people living longer, adults are confronted with the problem of aging parents who must be cared for. One in every eight people living in Illinois today is over sixty-five years of age. And over ninety percent of these people live independently or with family members, where the bulk of the health care is provided by the family members. Senate Bill 292 would strengthen and shore up the family unit as the foundation of our society. This Bill would balance the demands of the work place with the needs of the families. It will promote stability in the work place by lowering rates of turnovers caused by the familial crisis and it will preserve the integrity of the family. The fact that many employers already offer leave policies more generous than those required by Senate Bill 292 is evidence that business can accommodate this contemporary labor standard. Studies and testimony have shown that employers who provide family leave, encourage loyal and skilled employees to remain with the company and it saves on costs for recruitment, hiring and training. It creates a better morale and it increases productivity. It's a sad fact that the United States is only one of four industrialized nations in the whole world without a nationally mandated parental leave policy. You know who the other countries are, the Sudan, Upper Volta and South Africa. So far six other states have passed laws requiring unpaid job protected family leave. Wisconsin, Minnesota, Oregon, Maine, Rhode Island, California and Connecticut have had the foresight to take the lead in facing a major crisis in the United States. It just amazes me that this General Assembly, which prides itself in being so pro-life, so pro-family, which defends the American flag and apple pie and motherhood, that these same people can vote against this pro-family measure; because...because it might...it

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might be bad for business. Well this Bill only affects eight percent of the businesses in the State of Illinois. Numerous studies show that this is not so. Let's face it, business will always be opposed to this concept because it is a mandate. Well, unfortunately, business sometimes needs a kick in the pants to get the move in the right direction. It took them twenty years to realize the importance of education for business and now they've let the education process slide, and now they're getting involved with the educational process. They're getting involved in educational reform. Well, we can't wait another ten or twenty years for business to realize the importance of the family unit and how important it is, not only to their business, but to all of society. Ladies and Gentlemen, I ask you to vote for the 11,000,000 men, women and children of this state and pass this Bill."

Speaker Breslin: "The question is, 'Shall Senate Bill 292 pass?' All those in favor vote 'aye', all those opposed vote 'no'. This is final passage. Have all voted who wish? Representative Black, one minute to explain your vote."

Black: "Well, thank you very much, Madam Speaker and Ladies and Gentlemen of the House. You know, if you read the Chicago Tribune on Sunday, June the 4th, 1989, there was a very interesting article in there about the AT&T national contract. You know, it's just amazing how the system works, when government let's it work. You know, the AT&T contract puts up a 5,000,000 dollar fund for family care, dependent care reimbursement account, a leave of absence for care of newborn or adopted children, family leave of absence for the care of a family member for up to one year. Adoption assistance, flexible work hours and resource or referral services to help people find child care. All I'm saying is, that if we'd stop mandating this and that and

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everything else on business and let the system work, the collective bargaining system and management and labor come to the table; it's amazing what they can work out when we leave them alone."

Speaker Breslin: "The Lady from Cook, Representative Didrickson, one minute to explain your vote..."

Didrickson: "...Thank you, Madam Speaker, Members of this House. This isn't and shouldn't be a Republican versus a Democrat issue. We all care about families and parental care and child care. This really is an issue of mandating, not unlike what we've done in our schools, we are now mandating on our businesses. Those other industrial countries that Representative Kulas mentioned, all had the government picking up the tab. They weren't doing it on business. It ought to be a voluntary social action, not big government stepping in. A 'no' vote is the right vote."

Speaker Breslin: "The Gentleman from Cook, Representative Pedersen, one minute to explain your vote."

Pedersen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. As I mentioned this morning, if you really want to help families in this state, reduce taxation on them, so you give the mother the choice of whether she stays home with her children or not. If she's staying home with her children, she doesn't need parental leave, does she? She's being a traditional mother. And what we...the big thing and you cannot forget this, there's been a big increase in taxation on families in the last twenty years while other groups have not. What our goal should be is to reduce taxes on all families, especially families with children, but very especially with families with children under age six. I urge a 'no' vote on this Bill."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question

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there are 51 voting 'aye', 53 voting 'no', 6 voting 'present'. Representative Kulas ask for a Poll of the Absentees."

Clerk Leone: "A poll of those not voting. Bugielski. Harris. Keane..."

Speaker Breslin: "Bugielski votes 'aye'."

Clerk Leone: "Continuing with the poll of those not voting. Keane. Krska. Stange. Steczo. And Terzich. No further."

Speaker Breslin: "On the question, there are 52 voting 'aye', 53 voting 'no' and 6 voting 'present'. Representative Kulas. Representative Kulas..."

Kulas: "...I'd like to put it on Postponed Consideration."

Speaker Breslin: "It'll be put on the Order of Postponed Consideration. Speaker Madigan in the Chair. Supplemental Calendar announcement."

Clerk Leone: "Supplemental Calendar #1 is now being distributed."

Speaker Breslin: "Representative Breslin in the Chair. Going to Supplemental Calendar #1. On the Order of Concurrences appears House Bill 1621, Speaker Madigan."

Madigan: "Madam Speaker and Ladies and Gentlemen of the House, I move for the adoption of Senate Amendment #3 to...to..."

Speaker Breslin: "...To House Bill 1621, Mr. Clerk."

Madigan: "So, I move for the adoption of Senate Amendment #3 to House Bill 1621. This Amendment provides for a variety of items. At first it would provide for two additional Leadership positions for House Democrats and two additional Leadership positions for House Republicans. There would be one additional Leadership position for both the Senate Democrats and the Senate Republicans. It would provide that every committee Chair in the Legislature would receive a 6,000 dollar stipend and that every minority spokesperson in the Legislature will also receive the 6,000 dollar

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stipend. Here in the House, that would mean that thirty-four Chairs would receive the 6,000 dollar stipend, and that 37 Minority spokespersons would receive the 6,000 dollar stipend. In addition, the Members of the Leadership in the Senate and the Members of the Republican Leadership in the House would receive an extra 6,000 dollar stipend. Additionally, there would be an increase in the district office allowance in the House of Representatives of 10,000 dollars and then there would be an increase in the district office allowance in the Senate of 18,000 dollars. And finally, there would be an adjustment in the pension provisions for the constitutional officers, the Governor and all of the other constitutional officers. And today are Members of the Legislative pension plan, but their contribution level is capped at the compensation level of the President of the Senate and the Speaker of the House. This would remove the cap for the participation of the constitutional officers. I think this Bill has been well drafted and I would move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved to concur in Senate Amendment #3 to House Bill 1621. You have heard what the Amendment does. Does anyone rise in opposition? Representative Preston on the question."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. One of the other provisions of this Bill is that the constitutional officers, not only would be at a new level for their pension but they would not, as I understand it, have to make any contribution to the pension plan for that purpose. And the level at which the constitutional officers would after this were to become law, would be as if they went out and purchased a lottery ticket and won a 1,000,000 dollars in the lottery. Because

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that's what the dollar amount is for the constitutional officers, who would be required to not put in an additional penny to become members at the new level of the pension system as state employees have to do, as Members of the House and Senate have to do, but nonetheless, these constitutional officers would be by virtue of this legislation, given a 1,000,000 dollars. Now think of that. This would give them 1,000,000 dollars over their lives, and that's provided they don't live very long. But assuming they live to their mid '70's, they would get 1,000,000 dollars without having...in addition to what they already get by way of pension, an additional 1,000,000 dollars without having to put any money into the system. I think that while the constitutional officers are indeed entitled to pensions based on their current salaries, they work hard, they have integrity, you've seen no scandal in their operation of their important offices. I think their worth anything that...that other Members of the House and Senate and other state employees are entitled to get, and since we get a pension based on our salaries, they ought to get one based on their salaries. But we contribute to the pension plan for the opportunity of getting those pensions. This would give the constitutional officers enormous pensions without requiring them to contribute to it and they'd be grandfathered in for past service. So all the past service that they have had, in some cases that's fifteen, sixteen years of past service, we're just going to give them pensions for that at an increase rate and we're not going to charge them anything. They don't have to contribute to the pension fund. I think that that is not the way we ought to do business. We ought not to be in the business of awarding lottery wins to people who represent the people of Illinois. We don't do it to 'John Q.'

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citizen. We don't do it to the Members of the House or Senate, and we don't do it to other state employees. We ought not do it to the constitutional officers either."

Speaker Breslin: "The question is, 'Shall the House concur in Senate Amendment #3 to House Bill 1621?' All those in favor vote 'aye', all those opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the question there are 16 voting 'aye', 78 voting 'no' and 10 voting 'present'. And the House does not concur in Senate Amendment #3 to House Bill 1621. Any further Motion? Speaker Madigan."

Madigan: "We would request a...that the House nonconcur in the Amendment..."

Speaker Breslin: "The Gentleman moves to nonconcur in the Amendment. Any discussion? The question is, 'Shall the House nonconcur in Senate Amendment #3 to House Bill 1621?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House nonconcur in Senate Amendment #3 to House Bill 1621. Going back to the Order of Labor, Second Reading appears Senate Bill 571, Representative McPike. Clerk, read the Bill."

Clerk Leone: "Senate Bill 571, a Bill for an Act in relationship to collective bargaining. Second Reading of the Bill. The Bill has been read a second time previously."

Speaker Breslin: "We were on the adoption of Amendment #2, I believe, Mr. Clerk. Is that right? Representative McPike moves to adopt Amendment 2 to Senate Bill 571. Is there any discussion at this time? The Lady from Cook, Representative Didrickson."

Didrickson: "Yes, Madam Speaker, Members of the House. Aside from the special provision of this...inclusion in this Amendment, I don't necessarily agree with it in principal,

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but I do agree that in principal we need to agree on everything else that is in there. And so I would move for its adoption."

Speaker Breslin: "The question is, 'Shall Amendment #2 to Senate Bill 571 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

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

Clerk Leone: "Senate Bill 571, a Bill for an Act in relationship to collective bargaining. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Madam Speaker. I think the Bill was explained on Second Reading, so I would move for its passage."

Speaker Breslin: "The question is, 'Shall Senate Bill 571 be passed?' All those in favor vote 'aye', all those opposed...excuse me, Speaker...Representative Cullerton. Representative Cullerton on the question."

Cullerton: "I have a question."

Speaker Breslin: "State your question."

Cullerton: "Of the Sponsor, if he'll yield."

Speaker Breslin: "He will yield."

Cullerton: "Representative, your Bill amends Section 17 of the Public Employee Act to require that mediation by the parties be used prior to a strike. Could you explain that please?"

McPike: "Yes. This is Amendment is Section 17, is intended to clarify the role of mediation in resolving collective bargaining disputes between unions and public employers. We're adding to Section 17a(4), a requirement that

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mediation be used prior to any strikes that are permitted under the statute. We intend that the parties use the mediation at any point prior to the actual date of the strike. Hopefully, the use of mediation might itself avoid a strike. The words, 'and mediation has been used', should be interpreted to mean that the parties have engaged in at least one mediation session. However, an exclusive representative will not be precluded from striking where the employer refuses to meet in a mediation session or delays the start of a mediation session until a day after the scheduled commencement of a strike. The exclusive representative is to give at least a five day notice of the intent to strike. The mediation session can occur within that five day period, but if the employer delays the mediation session until after the five day period has passed, the exclusive representative would not be required to undergo mediation as a precondition to striking. We believe that mediation is a valuable tool in attempting to resolve strikes. We do not however, believe that mediation should be used as a bar to employees exercising their lawful right to strike..."

Speaker Breslin: "I'm so glad we know all of that. We are in..."

McPike: "...And I believe that Representative Cullerton has one more question to ask. And if he's not here, Representative Homer would be glad to ask this question."

Speaker Breslin: "Representative..."

McPike: "...Never mind. He's here. He's here."

Cullerton: "Representative, your Bill amends Section 11 of the Education Labor Relations Act to require the Education Labor Board to maintain escrow accounts of fair share fees, that are subject...that are the subject of employee objections. Could you explain this please?"

McPike: "And this is...this is a little longer than the last,

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so...and this is for legislative intent. Yes, the Education Labor...Labor Board currently maintains these escrow fees, but there is some question about specific authorization to do so. Fair share fees is authorized by the statute of design to allow exclusive representatives to receive payment from all bargaining union employees for expenses incurred in the representation process. Employees who file objections to the amount of the fair share fees, have a right to some portion of such fees be maintained in escrow accounts. This Amendment authorizes the board to maintain such escrow accounts, except where an exclusive representative maintains its own account. If the union maintains its own account, it must either meet the standards adopted by the board rules or it must add in it's collectively bargaining agreement an indemnification provision protecting the employer. We expect the board to promulgate escrow rules, which will require the exclusive representative to maintain interest baring accounts. Compliance with the board rule will be one option for establishing an escrow account. When the union chooses the other alternative of entering into a collective bargaining agreement providing for indemnification, the language of this a proposed Amendment is not intended to be the exact language adopted for the purpose of indemnification. The second provisal (sic - provision) of this Amendment does not preclude the employer or exclusive representative from any indemnification agreement providing for such issues as an exception to indemnification, where the employers conduct is willful or negligent, and we do not intend to preclude the parties from entering into agreements providing for the selection of attorneys to represent the employer or any other limitations concerning indemnification. Further, the Section provides that the

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proposed Amendment is not intended to limit the parties in bargaining over indemnification issues. We are merely requiring indemnification as one of the options, which an union must fulfill in order to maintain its own escrow account for fair share fees. Madam Speaker, with this legislative intent, all parties to this Amendment and this Bill are in agreement."

Speaker Breslin: "The Roll Call is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 105 voting 'aye', 2 voting 'no' and 1 voting 'present'. This Bill having received the Constitutional Majority...vote the front row 'aye', Mr. Clerk. They're eating again. That's Ropp, Wait and Ackerman. There are 108 voting 'aye', 2 voting 'no' and 1 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 181, Representative Saltsman. Clerk, read the Bill."

Clerk Leone: "Senate Bill 181, a Bill for an Act to amend Wages of Employees on Public Works Act. Third Reading of the Bill."

Speaker Breslin: "Representative Saltsman."

Saltsman: "Thank you, Madam Speaker. Senate Bill 181 requires that the Director of Labor to publish quarterly in the Illinois Register, a list of contractors or subcontractors who have disregarded their obligations under the prevailing wage law. This Bill requires them to list...a list to be published in the Illinois Register at least once each calendar quarter. Presently, it's once a year. It's a very simple Bill and I ask for its passage."

Speaker Breslin: "The Gentleman has moved for passage of Senate Bill 181. Who rises in opposition? The Lady from Cook, Representative Didrickson."

Didrickson: "Yes, Madam Speaker, Members of the House, this Bill

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is unnecessary. House Bill 568 passed out of here in the kind of shape that we want to see that. We also have an appropriation over in the Senate for 40,000 dollars for fair labor standards division. To monitor just this particular situation, we have the publication requirement with regards to address the increase...we've increased the penalties. It is definitely unnecessary, in fact, we are going in the wrong direction. Since 1979, there has been something like eight states that have actually repealed the prevailing wage. And even the most liberal of states, Massachusetts in 1988 had a statewide referendum. I think this Bill is a 'no' vote."

Speaker Breslin: "The question is, 'Shall Senate Bill 181 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 75 voting 'aye', 38 voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 541, Representative McPike. Clerk, read the Bill."

Clerk Leone: "Senate Bill 541, a Bill for an Act to amend the Illinois Educational Labor Relations Act. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "No, out of the record. We don't need this."

Speaker Breslin: "Out of the record. The next Order is the Order of Election Law, Second Reading, Senate Bill 168, Representative Giorgi. Clerk, read the Bill."

Clerk Leone: "Senate Bill 168, a Bill for an Act to provide for licensing and regulating certain games of chance. Second Reading of the Bill. Amendment #4 and 5 were adopted previously."

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Speaker Breslin: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Any Amendments?"

Clerk Leone: "Floor Amendment #6 is being offered by Representative Breslin."

Speaker Breslin: "Withdraw. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

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

Clerk Leone: "Senate Bill 168, a Bill for an Act to provide for licensing and regulating certain games of chance. Third Reading of the Bill."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, this is Senator Topinka's Bill to allow political committees to conduct raffles and chances, like we allow not-for-profit corporations to do that. And because the...there are some counties that don't license raffles and chances, Representative Mautino put an Amendment on to allow the State Board of Elections to grant licenses. I don't know of any opposition to the Bill. I urge your support."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 168. Who rises in opposition? The Gentleman from Cook, Representative Kubik."

Kubik: "Madam Speaker, I do not rise in opposition. Just to ask the Sponsor a question."

Speaker Breslin: "Proceed, please."

Kubik: "Representative Giorgi, which Amendment has been adopted...which, Representative Giorgi, which Amendment has been adopted?"

Giorgi: "The only Amendment adopted to my knowledge is Mautino's that transfers the issuance of a license to the State Board of Elections, because in some of his counties they do not license raffles and chances."

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Kubik: "Support the Bill."

Speaker Breslin: "The question is, 'Shall Senate Bill 168 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 73 voting 'aye', 38 voting 'no' and 3 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 789."

Clerk Leone: "Senate Bill 789, a Bill for an Act to amend the Election Code. Second Reading of the Bill. It's been read a second time previously. Amendment #1 was adopted in committee."

Speaker Breslin: "Representative Giorgi, the Bill is on Second. Are there any Amendments or Motions?"

Clerk Leone: "No Motions in respect to Committee Amendment #1. Floor Amendment #2 is being offered by Representative Hallock and Giorgi."

Speaker Breslin: "Representative...withdraw the Amendment. Anything further?"

Clerk Leone: "Floor Amendment #3 is offered by Representative Hallock and Giorgi."

Speaker Breslin: "Representative...withdraw. Any further Amendments?"

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

Speaker Breslin: "Withdraw the Amendment. Any further Amendment?"

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

Speaker Breslin: "Representative Stern."

Stern: "Madam Speaker and Members of the House, Amendment #5 is the agreed upon omnibus Amendment. I say agreed upon in the Democratic Caucus and with the Republican's Minority

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Spokesman and his colleagues on the other side of the aisle. It contains a large number of Bills and I will be happy to run down them if you like. The House Bills that are included, which are 481, 483, 505, 552, 662, 979, 1432, 1633 and 1796 and 2332, were all Bills that we agreed upon before, sent over to the Senate, and the Senate in...I have to believe, inadvertently, has deleted them in Amendments. And I think it's simply because they haven't examined them appropriately, so we're going to give them another chance in Senate Bill 789. It also includes, and these will be new to you, Senate Bill 17, which amends the Election Code to...so that a county clerk or board of election commission may determine...in determining the number of deputy registrars to be appointed by a bonafide civic organization shall...gosh, this sentence makes no sense. What it does is permit a bonafide civic organization to request as many registrars as are appropriate for the size of the group and this includes linguistic considerations as well. It...it also includes Senate Bill...the contents of Senate Bill 244, which states that write-in votes shall be counted only for persons who have filed notarized declarations of intent prior to the election. It includes the contents of Senate Bill 245, which provides that the Board of Elections may test the counting program, the automatic tabulating equipment in as many jurisdictions as they are able to handle, not be limited. It includes Senate Bill 258, which provides that no vacancy in the office of a precinct committeeman may be filled less than ninety-two days before or less than fourteen days after the general primary. This permits a county chairman to appoint residents of the county but not of the precinct to the office of precinct committeeman, but not in a time period which would permit them to pack the convention. It includes, Senate Bill 782,

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which permits...permits election authorities to use certain administrative procedures when conducting a special primary election for filling a congressional vacancy. Senate Bill 789, the stuff of which has been taken out to allow for this long Amendment permits the State Board of Education to send notice of the obligation and campaign disclosure forms by first class mail, instead of by certified mail. And any of you who like me has made so many trips to the post office to pick up those things, which they couldn't leave without your signature, will think that's great. Senate Bill 868, which creates the Fair Campaign Practices Act encourages ethical behavior on the part of candidates. Senate Bill 920 requires semi-annual rather than annual reports of campaign financing expenses. We passed that once before. And Senate Bill 1342, which permits the quester jurors to vote an absentee ballot. This is all good government stuff. It's is all agreed upon. I think it's an excellent 'aye' vote."

Speaker Breslin: "This is an agreed election's Bill. Rep...the Chair will recognize the Chair...the Minority spokesman of the Elections Committee, Representative Olson. Representative Olson or Representative Kubik."

Olson, M.: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. As Representative Stern has indicated, this is an agreed package, been worked on for many months. And we would urge everyone to vote for this fine package."

Speaker Breslin: "The question is, 'Shall Senate Bill...shall Amendment #5 be adopted?' All those in favor say 'aye', all those opposed say 'no'. Representative Davis, for what reason do you seek recognition?"

Davis: "Thank you, Madam Speaker. Since I have not seen the Amendment and it may be my own fault, I would like to know

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from the Sponsor if there's anything in this package that includes anything like a boss judge in each precinct, does that appear any place?"

Stern: "I would just say that I...Representative Davis is one of the few people that has seen this. You read every word. There is nothing in this Amendment that includes the boss judge concept or/nor is Senate Bill 6 anywhere involved in this Amendment."

Speaker Breslin: "The question is..."

Davis: "...Thank you..."

Speaker Breslin: "...'Shall Amendment 5 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Hasara. Withdraw the Amendment. Any further Amendments?"

Clerk Leone: "Floor Amendment #7, offered by Representative Kubik."

Speaker Breslin: "Representative Kubik. Clerk, read the...proceed, Representative Kubik."

Kubik: "Thank you, Madam Speaker, Mem...Ladies and Gentlemen of the House. Amendment #7 is an agreed Amendment. It only affects the Republican Party. And what it does is it provides the presidential candidates running in the...for presidential candidates, must file their nominating petitions ninety-nine to ninety-two days before a primary. It provides that Republican candidates for national convention delegates and alternates, must file their petitions at the same time, ninety-nine to ninety-two days before a primary. The practical affect of this would be allowed to be...allow the presidential primary delegate to

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file their petitions at the same time at the rest of the office holder. I might point out that the reason that the Democratic Party has not been included in this particular Amendment, is because you have a party rule, which says that you must elect your...or nominate your delegates in the same year as your convention. I would move for the adoption of the Bill...or the Amendment..."

Speaker Breslin: "...The Gentleman has moved the adoption of Amendment 7 to Senate Bill 789. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #8, offered by Representative Giorgi."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, I have another agreed Amendment, and this amends the Campaign Disclosure Law in that, it defines transfer of funds as the purchase of tickets from one political committee to another political committee. Requires the itemization on campaign disclosure reports of all ticket sales in an aggregate amount in excess of \$150. Today if you're treasurer of your campaign, you're listing all your transfers from a \$1 to \$150, and with this change you only have to itemize the \$150 transfer. So we're not worrying about a \$10 ticket you bought from your alderman, or a \$20 ticket you bought from your park district member, or the \$25 that you bought from your school board member. If it's 150 bucks or more, it gets itemized. It's a good Amendment for those that make these reports, and I urge the adoption."

Speaker Breslin: "The question is, 'Shall Amendment #8 be adopted?' The Gentleman from Cook, Representative Kubik."

Kubik: "Madam Speaker, okay, I'm sorry. I thought that Amendment

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#5..."

Speaker Breslin: "All those in favor say 'aye', opposed 'nay'.

In the opinion of the Chair, the 'ayes' have it. Amendment 8 is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Representative Giorgi presents the Bill that has already been explained by all of the Amendments that you have just heard. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open."

Clerk Leone: "Senate Bill 789, a Bill for an Act to amend the Election Code. Third Reading of the Bill."

Speaker Breslin: "This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 96 voting 'aye', 11 voting 'no' and 5 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 1403, Representative Stern. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1403, a Bill for an Act to amend an Act to revise the law in relationship to election of county commissioners..."

Speaker Breslin: "Out of the record. The next Order of Business, Ladies and Gentlemen, is the Order of Chicago School Reform, Second Reading. LeFlore and Levin are the Sponsors of these Bills. Senate Bill 16, Representative LeFlore. Clerk, read the Bill."

Clerk Leone: "Senate Bill 16, a Bill for an Act to amend the School Code. It's been read a second time previously. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative LeFlore."

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LeFlore: "Thank you, Madam Speaker. Amendment #1 is just a technical Amendment. We're trying to keep this Bill alive. It's a shell Bill, so I can return it to the Senate."

Speaker Breslin: "The Gentleman has moved the adoption of a technical Amendment #1. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

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

Clerk Leone: "Senate Bill 16, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative LeFlore has presented a Bill that is now a shell Bill. All those in favor vote 'aye', all those opposed vote 'no' on Senate Bill 16. This is final action. Have all voted who wish? The Clerk will take the record. On this question there are 85 voting 'aye', 17 voting 'no' and...vote Representative Shaw 'aye'. There are 86 voting 'aye', 17 voting 'no' and 7 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 652, Representative Levin. Clerk, read the Bill."

Clerk Leone: "Senate Bill 652, a Bill for an Act to amend the School Code. Second Reading of the Bill. It's been read a second time previously. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motions filed. Floor Amendment #2 is being offered by Representative Williams."

Speaker Breslin: "Representative Williams. This is your Amendment. Do you wish to proceed with it? Withdraw the Amendment. Any further Amendments?"

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

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McGann and Young."

Speaker Breslin: "Representative McGann, do you wish to proceed?"

McGann: "Withdraw."

Speaker Breslin: "Withdraw the Amendment. Any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Read the Bill on Third."

Clerk Leone: "Senate Bill 652, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill does one thing and one thing only. It adds language clarifying that local school councils will be indemnified. This is something we intended to do in Senate Bill 1840. There was not enough language to make that clear. Payments would come out of the tort immunity fund. I ask for passage of Senate Bill 652."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 652. Does anyone rise in opposition? The Gentleman from Cook, Representative Preston."

Preston: "Madam Speaker, would the Gentleman yield for a question?"

Speaker Breslin: "He will."

Preston: "Representative Levin, does this...does not indemnify these members for any willful and wanton acts, I assume. Is that correct?"

Levin: "I believe that's correct."

Preston: "That's a different statement than if it is correct, that you believe it is correct. That's a...is it or is it not the fact that you believe it doesn't..."

Levin: "Yes."

Preston: "You know, do you know that's correct, that willful and wanton acts are not indemnified?"

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Levin: "Hold on a sec...hold on just one sec. You are correct.

They are not indemnified for..."

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

Levin: "You are correct."

Preston: "Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 652 pass?'

All those in favor vote 'aye', all those opposed vote 'no'.  
Voting is open. This is final passage. Have all voted who  
wish? Have all voted who wish? The Clerk will take the  
record. On this question there are 108 voting 'aye', none  
voting 'no' and 5 voting 'present'. This Bill having  
received the Constitutional Majority is hereby declared  
passed. Special Order of Legalized Gambling, Second  
Reading. Senate Bill 575, Representative Van Duyne.  
Clerk, read the Bill."

Clerk Leone: "Senate Bill 575, a Bill for an Act to create the  
Excursion Boat Act. It's been read a second time  
previously. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Mr. Brunsvold, do you wish to proceed with this  
Amendment on Representative Van Duyne's Bill? Withdraw it.  
Any further Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representative Van  
Duyne and Giorgi."

Speaker Breslin: "Representative Van Duyne."

Van Duyne: "Yea, thank you, Madam Speaker. Just so everyone will  
hear, it's my intention to keep this Bill alive for a later  
date. Amendment #3 strictly, only just puts the Bill back  
in the shape it was in the beginning. And once it's

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restored to its initial position, then I'm just going to hold it until maybe for later on this fall or whenever for the will of the majority. So I move for adoption of Amendment #3."

Speaker Breslin: "The Gentleman moves the adoption of Amendment 3 to Senate Bill 575, indicating that he is going to put the Bill into Interim Study after the adoption of the Amendment. The question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Van Dwyne now moves to put this Bill on the Order of Interim Study. Does he have leave? Representative Van Dwyne."

Van Dwyne: "Madam Speaker, in all deference to everyone, just so we all know what we're doing here. We still have a week to go. We know not where we're going to go with this subject matter, so I will on the last day do as you suggest if it's not needed. But I'd just like to leave it where it's at."

Speaker Breslin: "Representative Van Dwyne, this is the deadline. Today it dies at midnight. So your only choice is Interim Study."

Van Dwyne: "Oh, okay. I'm sorry. I forgot that."

Speaker Breslin: "The Bill is on Interim Study. Legalized Gambling, Third Reading. Senate Bill 572, Representative Giorgi. Clerk, read the Bill."

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

Speaker Breslin: "Oh, this Bill has had the deadline extended on it, so we don't need to consider it. The next Order...is the Order of Education. Representative Giorgi, are you

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still seeking recognition? No. The next Order is the Order of Education, Third Reading. Senate Bill 335, Representative Williams. Clerk, read the Bill."

Clerk Leone: "Senate Bill 335, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Williams."

Williams: "Yes, Senate Bill 335 is a Bill that has been explained numerous times, I do believe. Basically, what it does is provides for a program to be set up for mothers who are still in high school so that they can have a parenting center within the high school. It does not provide for the funding. It's only funded if the funds are available. And secondly, it deals for reporting requirement within the...for the Board of Higher Education by the State Board to certify whether or not a school district is in compliance with the IBHE standards necessary to get into college. It does not prevent them from implementing those standards. This only says whether or not they actually offer the courses necessary. I ask for an 'aye' vote."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 335. On the question, the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker. I think we need to straighten out what is going to be done or has been done with the Amendments to this Bill. There was a 3rd, 4th and 5th Amendment. The 3rd and 4th were not correct. And I believe you need to take this Bill back to Second Reading, so that you can get those Amendments in order before...because if you've adopted Amendment #3 to this Bill, we've got a real problem with it. So maybe the Clerk could straighten out where we are on which Amendments have been adopted."

Speaker Breslin: "Representative Williams, I would ask you to

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take the Bill out of the record to clear it up so we can go on. The Order of Insurance, Second Reading appears Senate Bill 1013, Representative Piel. Clerk, read the Bill."

Clerk Leone: "On page 9 of the Calendar, Senate Bill 1013, a Bill for an Act to amend an Act in relationship to corporate fiduciaries. It's been read a second time previously."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "Amendments #1, 2 and 3 were adopted previously."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "Amendment #4 was withdrawn. Floor Amendment #5 is being offered by Representative Parcells."

Speaker Breslin: "Amendment 5, Representative Parcells."

Parcells: "Thank you, Madam Speaker. This is a Bill that we passed out of here. This Amendment is House Bill 2045, which is the Commissioner's Bill, which is strictly technical in nature, cleanup, adds definitions of terms, punctuates, changes obsolete words, et cetera. As I said, it passed out of here with 116 votes and no negative votes. And we need to add it on here, because it got confused in the Senate, and it's very important to the Commissioner. I believe it's been agreed on both sides of the aisle, and I would ask for your 'aye' vote."

Speaker Breslin: "The question is, 'Shall Amendment 5 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Read the Bill on Third."

Clerk Leone: "Senate Bill 1013, a Bill for an Act in relationship to corporate fiduciaries. Third Reading of the Bill."

Speaker Breslin: "Representative Piel."

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The Bill as it stands right now incorporates

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Representative Parcells' Amendment, which is 105 pages long. It also...the original Bill makes about 32 corrections in the Corporate Fiduciary Act. And as it presently stands, I don't think there's any opposition...support...as I say administration Bill of the Commissioner and is supported by the ICBI and IBA. And I would be more than happy to answer any questions."

Speaker Breslin: "Representative Piel, Representative Mautino indicates that he has opposition to Amendment #5 that was put on the Bill. Now Representative Parcells indicated that that Amendment had already passed this House 113 to nothing, so I hope you have the right..."

Piel: "One hundred and sixteen (116) to nothing, Madam Speaker..."

Speaker Breslin: "One hundred and sixteen (116) to nothing. So I hope you have the right Amendment in mind. Representative Mautino."

Mautino: "I was informed by Commissioner Bill Harris that the Amendment that was proposed, Amendment #5 to Senate Bill 1013, should be removed because that Amendment is going on House Bill 1719 in the Senate."

Piel: "No, that was...to explain that, Madam Speaker. That was the original thought. We were going to have Amendment #5 do that, but instead of doing that, we incorporated Representative Parcells'. So that's on a different one, Dick. The Commissioner's Office is with you now. They can explain. That's a different Amendment. It's not on this Bill at all. This Amendment is technically a cleanup Amendment of a previous Bill."

Mautino: "Madam Speaker, I've been assured by the Commissioner's Office that Amendment #5 did not address the questions that were raised on Senate Bill 901, but will, in fact, be placed on House Bill 1719 in the Senate. With that

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understanding that this is not the provision that Commissioner Harris informed me of, I will then withdraw my opposition."

Piel: "Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 1013 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final passage. Have all voted who wish? The Clerk will take the record. On the question there are 108 voting 'aye', 1 voting 'no'. This Bill having received the Constitutional Majority is hereby declared passed. Supplemental Calendar Announcement."

Clerk Leone: "Supplemental Calendar #2 is now being distributed."

Speaker Breslin: "Special Education - The Special Order of Education appears Senate Bill 335. Clerk, read the Bill."

Clerk Leone: "Senate Bill 335, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Williams."

Williams: "Yes, I believe that the problem that was spotted a minute ago has been corrected. And, in fact, the Bill is in its proper order. It does do what I previously said less than two, three minutes ago. And I would urge for the adoption of Senate Bill...passage of Senate Bill 335."

Speaker Breslin: "The question is, 'Shall Senate Bill 335 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the question there are 112 voting 'aye', none voting 'no'. This Bill having received the Constitutional Majority is hereby declared passed. Special Order Insurance. Representative Shaw is the Sponsor of Senate Bill 577. Clerk, read the Bill."

Clerk Leone: "Senate Bill 577, on page 10 of the Calendar, a Bill

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for an Act to amend the Illinois Insurance Code. Third Reading of the Bill."

Speaker Breslin: "Representative Shaw."

Shaw: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Bill has been debated very thoroughly. This is a Bill that amends the Insurance...the Insurance Code in relations to...in relations to coverage for mental and emotional or nervous conditions and clinical social workers. And I urge for its passage."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 577. It provides for third party reimbursement for social workers. We have debated it before. Who rises in opposition? Representative Pedersen or Representative McCracken? Representative McCracken."

McCracken: "Thank you, Madam Speaker. I rise in opposition. We have debated this before and defeated this before. This would require third party reimbursement for certified social workers. I stand in opposition."

Speaker Breslin: "The question is, 'Shall Senate Bill 577 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Representative Davis, one minute to explain your vote."

Davis: "Thank you, Madam Speaker. I just wanted to urge everyone to recognize that this is a piece of legislation that allows choices, and I do support it and I urge others to vote 'yes'."

Speaker Breslin: "Only vote your own switches. Have all voted who wish? Representative Pedersen, one minute to explain your vote."

Pedersen: "Thank you, Madam Speaker. I'd like the House to know that this came up earlier in an Amendment in the Senate. It only received 20 votes. I urge a 'no' vote."

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Speaker Breslin: "Representative McCracken will request a verification, if necessary. The Clerk will take the record. On this question there are 57 voting 'aye', 44 voting 'no' and 6 voting 'present'. Representative Shaw requests a Poll of the Absentees."

Clerk Leone: "Poll of those not voting. Brunsvold. Curran. DeLeo. Harris. Kulas. Munizzi. Piel."

Speaker Breslin: "Representative Curran votes 'no'. Proceed, Mr. Clerk. Any others, Mr. Clerk?"

Clerk Leone: "Continuing. Santiago and Stange. No further."

Speaker Breslin: "Have all voted who wish? On this question there are 57 voting 'aye', 46 voting 'no' and 6 voting 'present'. This Bill having failed to receive...Representative Piel votes 'aye'. There are 58 voting 'aye', 46 voting 'no' and 6 voting 'present'. This Bill having failed to receive the necessary majority, is hereby declared lost. The next Order is Civil Law, Third Reading. Senate Bill 1466, Representative Peterson. Mr. Peterson? Out of the record. The next Order is the Order of Criminal Law, Second Reading. Senate Bill 743. Clerk, read the Bill."

Clerk Leone: "Senate Bill 743, a Bill for an Act to amend the Code of Corrections. Second Reading of the Bill. There are no Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker. This Amendment is an agreed Amendment concerning provisions of the Illinois Vehicle Code pertaining to the offense of driving under the influence. The agreement is between the Chicago Bar Association, the Secretary of State, the Cook County

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State's Attorney, MADD, Representative McCracken and I. It has six provisions that I'll go over very quickly. It provides definition for the five year interval for denial of court supervision on a second conviction. It extends the period authorized for conditional discharge from one year to two years for all misdemeanors. It allows for an educational purpose JDP and RDP. It tightens the requirements for JDPs by requiring greater specificity with respect to the times and routes of permitted travel. The Amendment extends to two years the length of a second summary suspension, currently is one year, and it also would establish a hard suspension in those cases of six months as opposed to ninety days when dealing with a...second refusal to take the breathalyzer test. It also, and finally, extends the discovery process for defendants of chemical tests to the summary suspension proceedings. I would answer questions, again remind you that it is an agreed Amendment and urge your adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 1 to Senate Bill 743. On the question, the Gentleman from Macon, Representative Dunn."

Dunn: "Will the Sponsor yield for a question?"

Speaker Breslin: "He will."

Dunn: "There was an indication this is an agreed Amendment. I...I'm curious about who the parties are who have agreed to this Amendment."

Homer: "The agreement is...the Bill is a Chicago Bar Association Bill. The...so they are in agreement, the Secretary of State's Office, the Cook County State's Attorney's Office and MADD, Mothers Against Drunk Drivers, have all agreed to the provisions of the Bill."

Dunn: "Okay."

Speaker Breslin: "Representative Countryman."

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Countryman: "Will the Gentleman yield?"

Speaker Breslin: "He will."

Countryman: "With regard to summary suspension hearings, what did it do with regard to discovery?"

Homer: "Well, currently defendants are allowed discovery of...of the chemical test proceedings with respect to the trial of the DUI. However, there is an interpretation in some circuits that those discovery rules do not apply at the time of the hearing on the summary suspension. You might recall that a few years ago we put the burden on the defendant at those summary suspensions, and this provision would specify that discovery does apply to the summary suspension proceeding, so that the defendants would have available to them the evidence concerning and surrounding the...the taking of the chemical test."

Countryman: "Okay, so I'm clear, because there's confusion and I can't really see it here. You're saying...the discovery rules do apply to a summary suspension, so the defendant has rights of discovery at that hearing where he has the burden of proof now."

Homer: "Yes."

Countryman: "Alright, thank you."

Speaker Breslin: "The question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, offered by Representative Homer and McCracken."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker. I might...the roar has risen above the usual din, I would hope that Members would pay some attention. The Amendment #2 would amend the confidentiality provisions of the records maintained by the

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Secretary of State to provide that reports of summary suspensions for first offenders shall be confidential except when the summary suspension is in effect. This again is an Amendment which has been agreed to by all of the aforementioned parties. The Secretary of State's Office, however, is neutral with respect to the Amendment, and the Cook County States Attorney's Office asked that they...that their support be explained as supporting this Amendment as a result of other concessions that were set forth within Amendment #1. But, to emphasize that there are no parties known to me that are in opposition to the Amendment, and I would move and urge its adoption."

Speaker Breslin: "The question is, 'Shall Amendment 2 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and Amendment 2 is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

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

Clerk Leone: "Senate Bill 743, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

Speaker Breslin: "Representative Homer has already explained the Bill by Amendment. He moves for the passage of Senate Bill 743. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the question there are 112 voting 'aye', 1 voting 'no' and none voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Representative Cullerton is recognized on a Motion."

Cullerton: "Yes, I would move to suspend Rule 37(g) and extend the Third Reading deadline for Senate Bill 965 until June

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Speaker Breslin: "The Gentleman has moved the Motion...has moved to extend the deadline on Senate Bill 965. On the question, the Lady from Sangamon Representative...the Gentleman from DuPage, Representative McCracken."

McCracken: "Yes, thank you. I rise in opposition of this Motion to extend. Parliamentary inquiry. It requires 71 votes to extend the deadline, is that correct?"

Speaker Breslin: "Sixty (60) votes are required."

McCracken: "Sixty (60) votes? But if the deadline is not extended, the Bill is automatically tabled which would take 71 votes to resurrect the Bill. How could a Motion to extend the deadline require less than the necessary result if the deadlines are not met?"

Speaker Breslin: "That's the provision of the Rules, Sir."

McCracken: "No, it's not the provision of the Rules. It is not the provision of the Rules. There is no reference to 60 votes in the Rules. The Rules specifies that the Bill is tabled in the event the deadline is not met. The Rules specifies that a tabled Bill can be resurrected only with 71 votes. My point is that it is 71 votes."

Speaker Breslin: "Representative McCracken and Members, we would refer you to the Rule 83(b) which specifically says that any Rule may be suspended upon a proper Motion and an affirmative vote of 60 Members unless the Rule affected specifies otherwise. The Rule affected is Rule 37(g). If you'll look at Rule 37(g), there is no specification as to an extraordinary majority necessary for the vote, so that is the reason for the ruling of the Chair. Representative McCracken."

McCracken: "Just in brief reply. I understand your reasoning, but I think it's anomalous when the result of a failure to meet the deadline can be cured only by 71 votes, but the

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deadline itself can be suspended by 60."

Speaker Breslin: "I think that's an issue we should take up with the Rules Committee."

McCracken: "Good point. I hadn't thought of that."

Speaker Breslin: "Okay. The question is, 'Shall the Motion be adopted to extend the deadline on Senate Bill 965?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Sixty (60) votes are required. Sixty (60) votes are required to extend the deadline on this Bill. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 61 voting 'aye', 51 voting 'no' and none voting 'present'. Representative McCracken requests a verification. Poll the absentees, Mr. Clerk."

Clerk Leone: "Poll of those not voting. Harris. Shirley Jones. Morrow. Mulcahey and Stange."

Speaker Breslin: "In the interest of time, Ladies and Gentlemen, I would ask you to be in your seats and wave when your name is called, so that Representative McCracken can see you and move this verification quickly. And I would ask Representative McCracken to only call names of people that you know are not present or that you don't see. I've asked them to be in their seats. Well, I'll ask you to do your best. Proceed, Mr. Clerk, with the Poll of the Affirmative."

Clerk Leone: "Poll of the Affirmative. Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Cullerton. Curran. Currie. DeJaegher. DeLeo. Dunn."

Speaker Breslin: "Democratic Members, you're not raising your hand and waving, so that the Gentleman can see you. So please do that when your name is called. We're trying to move quickly, Gentlemen. It's your time. Proceed, Mr. Clerk."

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Clerk Leone: "Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke."

Speaker Breslin: "Excuse me, Representative Hicks asks leave to be verified. He's up by the telephone booth. He has leave. Representative Van Dwyne makes the same request. Van Dwyne is granted leave. Proceed, Mr. Clerk."

Clerk Leone: "Hicks. Homer. Lou Jones. Keane. Krska. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McNamara. McPike. Munizzi. Novak. Phelps. Preston. Rice. Richmond. Ronan. Saltsman. Santiago. Satterthwaite. Shaw. Steczo. Stern. Sutker. Terzich. Trotter. Turner. Van Dwyne. White. Williams. Wolf. Woolard. Anthony Young. Wyvetter Younge and Mr. Speaker."

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

Shaw: "Madam Speaker, how am I recorded?"

Speaker Breslin: "You're recorded as voting 'aye'."

Shaw: "Would you vote me 'no', please."

Speaker Breslin: "Change the Gentleman to 'no'. Representative McGann, for what reason do you seek recognition?"

McGann: "How am I recorded, Madam Speaker?"

Speaker Breslin: "You're voting 'no'."

McGann: "Alright, would you change my vote to 'aye'."

Speaker Breslin: "Record him 'aye'. Representative Mulcahey. Record Representative Mulcahey as 'aye'. Representative Lou Jones. Record Representative Lou Jones as 'no'. Representative. Representative McCracken, do you have any questions of the Affirmative? Representative McCracken."

McCracken: "I believe Representative Flowers wants to change her vote."

Speaker Breslin: "Representative McCracken, you have been recognized to question any of the affirmative. Do you have

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any questions?"

McCracken: "I question the affirmative vote of Representative Flowers."

Speaker Breslin: "Representative Flowers."

Flowers: "Madam Speaker, Ladies and Gentlemen of the House, you don't have to question my vote. Madam Speaker, would you please change my vote from 'yes' to 'no'."

Speaker Breslin: "Surely."

Flowers: "Thank you."

Speaker Breslin: "Change the Lady to 'no'."

McCracken: "Representative Santiago?"

Speaker Breslin: "Representative Santiago. Mr. Santiago. Mr. Santiago. The Gentleman is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative Dunn?"

Speaker Breslin: "Representative John Dunn. How is the Gentleman recorded?"

McCracken: "Oh, I'm sorry. I'm sorry. He's right here."

Speaker Breslin: "Is he here?"

McCracken: "Representative Krska?"

Speaker Breslin: "Representative Krska is in the chamber."

McCracken: "Representative Rice?"

Speaker Breslin: "Representative Rice is in his seat."

McCracken: "Representative Van Duyne?"

Speaker Breslin: "Representative Van Duyne was given leave."

McCracken: "Alright. Representative Giglio?"

Speaker Breslin: "Representative Giglio's in his chair."

McCracken: "Representative Kulas?"

Speaker Breslin: "Representative Kulas. Mr. Kulas is...Representative Kulas. Myron Kulas. How is the Gentleman recorded?"

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

Speaker Breslin: "Remove him from the Roll Call."

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McCracken: "Representative Keane?"

Speaker Breslin: "Representative Keane is in the chamber."

McCracken: "Nothing further."

Speaker Breslin: "Have all voted who wish? Representative Kulas, I understand, is returning to the chamber, but I don't see him. No. Representative Matijevich, for what reason do you seek recognition?"

Matijevich: "Well, I understand Representative Kulas just took a paternal leave. So I...you know, after all he's got to be right after he expounded for, you know, on the leave Bill that he himself ought to be able to take a little leave. You know, I mean...why..."

Speaker Breslin: "The Gentleman has taken a very short leave."

Matijevich: "Oh, well, then I got to talk about somebody else. Who else isn't here?"

Speaker Breslin: "Representative Kulas has returned to the chamber. Add him to the Roll Call voting 'aye'. Representative Kulas, excuse me. Representative Kulas."

Kulas: "Record me 'present' for the time being."

Speaker Breslin: "Record the Gentleman as voting 'present'. Representative Leverenz, for what reason do you seek recognition?"

Leverenz: "I just came back. I ask the Clerk how am I recorded?"

Speaker Breslin: "You are recorded as voting 'aye'."

Leverenz: "Thanks."

Speaker Breslin: "The Gentleman from Cook, Representative Bowman, for what reason do you seek recognition?"

Bowman: "I just want to point out that Representative Greiman has returned to the chamber. Please add him to the Roll."

Speaker Breslin: "He would like to, I'm sure. Representative Matijevich, for what reason do you seek recognition now?"

Matijevich: "Well, I've been...I've been informed that Miguel Santiago went to San Diego and it's a long way from...it's

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a long way from here to San Diego, so I hope that Santiago comes from San Diego as soon as he can."

Speaker Breslin: "That's a good try, Representative Matijevich. Okay. Okay. The Gentleman from Cook, Representative Ronan, for what reason do you..."

Ronan: "Yea, vote me...please vote me 'no'. I want to change my vote to 'no'."

Speaker Breslin: "Change Representative Ronan to 'no'. Is everyone recorded the way he or she wishes to be recorded? On the question there are 57 voting...Representative Cullerton, for what reason do you seek recognition?"

Cullerton: "Yes, well, it is my Motion."

Speaker Breslin: "Yes."

Cullerton: "And you didn't let me close."

Speaker Breslin: "It's too late to close, but we will certainly recognize you, Sir."

Cullerton: "Well, I think the Rules allow this Bill to pass with 57 votes."

Speaker Breslin: "Representative..."

Cullerton: "I think it's just a majority of those voting."

Speaker Breslin: "...We have already ruled that 60 votes are required, and we read the Rule."

Cullerton: "Well, I did want to point out at some point tonight, maybe it's not appropriate right now, but I did want to point out that I haven't had a chance to read the newspapers all week. I finally read the newspapers today. And if you look, the Chicago Cubs are leading their division."

Speaker Breslin: "Ah, the Cubs. On this question there are 57 voting 'aye', 54 voting 'no', 1 voting 'present' and the Motions fails. The next Order is the Order of Human Services, Third Reading. Senate Bill 735, Representative White. Clerk, read the Bill."

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Clerk Leone: "On page 10 of the Calendar, Senate Bill 735, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Breslin: "Representative White."

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

Speaker Breslin: "The Gentleman asks leave to return the Bill to the Order of Second. Does he have leave? Hearing no objection, leave is granted. Are there any Amendments filed, Mr. Clerk?"

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

Speaker Breslin: "Representative White."

White: "I would like to have leave to table Amendment #1."

Speaker Breslin: "The Gentleman moves to table Amendment #1 first. Is there any objection? Hearing none, Amendment 1 is tabled and now on Amendment 2, Representative White."

White: "Amendment 2 would provide there be a demonstration project starting in 1990, whereby a doctor could provide the management care of anyone who is on public aid. And I worked this Amendment out with the Public Aid Department, and they are in accord with it. And I move for its adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 2 to Senate Bill 735. Is there any objection? Hearing none, the question is, 'Shall Amendment 2 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Read the Bill on Third."

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Clerk Leone: "Senate Bill 735, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Breslin: "Representative White."

White: "Well, the Amendment does basically what I just said a few moments ago. It would allow a doctor to manage the complete medical program for anyone who's on public aid. It's a demonstration project. It's for two areas. It will begin in the urban area in 1990 and it will move to the rural area in 1991."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 735. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 735 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Representative Flowers, one minute to explain your vote. The Lady indicates she does not wish to explain her vote. Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no'. This Bill having received the Constitutional Majority is hereby declared passed. On the Order of Government Administration, Second Reading. There are several Bills. The Sponsors are Granberg, Wolf, Keane and Hicks and Cullerton and Curran. The first Bill is Senate Bill 107, Representative Granberg. Clerk, read the Bill."

Clerk Leone: "Senate Bill 107, a Bill for an Act relating to the issuance and cancellation of drivers' licenses. It's been read a second time previously. There are no Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Granberg."

Granberg: "Thank you, Madam Speaker, Members of the House. Floor

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Amendment 1 addresses the concerns of a number of my fellow Legislators, including myself, who are past opponents to this concept of taking a driver's license away from a student who does not receive a high school degree. It provides that...that pupils with extraordinary circumstances of economic or medical necessity or family hardship, determined by the local superintendent of schools, shall not be...the Bill shall not apply to those individuals. I would urge the adoption of Amendment #1."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 1 to Senate Bill 107. On that question, does anyone rise in opposition? There being none, the question is, 'Shall Amendment 1 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Any further Amendments?"

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

Speaker Breslin: "Representative Granberg."

Granberg: "Thank you, Madam Speaker. Amendment #2 was filed at the request of the Secretary of State's Office. It provides that the Secretary of State shall revoke or cancel the driver's license of a student so affected, but only once. The second time the cancellation takes place that person should not be allowed to make application for a new license again until he or she has reached the age of 18. And I would move for its adoption."

Speaker Breslin: "The Gentleman moves the adoption of Amendment 2 to Senate Bill 107. On that question, the Gentleman from Macon, Representative Dunn."

Dunn: "Will the Sponsor yield for a question?"

Speaker Breslin: "He will."

Dunn: "In what way does this differ from any of the other school

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dropout driver's license Bills that we've defeated around here?"

Granberg: "Representative Dunn...Representative Dunn, this is on the second Amendment at the request of the Secretary of State's Office. I haven't talked about the Bill itself, if we adopt the Amendment..."

Speaker Breslin: "We request that you hold your question until Third Reading."

Dunn: "What does the Amendment do?"

Speaker Breslin: "Explain it again, Representative Granberg."

Granberg: "The Amendment, Representative Dunn, was at the request of the Secretary of State's Office to rescind the yo-yo provision. If a student had his license, his or her license, cancelled repeatedly, the Secretary of State would be required to renew that license each time. This limits it to twice. If it's cancelled the second time, that student would not be allowed to receive his lice...his or her license again."

Dunn: "Thank you. Madam Speaker, Ladies and Gentlemen, to the Amendment. This is an attempt to make a bad Bill better. I think this Amendment should be soundly defeated, and I request a Roll Call vote on this Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #2 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. We are voting on Amendment #2. Amendment #2. Have all voted who wish? Repre...change Representative Mulcahey's vote to 'no', please, Mr. Clerk. Have all voted who wish? The Clerk will take the record. On this question there are 81 voting 'aye', 29 voting 'no' and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Read the Bill on Third, Mr.

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Clerk. Excuse me, Representative Granberg, for what reason do you seek recognition?"

Granberg: "Madam Speaker, could we have leave to have this Bill heard on Third?"

Speaker Breslin: "You don't need leave. I'm asking Representative Cowlshaw for what reason she seeks recognition?"

Cowlshaw: "I object to this Bill being heard on Third Reading today."

Speaker Breslin: "You have no right to object, Madam. The Gentleman has a right to have the Bill heard on Third because it passed..."

Cowlshaw: "He moved it back to Second Reading and in order for it to be heard today, he has to..."

Speaker Breslin: "No, the Bill is on the Order of Second Reading. We are on the Order of Second Reading on all Bills on this Order."

Cowlshaw: "Okay, I'm sorry. I didn't understand. Alright."

Speaker Breslin: "Okay. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 107, a Bill for an Act relating to the issuance and cancellation of drivers' license due to school attendance. Third Reading of the Bill."

Speaker Breslin: "Now, Representative Granberg, would you explain to the Assembly what this Bill does now as Amendment...amended. And I would ask the Members to listen carefully so we can hear it the first time. Representative Granberg."

Granberg: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill is similar nature to the other Bills we've discussed. I'm not going to take up the House's time. There are two important distinctions between this legislation and others that have been heard before this Assembly. One of which, and I have great respect for

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Representative Dunn, Representative Cowlshaw and the others who have voted and argued against this legislation, because I have some concerns as well as they do. That is why with Amendment #1, we attempted to work with the opponents of this legislation to address those concerns. The Bill as amended and its main difference with the prior legislation is that if a student or pupil can show to the superintendent of their school that the extraordinary circumstances of economic or medical necessity or family hardship as determined by that local superintendent, their license will not be cancelled. Because our concern was, if a student had to drop out to go to work for the sake of the family, for the sake of their family, or for medical reasons. That's what Amendment #1 did to try to address that issue. That is the main difference. The second main difference is we have put an automatic repealer on this legislation. We think it's that important that it needs to be tried for one year. It automatic...automatically is repealed in July of 1991, without any need for further legislation. If this Bill can reduce the dropout rate by a third in other states, we think it's important to give it one try to see how it works, to make that assessment in Illinois in 1991."

Speaker Breslin: "Okay, the Gentleman has explained to you and moved the passage of Senate Bill 107. Who rises in opposition? The Gentleman from Macon, Representative Dunn."

Dunn: "Will the Sponsor yield for a question?"

Speaker Breslin: "He will."

Dunn: "When the Amendment was adopted, you referred to a yo-yo provision. Would you explain, number one, what that is and number two, what happens?"

Granberg: "Representative Dunn, prior to the Amendment, if a

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student dropped out of school, the school board would have to notify the Secretary of State of that action occurring. The Secretary of State would then cancel that student's license. In the interim the student could re-enroll, then the license would have to be reissued. At the request of the Secretary of State's Office, we provided that if his license is cancelled a second time, under the provisions of that Act, that person will not be allowed to make application for new license until that person reaches the age of 18. The Secretary of State's Office was concerned about a particular student going in and out on numerous occasions and the problems that would cause for the administrative portion of their office."

Dunn: "Thank you, Mr. Sponsor. And Madam Speaker and Ladies and Gentlemen of the House, to the Bill as the...as amended. If you listened carefully, the alleged thrust of this legislation is to encourage people to stay in school and youngsters do things and change their mind. Until the Amendment was adopted on this...on this Bill, if a youngster dropped out of school and changed his or her mind and came back, the Secretary of State would have to reinstate the license. If they were in school for a week and took off, dropped out of school again, had regrets again and came back, they would get their license back. The Amendment adopted to the Bill now says that students get two shots at dropping out of school and coming back, and then because it's a bureaucratic nightmare, the Secretary of State is going to keep their license. If we're interested in keeping children in school and if this is such a good Bill, I don't know why we should worry about the bureaucracy or the red tape or whatever it causes the Secretary of State. This Amendment is simply an effort to water down this legislation as is the Amendment which

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sunsets this Bill in one year. We have talked and talked and talked in this chamber about this legislation and it has not passed. Yet, it keeps coming back again and again and again. This is the school dropout Bill. This is the Bill which would take away the driver's license of someone who drops out of school downstate. Yes, it contains an Amendment now which waters it down some more to say that if there's hardship or this or that, the youngster may or may not lose a license. What does that mean? That means hearings, that means time, that means red tape, that means hearing officers, that means more jobs on the payroll, more time lost. A school year is only nine months. By the time someone loses their license, applies for a hearing, gets a hearing, decides whether to take it farther, whether or not to appeal, the school year may be over. If this is such a good Bill, it should pass in its pristine form. If it can't pass in its pristine form, these silly Amendments don't make it any better. If you want to help your children, help them in kindergarten, first grade and second grade. Encourage them not to drop out, but don't tell downstate children that you're going to take away their driver's license so they can't go to Popeye's Chicken or Hardee's or McDonald's and get a job. They'd have to drive to work to get those jobs. You're telling them, if you pass this Bill, sit home, stay idle, watch television until you're tired of that and then see what your idle mind leads you to, and if you think it'll be good things, vote for this Bill. I don't. I think people who are on foot are going to get in trouble a lot quicker than they are if they have a car to drive to a minimum wage job, which will frustrate them quickly, and tell them more about staying in or out of school than anything else. I urge a 'no' vote on this Bill."

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Speaker Breslin: "The question is, 'Shall Senate Bill 107 pass?'

All those in favor vote 'aye', all those opposed vote 'no'.

Voting is open. Representative Granberg, do you wish to make...explain your vote?"

Granberg: "Thank you, Madam Speaker, very briefly. In all due respect to Representative Dunn, I was a past opponent of this. That's why we tried to work with these people, to have that opportunity, to have that hardship where the student would not lose his or her license. We think it deserves a chance for one year. It's worked in other states, and if Representative Dunn wasn't such a good...a good debater, we might have done better. But we appreciate your concern, we think it's a good idea."

Speaker Breslin: "Representative Brunsvold, one minute to explain your vote."

Brunsvold: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I realize I'm on this Bill as a Cosponsor, but I'm voting 'present', because with the passage of the mandatory 18 year old attendance, I just wonder how good any of these Bills are."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 43 voting 'aye', 60 voting 'no', 7 voting 'present' and the Amendment fails...or the Bill fails. Senate Bill 162, Representative Wolf. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 162, a Bill for an Act to amend the Illinois Pension Code. This Bill has been read a second time previously."

Speaker Breslin: "Are there any Amend..."

Clerk O'Brien: "No Committee Amendments. Floor Amendment #1, offered by Representative Cullerton."

Speaker Breslin: "Representative Cullerton."

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Cullerton: "I'd like to ask the Sponsor of the Bill to handle the Amendment for me."

Speaker Breslin: "Representative Wolf."

Wolf: "Thank you, Madam Speaker. Amendment #1 to Senate Bill 162 deletes everything after the enacting clause and now contains two provisions. Number one, it contains a provision, which tends to change Senate Bill 22, the Pension Funding Bill, which is now on the Governor's desk. And this provision would provide that the state's contribution to the funding Bill would permit the state to phase in its contributions over a seven year period until 1996, at which time they will reach the level of a 100 percent payout. The second provision provides exemption for certain funds under the pension system, that is a debtor's interest under retirement income. This is a provision that has been brought to light by a meeting of several members of the pension systems. And we would move for its adoption."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 1 to Senate Bill 162. On the question, the Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you. I rise to support the Amendment."

Speaker Breslin: "The Gentleman from Warren, Representative Hultgren. Mr. Hultgren is recognized."

Hultgren: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Very simply, I rise in opposition to Amendment #1. Sure it's well intentioned, but you all remember the history on the legislation that was introduced in the 85th General Assembly to bring the pension systems to full funding. That legislation got caught up in a procedural controversy with regard to the Amendatory Veto. We came back and I believe the very first Bill that we passed out of this 86th General Assembly re-enacted that forty year

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phase in. Now, just a few months later, it would appear to me with this Amendment that we are backing away from that commitment. I believe that we owe it to the people in the pension systems to maintain the commitment that we made when we passed that legislation earlier this spring. And I would urge a defeat of this Floor Amendment #1."

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

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I hadn't planned to speak until the last Gentleman raised a point with respect to legislation which we've already passed. Yes, indeed, that was a Bill which I sponsored, and I do want to go on record as supporting this legislation. I don't believe we are backing away from it at all. I believe we are maintaining our commitment. The Governor has given us his assurance that he will sign this legislation and begin implementation immediately with the FY90 budget, which we are presently considering. And so, in fact, this will enable us to get up and running with a amortization program even sooner than we anticipated. Therefore, I rise in support of the Amendment."

Speaker Breslin: "Representative Flinn. Representative Flinn was recognized."

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

Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The question is, 'Shall Amendment #1 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is on the adoption of the Amendment. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the question there are 103 voting 'aye'. The Amendment

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is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Read the Bill on Third."

Clerk O'Brien: "Senate Bill 162, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Breslin: "Representative Wolf has already explained what this Bill does by virtue of the Amendments adopted. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Representative Weaver, one minute to explain your vote."

Weaver: "Thank you very much, Madam Speaker. Ladies and Gentlemen, beware, this delays payment of the downstate and the teachers' retirement systems. It kind of reneges on a commitment we made to pay off the indebtedness that we agreed that we owed, and this delays it for the next seven years. It phases in. So, we're backing off an agreement that we already made to the retired teachers."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On the question there are 105 voting 'aye', 9 voting 'no'. This Bill having received the Constitutional Majority is declared passed. Mr. Clerk, tell me the status of Senate Bill 257 by Representative Keane."

Clerk O'Brien: "Senate Bill 257 appears on the Calendar on Second Reading."

Speaker Breslin: "Representative Keane, are you ready to call this Bill? Are there any Amendments filed, Mr. Clerk, or Motions?"

Clerk O'Brien: "Senate Bill 257..."

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

Keane: "I believe the Bill is on Third Reading. We moved it to

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Third earlier today."

Speaker Breslin: "That's what I asked the Clerk. I think it's moved to Third too, Mr. Clerk. The Clerk does not have a record of it, Mr. Keane, so are there any Motions or Amendments filed then?"

Clerk O'Brien: "Amendment #1 was tabled. Amendment #2 was adopted."

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

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Read the Bill on Third."

Clerk O'Brien: "Senate Bill 257, a Bill for an Act in relation to financing of local correctional facilities. Third Reading of the Bill."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Chairman (sic - Madam Speaker). We discussed this Bill. It...dealing with the county jail. It's the county jail funding proposal. We basically increased the authorization of GO Bonds, and we imposed additional penalties for each conviction involving either a criminal or traffic offense which would be used to service the debt on those bonds. There was a full discussion earlier. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 257. The note on the file, Representative Keane, is that the fiscal note was not filed. Can you inform the Body as to the fiscal impact?"

Keane: "The fiscal note was filed. It has been filed."

Speaker Breslin: "Okay, our notes are in error. Representative...does anyone rise in opposition to this Bill? Representative Hallock is recognized."

Hallock: "Well, I would just like to say, Madam Speaker, that we had been opposed to this Bill, but those dilemmas have been

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worked out. And now it's a fine Bill and I urge it be adopted."

Speaker Breslin: "The question is, 'Shall Senate Bill 257 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Black, one minute to explain your vote."

Black: "Well, thank you very much, Madam Speaker. I didn't want to explain my vote. I just wanted to ask the Sponsor a question. Maybe he can nod his head. Are there any plans on the drawing board as to where these are going to be built? Any commitments made on that yet?"

Keane: "Any county."

Black: "Any county that applies, correct?"

Keane: "Any county that levies the fines."

Black: "Alright, thank you."

Speaker Breslin: "Representative Hasara, one minute to explain your vote."

Hasara: "Thank you, Madam Speaker. As I mentioned yesterday, there is not a \$10 leeway in a fine. Judges, in most cases, do not assess fine plus cost. A driver convicted of speeding would have a \$100 bill if you charged the cost on top of the fine. So, it is very well-intentioned, but counties are going to end up losing in their general fund if we tack on another \$10 that has to come off of the normally \$50 fine. They're now only getting 27 or less, because we've already tacked on so many surcharges on this."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On the question there are 84 voting 'aye', 20 voting 'no', 8 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 819, Representative Hicks. Mr. Hicks. Clerk, read the Bill."

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Clerk O'Brien: "Senate Bill 819, a Bill for an Act to amend the Horse Racing Act. This Bill's been read a second time previously. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Amendments?"

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

Speaker Breslin: "Mr. Giorgi. Withdraw the Amendment. Any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Cullerton and Hicks."

Speaker Breslin: "Mr. Cullerton."

Cullerton: "Yes, thank you, Madam Speaker. This, if adopted, would become the Bill. What the Amendment does is to modify the Horse Racing Act that we passed about two years ago. Under that Horse Racing Act that we passed, in 1988 the track owners made an additional \$15,000,000. What this Amendment would do would be to increase from 500,000 to 3,000,000 the amount of money that race track owners have to donate to charity. I move for its adoption and be happy to answer any questions."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 3 to Senate Bill 819. On the question, Representative Hicks."

Hicks: "Yes, Madam Speaker, could we take the Bill out of the record just for a minute."

Speaker Breslin: "Out of the record. Senate Bill 983, Representative Curran. Is Mr. Curran here? Do you wish to call this Bill? Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 983, a Bill for an Act to amend the Illinois Development Finance Authority Act. Third Reading of the Bill."

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Speaker Breslin: "Representative Curran."

Curran: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 983, as amended, amends the Illinois Finance Development (sic - Development Finance) Authority by adding several new Sections creating a fund within IDFA to be used to assist minority and female loans in small businesses. Be glad to answer any questions, ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 983. And on that question, is there any discussion? The question is, 'Shall Senate Bill 983...Representative Black, on the question.'"

Black: "Yes, thank you very much, Madam Speaker. I just would rise in opposition to the Bill. I don't think it was...I can't swear to what the intent was when the IDFA bonds were created, but I would question whether or not it was this Body's intent that these bonds be used for noncapital purposes. And I, for that purpose, I would rise in opposition."

Speaker Breslin: "The question is, 'Shall Senate Bill 983 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the question there are 67 voting 'aye', 43 voting 'no'. This Bill having received the Constitutional Majority is hereby declared passed. The next Order is the Order of Government Administration, Third Reading. The first Bill is Senate Bill 392, Representative Matijeovich. The Sponsors of Bills on this Order are Matijeovich, Hoffman, McGann, Munizzi, Capparelli, Hicks and Giorgi, according to my notes. Three ninety-two (392) they say has been done already. So the next Bill is Senate Bill 555, Representative Hoffman. Mr. Hoffman. Out of the record. Senate Bill 1200,

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Representative McGann...has passed already. Thank you. Senate Bill 1374, Representative Munizzi. Have you passed this Bill already? Thirteen seventy-four (1374). Clerk, read the Bill."

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

Speaker Breslin: "Representative Munizzi."

Munizzi: "Thank you, Madam Speaker and Ladies and Gentlemen. Senate Bill 1374 amends the Metropolitan Transit Authority Act. It requires public notice on bidding on contracts for services and public transportation facilities over \$10,000. Now required on such contracts over \$5,000. I ask your affirmative vote."

Speaker Breslin: "We have heard this legislation before. Who rises in opposition? Mr. McCracken."

McCracken: "Thank you, Madam Speaker. We defeated this once before, and I think it's a bad time in the CTA's history to give it greater discretion in awarding no bid contracts. I don't mean to cast any aspersions on the Sponsor; she's certainly acting in the interest of good government. But I just think it's the wrong message to send at this time."

Speaker Breslin: "The question is, 'Shall Senate Bill 1374 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Only vote your own switches. This vote will be verified, if necessary. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the question there are 53 voting 'aye', 56 voting 'no'. This Bill fails to receive the necessary Majority and therefore is declared lost. Senate Bill 1402, Representative Terzich for Representative Capparelli. Out of the record. Senate Bill 1421, Mr. Hicks. Clerk, read the Bill."

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Clerk O'Brien: "Senate Bill 1421, a Bill for an Act in relation to asbestos in schools. Third Reading of the Bill."

Speaker Breslin: "Representative Hicks."

Hicks: "Yes, Madam Speaker, I'd like leave of the Body to take the Bill back to Second for purposes of an Amendment."

Speaker Breslin: "The Gentleman asks leave to return the Bill to Second for an Amendment. Is there any objection? Hearing none, the Bill is on Second. Are there any Amendments filed, Mr. Clerk?"

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

Speaker Breslin: "Mr. Hicks."

Hicks: "Yes, Madam Speaker, Amendment #1 adds a new Section to the Bill. This Section deals with the asbestos in the schools and the liability established by the various manufacturers based upon the respective percent of sales and products in Illinois. I'd be happy to try to answer any questions."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 1 to Senate Bill 1421. Is there any opposition? Hearing none, the question is, 'Shall Amendment 1 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Any further Amendments?"

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

Speaker Breslin: "Mr. Countryman. Mr. Countryman."

Countryman: "The Gentleman is not in the chamber, Representative. The Gentleman... Representative Hicks moves to table Amendment 2. All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and Amendment 2 is tabled. Any further Amendments?"

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

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Johnson."

Speaker Breslin: "Representative Johnson."

Johnson: "I believe this is in proper order now, is that correct? Okay. This establishes the licensing program for all asbestos workers. Creates a board similar to the Waste Labor's Licensing Act. And I move its adoption."

Hicks: "Madam Speaker, I would think that Amendment #3 is not in proper form. I believe, Representative Johnson, Amendment #5 is the correct one."

Johnson: "Four (4) you mean, don't you?"

Hicks: "Five (5)."

Johnson: "Four (4)...5 is the one I want?"

Hicks: "Yes, Sir."

Johnson: "Okay."

Speaker Breslin: "Withdraw #3, Mr. Clerk."

Johnson: "...I withdraw it..."

Speaker Breslin: "Are there any further Amendments?"

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

Speaker Breslin: "Mr. Johnson withdraws Amendment 4. Are there any further Amendments, Mr. Clerk?"

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

Speaker Breslin: "Representative Johnson."

Johnson: "Same speech."

Speaker Breslin: "The question is, 'Shall Amendment 5 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Read the Bill on Third, Mr. Clerk."

Clerk O'Brien: "Senate Bill 1421, a Bill for an Act to amend certain Acts in relation to asbestos in schools. Third

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Reading of the Bill."

Speaker Breslin: "Representative Hicks."

Hicks: "Thank you very much, Madam Speaker. Amendment #1 and Amendment #5 being adopted to it does make changes in the Asbestos Worker License Act. I'd be happy to try to answer any questions concerning the Bill as amended."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1421. On the question, the Gentleman from DuPage, Representative McCracken. Excuse me, Representative Hoffman. Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker (sic - Madam Speaker), Ladies and Gentlemen of the House. I would point out to you that one of the Amendments that has been adopted creates a Licensure Board for the licensing of asbestos workers by the Department of Public Health. Let me tell you that under the adherent Act or the federal legislation that the provisions that we've adopted in legislation that has passed both this House and the other House provides a...for the requirements and the putting in place of the adhered regulations. Now to the best of my knowledge in the contact I've had with what's going on in other states around the country, I don't know of any of the states which have a separate Licensure Worker Act other than the one that is placed in the agency where the responsibility is found, whether it be the... In Oklahoma, it's in the Department of Labor. Here in Illinois, the Governor's designated the Department of Public Health. The necessity of creating a Licensing Board isn't necessary. It's a waste of time and energy. And with all due respect and for whatever the reason the Sponsor introduced this Amendment, it detracts enough from this Bill that it should be defeated."

Speaker Breslin: "Representative Johnson. Mr. Johnson. I'll

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recognize you to explain your vote, if that's okay. The question is, 'Shall Senate Bill 1421 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Johnson to explain his vote. Representative Johnson to explain his vote."

Johnson: "I don't understand the concern for this Bill. The Bill simply creates a board that would parallel the Hazardous Waste Labor's Licensing Act that we passed in 1988. It deals with a very delicate area of people's health, life and safety. And it really is, I think, a modest attempt to try to bring some rationality to the subject matter...along with the base Bill that Representative Hicks has. It seems to make a whole lot of sense to me. I don't understand the concern over it. I think it's a good Bill. It needs to be passed."

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

Pedersen: "Thank you, Madam Speaker. I would just like the Body to know that every major business organization opposes this Bill with Amendment 5. Please vote 'no'."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? Only vote your own switches. This will be verified, if necessary. Have all voted who wish? The Clerk will take the record. On the question there are 62 voting 'aye', 44 voting 'no'. Representative McCracken requests a verification. Poll the absentees, Mr. Clerk."

Clerk O'Brien: "Poll of those not voting. Balanoff. Harris. Shirley Jones. Klemm. Santiago. Stange and Trotter. No further."

Speaker Breslin: "Representative McCracken, Representative Young asks leave to be verified? Young, Williams and Jones. Leave is granted. Proceed with the Poll of the Affirmative. Ladies and Gentlemen, we would ask you to

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raise your hand when your name is called, so that you can be seen. Proceed, Mr. Clerk."

Clerk O'Brien: "Bowman. Breslin. Brunsvold. Bugielski. Countryman. Cullerton. Currie. Davis. DeJaegher. DeLeo. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Granberg. Hannig. Hartke. Hasara. Hicks. Homer. Johnson. Lou Jones. Keane. Krska. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. McGann. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Phelps. Preston. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Steczo. Sutker. Terzich. Van Dwyne. Wait. White. Williams. Wolf. Woolard. Anthony Young. Wyvetter Young and Mr. Speaker."

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

Ronan: "I'd like leave to be verified."

Speaker Breslin: "We have others seeking leave, Mr. McCracken. I'll read off the names and we'll write them down. Representative Ronan. Granberg. Wolf. Keane. Currie. Kulas. Flowers. Bugielski. Leverenz. Shaw and Novak. Gentlemen who wish to change their votes: Vote Curran 'aye'. Representative Balanoff, were you seeking recognition? Vote Balanoff 'aye'. Representative Mautino, for what reason do you seek recognition? Representative Mautino asks to be verified. Add him to the list. Mautino. Representative Mulcahey. Representative Mulcahey asks leave to be verified. Add him to the list. Representative Rice, you wish to change your vote, Sir? Vote Representative Rice 'aye', Mr. Clerk. Representative Curran, for what reason do you seek recognition?"

Curran: "Madam Speaker, I found out that I have a potential conflict of interest and I ask you to vote me 'present' on this issue."

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Speaker Breslin: "I see. Vote the Gentleman 'present'. Representative, there are now 64 voting 'aye'. Do you wish to proceed? Representative McCracken is recognized."

McCracken: "Representative Keane? Ronan was verified. Representative McNamara?"

Speaker Breslin: "Representative McNamara? John McNamara? The Gentleman is in the chamber."

McCracken: "Representative Krska?"

Speaker Breslin: "Mr. Krska? Mr. Krska? The Gentleman is not in the chamber. How is he recorded?"

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

Speaker Breslin: "Remove him."

McCracken: "Representative Lou Jones?"

Speaker Breslin: "Representative Lou Jones? She was verified. Representative Wait, for what reason do you seek recognition?"

Wait: "How am I recorded?"

Speaker Breslin: "You're voting 'aye'."

Wait: "Please change me to 'no'."

Speaker Breslin: "Change Representative Wait to 'no'. Mr. McCracken."

McCracken: "Representative LeFlore?"

Speaker Breslin: "Representative LeFlore is in the chamber."

McCracken: "Representative Morrow?"

Speaker Breslin: "Representative Morrow is in the chamber."

McCracken: "Representative...what about Representative Morrow, did he come off?"

Speaker Breslin: "He's here."

McCracken: "Okay. Representative Munizzi?"

Speaker Breslin: "She's here."

McCracken: "Representative DeJaegher?"

Speaker Breslin: "He's...he's here."

McCracken: "Representative Levin?"

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Speaker Breslin: "He's here."

McCracken: "Representative Bowman?"

Speaker Breslin: "He's here."

McCracken: "Representative Countryman?"

Speaker Breslin: "Mr. Countryman? John Countryman? The Gentle...how is the Gentleman recorded?"

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

Speaker Breslin: "Remove him. Representative Krska has returned to the chamber. Add him to the Roll Call voting 'aye'."

McCracken: "Nothing further."

Speaker Breslin: "Representative Phelps, changes his vote from 'aye' to 'no'. Mr. Turner changes his vote to 'aye'. On the question there are 61 voting 'aye', 46 voting 'no' and 3 voting 'present'...62 voting 'aye'. This Bill having received the Constitutional Majority is hereby declared passed. The next Bill is Senate Bill 1443, Mr. Giorgi. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1443, a Bill for an Act to amend the Intergovernmental Cooperation Act. Third Reading of the Bill."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, I ask that this Bill be placed on the Order of Second Reading for the purpose of an Amendment."

Speaker Breslin: "The Gentleman asks leave to return the Bill to Second for the purposes of an Amendment. Hearing no objection, leave is granted. Are there any Amendments filed, Mr. Clerk?"

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

Giorgi: "Withdraw..."

Speaker Breslin: "Withdraw the Amendment. Any further Amendments?"

Giorgi: "...Up to #6. Withdraw them up to #6."

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Speaker Breslin: "Withdraw 1 through 6, Mr. Clerk."

Giorgi: "We want to use 6. One through 5."

Speaker Breslin: "Oh, excuse me, 1 through 5. Representative Giorgi is recognized on Amendment 6."

Giorgi: "Amendment #6, is an Amendment jointly sponsored by myself and Representative Hallock, and it has to do with a presence at the Northern Illinois University who wants a place in the Rockford area. And we specify the areas that they should be looking into, and that's the intent of the Amendment."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 6 to Senate Bill 1443. On the question, is there any discussion? There being none, the question is, 'Shall Amendment 6 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair the 'ayes' have it and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 1443, a Bill for an Act to amend the Intergovernmental Cooperation Act. Third Reading of the Bill."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, Senate Bill 1443...the main part of the Bill permits a municipality to act as a lead agency in regard to municipal joint action agencies. And the other part of the Amendment is suggesting to the Northern Illinois University where they should seek a site in Rockford. It's sponsored jointly by myself and John Hallock, and I urge the adoption of the Bill."

Speaker Breslin: "Representative Giorgi, in order to present this Bill, has moved this Bill back for an Amendment and thus asks leave to have this Bill heard as amended on Third

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Reading. Hearing no objection, that leave is granted by use of the Attendance Roll Call. He has moved the passage of Senate Bill 1443. On the question, Representative Hallock."

Hallock: "Yes, thank you, Madam Speaker. Representative Giorgi and I have worked on the concepts of this Bill for a long time and I would ask that everybody support the Bill."

Speaker Breslin: "The question is, 'Shall Senate Bill 1443 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Giorgi, for what reason do you seek recognition?"

Giorgi: "I want to thank the Congressman for his support."

Speaker Breslin: "Consider yourself thanked, Mr. Congressman. Representative Hallock."

Hallock: "Well, I've been called worse names."

Speaker Breslin: "Some would not agree in this country. Have all voted who wish? The Clerk will take the record. On the question there are 108 voting 'aye', 1 voting 'no', 4 voting 'present'. The Bill having received the Constitutional Majority is declared passed. Representative Hoffman. Didn't I see Mr. Hoffman on the floor? Mr. Hoffman? Okay. We'll go to the Order of Civic Centers, Second Reading. The first Bill is Senate Bill 169, Representative Keane. Clerk, read the Bill."

Clerk Leone: "Senate Bill 169, a Bill for an Act to amend the Illinois Income Tax Act. Second Reading of the Bill. It's been read a second time previously. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motions filed. Floor Amendment #2 is being offered by Representative Cullerton."

Speaker Breslin: "Were there...withdraw the Amendment. Any further Amendments?"

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

Speaker Breslin: "Representative Wojcik. Representative Keane will present the Amendment. Representative Keane."

Keane: "Madam Speaker, I may be able to help everybody with the Amendments 3, 4 and 5. I have filed Amendment #6 which makes the Bill a vehicle, so I would ask those who have filed 3, 4 and 5 to withdraw the Bills...withdraw Amendments."

Speaker Breslin: "Do you agree to withdraw, Representative Wojcik? Withdraw Amendment 3. Any objection to 4 and 5? Hearing none, withdraw 4 and 5. Mr. Keane is recognized on Amendment 6."

Keane: "Thank you, Madam Speaker. Amendment #6 guts the Bill of content...all contents and makes it a shell Bill."

Speaker Breslin: "The Gentleman moves the adoption of Amendment 6 to make this Bill a shell Bill. Question is, 'Shall Amendment 6 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Keane has already told you that this is a shell Bill. The question is, 'Shall Senate Bill 169 pass?' All those in favor vote 'aye', all those...has the Bill been read a third time?"

Clerk Leone: "Senate Bill 169, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Breslin: "The question is, 'Shall Senate Bill 169 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the question there is

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62 voting 'aye', 43 voting 'no', 3 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. Senate...Representative...Senate Bill 676, Representative Kubik. Clerk, read the Bill."

Clerk Leone: "Senate Bill 676, a Bill for an Act to create the Riverside Civic Center Authority. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motions filed. Floor Amendment #2 is being offered by Representative Black."

Speaker Breslin: "Take the Bill out of the record, Mr. Clerk. Senate Bill 760. Out of the record. On the Order of Revenue, Third Reading, appears Senate Bill 945, Mr. McGann. Clerk, read the Bill."

Clerk Leone: "Senate Bill 945, a Bill for an Act in relationship to financing community facilities. Third Reading of the Bill."

Speaker Breslin: "Representative McGann."

McGann: "Yes. Madam Speaker, I'd ask for leave of the House to take Senate Bill 945 back to Second Reading for the purpose of an Amendment."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second. Does he have leave? Hearing no objection, leave is granted. Are there any Amendments filed, Mr. Clerk?"

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

Speaker Breslin: "Represen...any Amendments?"

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

Speaker Breslin: "Representative McGann."

McGann: "Thank you, Madam Chairman (sic - Speaker), Members of the Assembly. The underlying Bill, Senate Bill 945 which

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passed the Senate 55 to 0, authorizes the Department of Mental Health and Developmental Disabilities to use the proceeds of the seventy-five million state general obligation bonds to make grants for seventy percent of the cost of constructing and improving facilities for the disabled and mentally ill people in order to comply with the OBRA '87. Amendment #1 (sic - #2) simply stated, does three things. One, the Amendment provides the debt service stream to secure the seventy-five million in bonds. Two, the Amendment creates a fund from which the Department can establish and modify alternative institutional...non-institutional living arrangements for mentally ill or mentally retarded persons as required by the Federal Omnibus Reconciliation Act of 1987, and as may be licensed under the Community-Integrated Living Arrangements License and Certification Act, CILA, which we passed last year. Finally, to provide the debt service on the bonds and amounts for the newly created fund, we are following the lead of other states such as New York, Texas and Florida, enclosing a loophole in our state sales tax by exempting January 1, 1990, nonessential foods and dairy products from the current exemption for food from the sales tax. By closing this loophole, we expect to raise approximately enough millions of dollars to take care of the needs which will go a long way in solving our state's lack of residential housing alternatives for those people served by the department. As was stated just two days ago in the Tribune, an article in regards to the tremendous demand that we're going to have to meet within the next couple of years in order to take care of those individuals that have to be moved from nursing homes and have to be placed in some type of living arrangement, this is an obligation that the state has in order to collect federal

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funds. I would ask for adoption of this Amendment #2 to Senate Bill 945."

Speaker Breslin: "...Excuse me, Representative McGann...Representative McGann, I'm sorry to interrupt you, but your Amendment has not been printed and distributed. We will try to get it up here and have it printed and distributed as quickly as possible."

McGann: "I'm sorry, the Amendment was distributed."

Speaker Breslin: "It is not on file as having been distributed. So I am going to request that you take it out of the record at this time..."

McGann: "Fine."

Speaker Breslin: "...And I hope people will remember what the Amendment did by the time we come back to it."

McGann: "Thank you. Thank yo, Madam Speaker...thank you..."

Speaker Breslin: "Thank you, Representative McGann. Out of the record. Senate Bill 1094, Representative Granberg. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1094, a Bill for an Act in relationship to economic development. Third Reading of the Bill."

Speaker Breslin: "Representative Granberg. Mr. Granberg, proceed with your Bill at this time."

Granberg: "Thank you, Madam Speaker, Members of the House. Senate Bill 1094 we took out of the record earlier...later this morning at the request of Members across the aisle. We've addressed this issue. I believe we've satisfied Representative Black, Representative McCracken and others, and I would ask to pass Senate Bill 1094."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1094. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 1094 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final

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passage. Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no'. This Bill having received the Constitutional Majority is hereby declared passed. And now Representative McGann, we will go back to your Bill, Senate Bill 945. The Bill is on the Order of Second Reading. Representative McGann had just explained the Amendment. The Amendment, Representative Hultgren, has been printed and distributed. Would someone give their copy to Representative Hultgren. Representative McGann has already described the Amendment to you. Who rises in opposition? Represen...there's three people seeking recognition, Representative Frederick and Representative McCracken. Representative McCracken."

McCracken: "Thank you, Madam Speaker. I reluctantly rise in opposition, because I know of the Sponsor's good intention. He wants to fund federal requirements requiring the integrated living of the developmentally disabled. However, federal regulations have not even yet been issued on that, to give us a good estimate of what is necessary in order to comply with federal law. This also, although it might be called a loophole that it closes, could also be construed as a tax increase, because it would tax under the sales tax candy; confectionery and ice cream. That is estimated to raise approximately forty-six million dollars in revenue, and for that reason, could be construed as a forty-six million dollar tax increase. I respectfully rise in opposition and encourage my colleagues to oppose the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 945. I would ask others to speak in explanation of vote if that's acceptable. The question...Representative McGann, to close."

McGann: "Thank you, Madam Speaker. As well-intentioned as the

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previous speaker, he is somewhat in error in regards to federal regulations. In our committee hearings it was very, very clear that even though these are temporary rules that have been promulgated by the federal government, they are in place and they will be in place and the demands will come upon the people of the State of Illinois. We must not ignore that. And it is not a tax increase, it's closing a loophole that should never have existed and these dollars are needed in order to take care of this problem. And let me say one more thing before I close. If this money doesn't come in this area here on this tax exemption, be assured that everyone in this Assembly, my fellow colleagues, it's going to be stolen and used for something else. This is a worthy cause. This is a cause you can come back to your districts and tell the reasons why you voted for this here to take...cover this loophole and they will be pleased to support you, because if it's not it's going to be stolen by someone else. This idea that was originated with ourselves in our committee, will be stolen. I ask you for approval and adoption of Amendment #2."

Speaker Breslin: "The question is, 'Shall Senate Bill 945...or shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'no'. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Frederick, do you want one minute to explain your vote? No. Have all voted who wish? A majority of those voting is required for the adoption of the Amendment. Have all voted who wish? Only vote your own switches. Have all voted who wish? The Clerk will take...Representative Hicks would like to be recorded as voting 'no'. The Clerk will take the record. On the question there are 51 voting 'aye', 59 voting 'no' and 1 voting 'present'. Representative McGann, for what reason

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do you seek recognition?"

McGann: "Let's poll the negative votes, please."

Speaker Breslin: "Well...the Gentleman wishes to verify the negative. Poll the negative votes, Mr. Clerk."

Clerk Leone: "Poll of those voting in the negative. Ackerman. Barger. Barnes. Black. Churchill. Countryman. Cowlshaw. Daniels. DeJaegher. Deuchler. Didrickson. Doederlein. Edley. Ewing. Flinn. Virginia Frederick. Goforth. Granberg. Hallock. Hasara. Hensel. Hicks. Hoffman."

Speaker Breslin: "Excuse me, Mr. Clerk. Representative Barger asks leave to be verified of voting 'negative'. Leave is granted. Representative Ronan, for what reason do you seek recognition?"

Ronan: "Madam Speaker, I'm voting 'present', but as a personal request from Representative McGann, I changed to 'aye'."

Speaker Breslin: "Change Representative Ronan to 'aye'. Proceed, Mr. Clerk. Representative McGann. Representative McCracken and Black ask leave to be verified. That is granted. Proceed, Mr. Clerk."

Clerk Leone: "Continuing with the poll of the negative. Didrickson. Doederlein. Edley."

Speaker Breslin: "Excuse me, Mr. Clerk. Representative Pedersen asks leave to be verified. Leave is granted. Proceed, Mr. Clerk."

Clerk Leone: "Ewing. Flinn. Virginia Frederick. Goforth. Granberg. Hallock. Hasara. Hensel. Hicks. Hoffman. Homer. Hultgren. Johnson. Kirkland. Kubik. Leitch. Leverenz. Mautino. Mays. McAuliffe. McCracken. Mulcahey. Novak. Robert Olson. Parcells. Parke. Bernard Pedersen. William Peterson. Petka. Phelps. Piel. Pullen. Regan. Richmond. Ropp. Ryder. Sieben. Stephens. Tate. Wait. Weaver. Weller. Wennlund."

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Williamson. Wojcik and Zickus."

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

Kulas: "Madam Speaker, record me as 'aye'."

Speaker Breslin: "Record Representative Kulas as 'aye'. Record Representative Robert Olson as 'aye' and Representative Stephens asks leave to be verified. That is granted. Do you have any questions, Representative, of the negative?"

McGann: "Yes. Madam Speaker, thank you. Representative McAuliffe?"

Speaker Breslin: "Mr. McAuliffe? Representative McAuliffe? How is the Gentleman recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'no'."

Speaker Breslin: "Remove him."

McGann: "Representative Richmond?"

Speaker Breslin: "Representative Richmond? Mr. Richmond? How is the Gentleman recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'no'."

Speaker Breslin: "Remove him."

McGann: "Representative Johnson?"

Speaker Breslin: "Representative Johnson? Mr. Johnson? He's in the chamber."

McGann: "Representative Pullen?"

Speaker Breslin: "Representative Pullen, is in the chamber."

McGann: "Representative Harris?"

Speaker Breslin: "Representative Harris? David Harris? How is the Gentleman recorded?"

Clerk Leone: "The Gentleman is not recorded as voting."

Speaker Breslin: "He's not recorded."

McGann: "Representative Kirkland?"

Speaker Breslin: "Mr. Kirkland is in the chamber. Excuse me. Representative Keane, for what reason do you seek recognition? Vote the Gentleman 'aye', Mr. Clerk.

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Proceed, Mr. McGann."

McGann: "Representative Hoffman?"

Speaker Breslin: "Representative Hoffman is in the chamber and Representative Richmond has returned to the chamber. Add him to the Roll Call voting 'no'."

McGann: "Representative Weller?"

Speaker Breslin: "Representative Weller? Mr. Weller is in the chamber."

McGann: "Okay. Representative Stange?"

Speaker Breslin: "Representative Stange? Mr. Stange? The Gentleman's not voting."

McGann: "Representative Countryman?"

Speaker Breslin: "Mr. Countryman is in his chair."

McGann: "Representative Barnes?"

Speaker Breslin: "Representative Barnes is in her chair."

McGann: "Representative Williamson?"

Speaker Breslin: "Representative Williamson? Representative Williamson is in the chamber."

McGann: "Representative Hicks?"

Speaker Breslin: "Mr. Hicks? Representative Larry Hicks? The Gentleman is in the chamber."

McGann: "Representative Stephens?"

Speaker Breslin: "Mr. Stephens was veri...was given leave."

McGann: "Representative Regan?"

Speaker Breslin: "Representative Regan? Bob Regan is in the chamber."

McGann: "Representative Pedersen?"

Speaker Breslin: "Representative Pedersen was given leave."

McGann: "Representative Leverenz?"

Speaker Breslin: "Representative Leverenz. Mr. Leverenz is in the chamber."

McGann: "Representative Flinn?"

Speaker Breslin: "Mr. Flinn? Monroe Flinn. How is the Gentleman

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recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'no'."

Speaker Breslin: "Remove him."

McGann: "Representative Granberg?"

Speaker Breslin: "Representative Granberg? Kurt Granberg's in the chamber. Representative McAuliffe has returned to the chamber. Add him to the Roll Call."

McGann: "Representative Edley?"

Speaker Breslin: "Add him to the Roll Call voting 'no'. Representative Edley is in his chair. Monroe Flinn has returned to the chamber. Add him to the Roll Call voting 'no'. Any further questions? Representative Woolard changes his vote from 'aye' to 'no'."

McGann: "No further."

Speaker Breslin: "On the question there are..."

McGann: "Hold it. Hold it just one moment."

Speaker Breslin: "Representative Hannig."

McGann: "Hold it. Hold it. Hold it one minute, Madam Speaker."

Hannig: "Could I be recorded as 'no', please?"

Speaker Breslin: "Change Representative Hannig to 'no' and Representative McNamara to 'no'."

McGann: "No further."

Speaker Breslin: "And Representative Keane to 'no'. Representative Farley, how do you wish to vote? 'No'. Change him to 'no'. Change Representative Breslin to 'no'. Representative Balanoff to 'no'. Representative Curran, 'no'. Representative Hartke, 'no'. Representative Hartke. Representative Bowman, 'no'. Terzich, 'no'. Bugielski, 'no'. Rice, 'no'. Van Duyne, 'no'. Turner, 'no'. Flowers, 'no'. Jones, 'no'. Lou Jones, 'no'. Myron Olson, 'no'. Representative Morrow, 'no'. Mr. Preston, 'no'. Mr. Shaw, 'no'. Robert Olson, 'no'. Williams, 'no'. Lang, 'no'. Sutker, 'no'. LeFlore, 'no'. Munizzi,

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'no'. White, 'no'. Dunn, 'no'. Stern, 'no'. McPike, 'no'. Brunsvold, 'no'. Mr. Young, 'no'. Good job, Mr. Clerk. Twenty-three voting 'aye', 91 voting 'no'. The Amendment fails. Representative McGann, do you wish to proceed with the Bill without the Amendment?"

McGann: "Madam Speaker, I understand...can I get a ruling from the Chair, how many votes will it take..."

Speaker Breslin: "It will take 71 votes to pass this Bill."

McGann: "Alright. Inasmuch as it will take 71 votes and it's the feeling of this House...but this is going to come back to all of us to haunt us. This idea is going to be stolen and be used for some big, big projects in this state, when it should really be used to help the mentally handicapped and comply with OBRA. Inasmuch as that, I will take it out of the record. Thank you."

Speaker Breslin: "Out of the record. On the Order of Environment and Natural Resources, Third Reading, appears Senate Bill 1086, Representative Currie. Out of the record. Senate Bill 1379, Mr. Balanoff. Is Representative Balanoff... Out of the record. On the Order of Civil Law, Third Reading. Representative Peterson has a Bill, Senate Bill 1466. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1466, a Bill for an Act creating the Second 1989 Revisory Act. Third Reading of the Bill."

Speaker Breslin: "Representative Peterson. Mr. Peterson."

Peterson: "Thank you, Madam Speaker. Senate Bill 1466 is proposed by the Legislative Reference Bureau. It makes non-substantive technical changes, combines multiple Sections amended by the 85th-86th General Assembly. It renumbers Sections to eliminate duplication. I ask for passage of Senate Bill 1466."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 1466. Does anyone rise in opposition? The Gentleman

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from Vermilion, Representative Black."

Black: "Just an inquiry of the Chair, Madam Speaker. Our files indicated we already voted on this and it passed 114 to zip."

Speaker Breslin: "Representative Peterson, is he correct?"

Peterson: "We did pass this Bill, but there was a Motion made on the prevailing side to put it back on Third Reading. So, it's back on Third Reading."

Speaker Breslin: "So there was a Motion made to reconsider the vote by which it passed. That Motion carried. The question is, 'Shall Senate Bill...Representative Homer, on the question.'"

Homer: "Inquiry. Are there any Amendments on the Bill?"

Speaker Breslin: "Mr. Clerk, are there any Amendments adopted to the Bill?"

Clerk Leone: "There are no House Amendments on the Bill."

Speaker Breslin: "Representative Peterson, it's the understanding that the Bill needs an Amendment. Would you take the Bill out of the record for the moment? Representative Peterson."

Peterson: "Yes."

Speaker Breslin: "Okay. Out of the record. Ladies and Gentlemen, we need to correct the record. Representative McGann and Representative McCracken and others, the Chair previously indicated that Senate Bill 945 that we just dealt with, would require 71 votes for passage. The Chair was incorrect. The Bill only requires 60 votes for passage. If it is the Gentleman's desire to call the Bill, we certainly will do so. Excuse me. On that question, Representative Black, did you have a comment?"

Black: "Just an inquiry of the Chair. What was the rationale behind the reversal of your earlier decision?"

Speaker Breslin: "The Bill is a transfer of bonding authority,

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not an increase in bonding authority. Since the limit remains the same, we don't need 71 votes for passage. What is your pleasure, Representative McGann?"

McGann: "Madam Speaker, I would ask to have the Bill called."

Speaker Breslin: "Senate Bill 945. Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 945, a Bill for an Act in relationship to financing community facilities. Third Reading of the Bill."

Speaker Breslin: "Representative McGann."

McGann: "Thank you, Madam Speaker."

Speaker Breslin: "Tell us, Representative McGann, just what the Bill does and hopefully we can take a Roll Call on it."

McGann: "I stated...I've stated that the Bill..."

Speaker Breslin: "One more time."

McGann: "Madam Speaker, Senate Bill 945 which passed the Senate 55 to 0, authorizes the Department of Mental Health and Developmental Disabilities to the use of the proceeds of the seventy-five million dollars in general obligation bonds to make grants for the seventy percent of the cost of constructing and improving facilities for the disabled, mentally ill people in order to comply with OBRA '87. I would just ask for passage of this piece of legislation. I know that there are Members on this floor that are advocates for the mentally ill. There are others...some that say, some do action, some do not, that's up to their own personal view, but we need this type of legislation in order to comply with OBRA '87. Very, very important. We have to start someplace. There's something like 13 to 20 thousand people out there in nursing homes that are going to have to go into local arrangements, otherwise we will lose total dollars with the Federal Government. I ask for 60 'green' votes. I thank you for your support."

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

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Senate Bill 945 without that Amendment that was just previously debated, so speak to this Bill without that Amendment. Does anyone rise in opposition? The Lady from Lake, Representative Frederick."

Frederick: "Yes. Thank you, Madam Speaker. Could I please ask the Sponsor a question?"

Speaker Breslin: "He will yield to a question."

Frederick: "Representative, can you tell me now without tax on candy and ice cream, what will guarantee the bonding authority that you intend to add to this Bill."

McGann: "Well, certainly I have given a good effort both in committee and on the floor here to get comparative funding to handle the debt service. Now, that is not available. I was not having a sales tax increase, I was having an exemption removed which should be removed and will be removed for other purposes. So, we don't have anything now, so I'm going to have to rely on the Governor to find 7.5 million dollars a year to take care of the debt service on this bonding, and I would try to work it out with the Governor, as much as I could not work it out with the Legislature."

Frederick: "Alright. Thank you, Representative. I do support your program, and it is a good one, but my concern I guess is the funding mechanism. Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 945 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Olson, one minute to explain your vote."

Olson, B.: "I wanted to question, Madam Chairman (sic - Speaker)."

Speaker Breslin: "You might like to ask your question and if it's a yes or no answer, it could be done."

Olson, B.: "Representative McGann, does this have anything to do

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with funding the testing required under OBRA?"

McGann: "Pardon me. Repeat that."

Olson, B.: "Does this Bill have anything to do with financing the testing required under the OBRA Program? The testing of our patients?"

McGann: "No. No, it does not."

Olson, B.: "Thank you."

McGann: "It's only building..."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 76 voting 'aye', 31 voting 'no', 3 voting 'present'. This Bill having received the Constitutional Majority is hereby declared passed. The next order is the Order of Criminal Law, Third Reading. Senate Bill 302, Representative Cullerton. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 302, a Bill for an Act to amend an Act in relation to criminal identification. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes. Thank you, Madam Speaker, Ladies and Gentlemen of the House. I believe this Bill is noncontroversial, after its...Amendment #5 has been adopted. And it just would indicate that the Criminal...Illinois Criminal Justice Information Authority to make available compilations published by the authority of crime statistics required to be reported by each policing body of the state. And the effective date is July 1st, 1991, which was at the request of the Criminal Justice Information Authority. Move for its passage."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 302. Who rises in opposition? There being none...the Gentleman from Will, Representative Petka."

Petka: "Will the Sponsor yield for a question?"

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Speaker Breslin: "He will. He will."

Petka: "Representative, does the City of Chicago...the police department in the City of Chicago require during its reporting on investigations, the sexual orientation to be specified in its police reports?"

Cullerton: "I don't know."

Speaker Breslin: "The Gentleman does not know the answer to your question."

Petka: "What is the purpose of changing the reporting requirements from the Illinois State Police to the Criminal Information Authority?"

Cullerton: "The Illinois Criminal Justice Information Authority is the more appropriate agency that has these statistics on computer. It was their request...they worked out an agreement with the Department of State Police, but they did ask for a delayed effective date which we have done with Amendment #5. So both the State Police are in favor of this and the Criminal Justice Information Authority."

Speaker Breslin: "The question is, 'Shall Senate Bill 302 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final passage. Have all voted who wish? The Clerk will take the record. On this question there 65 voting 'aye', 47 voting 'no'. This Bill having received the Constitutional Majority is hereby declared passed. Senate Bill 559, Representative Petka. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 559, a Bill for an Act to amend the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Breslin: "Representative Petka."

Petka: "Thank you, very much, Madam Speaker. Like leave to return this to Second Reading for an Amendment."

Speaker Breslin: "The Gentleman asks leave to return this to Second. Does he have leave? Hearing no objection, leave

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is granted. Are there any Amendments filed, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Petka and McCracken."

Speaker Breslin: "Mr. Petka."

Petka: "Thank you, very much. Floor Amendment #1 simply puts in a provision which would permit counties whose population is in excess of three hundred thousand but less than a million, to have three separate grand juries...or up to three grand juries to sit for a period of not to exceed eighteen months. The purpose for this Amendment is to permit those counties, because of their population and because of stresses which have been placed on the Criminal Justice System, to perhaps enjoy the seating of more than one grand jury as now is enjoyed by the County of Cook. And I move for the adoption of Amendment #1."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 1 to Senate Bill 559. On the question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. I rise to support the Gentleman's Motion. This allows for more grand juries to be convened in DuPage and Will County where there's been a tremendous increase in crime."

Speaker Breslin: "The question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative McCracken and Petka."

Speaker Breslin: "Representative Petka."

Petka: "Thank you very much, Madam Speaker. Floor Amendment #2 simply seeks to remove from the Court of Criminal Procedure the election of 7-10 or 14-10 probation, where the amounts of the controlled substance exceed five grams, or exceeds

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10 parts where we're dealing with the controlled substance of LSD. I move for its adoption."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment 2 to Senate Bill 559. On the question, the Gentleman from Cook, Representative Williams."

Williams: "Yes. Thank you, Madam Speaker. I rise in opposition to the Amendment. What the Gentleman is trying to do. And I think that in many instances what we're dealing with especially with a crowded docket system, many of these people may be first offenders. There's such a thing as a 14-10 probation. You're limiting their ability to grant probation in certain instances...get probation in certain instances, especially when there may be violent crimes that's going on. The prison system is over-crowded. I'm curious what the...if there is such a thing as a fiscal...prison impact on this, when I'm certain this will make a big difference. I would ask everybody to realize that we're about to basically say, 'Even if you're a first offender, you have no ability to get probation in many instances that are less than what we would call absolutely hideous crimes'. I urge a 'no' vote."

Speaker Breslin: "The question is, 'Shall Amendment #2 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Mr. Petka to explain his vote. One minute."

Petka: "Thank you very much, Madam Speaker. This would not eliminate the ability of a court to grant 7-10 or 14-10 probation and as a matter of fact, in those instances where it's less than five grams, the court still retains the ability. Also, it is a fairly common practice especially in the larger counties, to...where plea negotiations are entered into for precisely the type of disposition of 7-10 or 14-10."

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Speaker Breslin: "Mr. Clerk, take the record. On this question there are 86 voting 'aye', 19 voting 'no'. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Read the Bill on Third."

Clerk O'Brien: "Senate Bill 559, a Bill for an Act in relation to narcotic drugs. Third Reading of the Bill."

Speaker Breslin: "Mr. Petka, have you thoroughly described the whole Bill at this time?"

Petka: "I would hope so, Madam Speaker. I simply urge for its passage."

Speaker Breslin: "Okay...the Gentleman has...we're on Third Reading, Mr. Clerk, on Senate Bill 559. The question is, 'Shall Senate Bill 559 pass? All those in favor...Representative Williams, we have already had the Bill explained at one time. Okay. The Gentleman indicates that he has...he has already explained it, but we will recognize him to explain it one more time. Representative Petka. The Gentleman's recognized to explain the vote...the Bill. Representative Petka."

Petka: "Thank you very much. First of all, the Bill provides that a pilot project will be established in one court in Cook County and one court in DuPage County, to permit drug testing of defendants. Under this pilot program, a defendant under certain circumstances where he is charged with a felony offense involving either cannabis or controlled substance, before he may be released on a recognizance bond; that is a bond where he's basically signing his name to be released, could be required as a condition of his bail to consent to drug testing. And there are provisions in this Bill which would prohibit the defendant's release, unless that consent is given. It also would permit the court to consider the defendant's consent

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or lack thereof to testing when setting bail. And the drug testing program basically is set out in the Bill and the other Amendments have already been explained."

Speaker Breslin: "Representative Petka, I am informed that since the Bill was on Third Reading and was brought back to Second and an Amendment was adopted, that leave must be granted in order for the Bill to be heard. Is leave granted? Leave is not granted. The question is, 'Shall leave be granted?' All those in favor vote 'aye', all those opposed vote 'no'. Sixty votes are required...71 votes are required. Representative Matijevich, do you seek recognition on this question? No. Have all voted who wish? The Clerk will take the record. On this question there are 83 voting 'aye'...82 voting 'aye', 17 voting 'no' and leave is granted. Excuse me, Representative Petka, now have you explained the whole Bill?"

Petka: "Yes, I have."

Speaker Breslin: "Very good. The Gentleman has moved the passage of the Bill. Representative Williams will speak in opposition."

Williams: "Yes, Ladies and Gentlemen, of...I about said the jury, but, of the Assembly, this is probably one of the most ill-founded pieces of legislation, to use Tom McCracken's use of my description of my Bills, that we've ever come across. What we're talking about here...now we're not talking about anyone who's convicted of any crime, we're talking...and we're not even talking about drug crimes per se. This says, and please listen up, 'Anyone who's been arrested for a felony, any felony, and if they don't have the money to pay their bail, they get a recognizance bail, maybe they've...maybe they get an 'odd' bond, not because they don't have the money, but because they're eligible for one, have to submit to drug tests, which...and if in fact

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is not a convicted person, they fail that test at some point after getting the bond, they can be locked up in jail for five days. We're not talking about a person who's locked up for selling drugs, we're not talking about a person who has done basically anything. It's just that if you have a felony you must take a drug test, if you're going to get an 'odd' bond, even though you may be eligible for it. You got to keep coming back as a condition while you're waiting trial, not probation as you've been convicted and you're on probation, this is a person who has not been to trial, he has to take the test. If he fails the test, they lock him up in jail even though the underlying crime might have had nothing to do, whatsoever with the use or sale or anything else to do with drugs. There are a lot of little bitty felonies out here, residential burglaries, all these other things. You're locking people up. This has a prison impact statement of the pilot project of over a million dollars. We're going to spend a million dollars to lock innocent people up in jail prior to their conviction for a condition of bail which is questionably not constitutional. I think this is one of the really worse concepts that we can come across and really hope that this...and I know, and I know everybody in here is hard on crime and I know you want to lock up as many people as you want to...as you think...as Representative Cullerton once said to me, 'We have...if we keep looking hard enough, we'll find some human act that we haven't made a crime yet and we'll make it a crime'. But we're locking people up, not even for the crime, but while they are waiting to be sentenced. At least before we lock them up, let's make sure that they have a trial. I really urge you to think about this and I really urge you to vote 'no' on this piece of legislation. I think this is one of

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the worse things we can do, is not give a person...they don't need the trial, they don't need anything. You just lock them up while they wait trial, because they failed the drug test. And if you think that's fair...I urge a 'no' vote."

Speaker Breslin: "There are several people seeking recognition. I would ask if it would be possible for us to go to a Roll Call and you could all explain your vote. Is that okay for those who are seeking recognition? The question is...the question is, 'Shall Senate Bill 559 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Matijeich, one minute to explain your vote."

Matijeich: "Well, I would hope because we didn't get to...get to debate the Bill, you would at least extend that past a minute..."

Speaker Breslin: "Surely. Surely."

Matijeich: "...Because I was going to ask the Gentleman what the cost would be for these two experimental projects, and I believe that with the Amendments too, it's going to be even more than that. We're used to, in the Legislature, of mandating pretrial services and having served on the Appropriations Committee, I find that then we don't fund those pretrial services and so the court has to get down on their knees and beg for funds and we don't always give it to them. Now the other problem is, is a problem that Representative Williams eluded to, and that is, I think in America one is presumed innocent. I just think that's fundamental and that's constitutional. I don't think that anybody ought to prove their innocence, they are presumed..."

Speaker Breslin: "Proceed, Representative Matijeich."

Matijeich: "...They ought to be presumed innocent. This is

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America. This is still America. I think I'm tough on drug pushers. I'm tough on people who try to poison the minds of young, but this Bill has nothing to do with those who might even be related to drug crimes, it's any crime and they may be innocent. You are telling them they got to take a test no matter what. I think that's a bad policy. I'm...surely believe it's unconstitutional, but why should we even take the chance to find out if it's unconstitutional. I would urge you to vote 'no' on this."

Speaker Breslin: "Representative Petka, to explain your vote."

Petka: "Thank you, very much, Madam Speaker. I was hoping I would have an opportunity to close...to directly respond to Representative Williams in a very eloquent position that he has stated here on the House floor. There's a couple of things that I think have to be pointed out. First of all, this proposal originated from a court ordered program in Washington D.C., that basically sought to establish a link between drugs and the commission of crimes, especially violent crimes. Preliminary indications have indicated that the rearrest rate in Washington D.C. for program...for people who have been placed on this special program has diminished by a factor of seventy percent, 70 percent. The treatment alternatives to street crime, something known as TASK, well-known to prosecutors and defense attorneys alike in this state, conducted a quarterly testing program in Cook County night court and they found a significant link between drug use, drug abuse and criminal activity. That is really foolish to think that...and thank you, very much, Madam Speaker. It is really foolish to think that things should be confined merely to crimes related to drugs. It is a well-known fact...you can talk to any investigator worth his salt, especially in the metropolitan areas, who will tell you there is a direct link between the use and

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abuse of drugs in the commission of crimes, especially crimes against property where people are stealing to support their drug habit. So, what we're attempting to do here on a pilot basis, not every single person in Cook County or DuPage County, but in only certain limited courts, and that is two courts that will be designated by the Chief Judges, that show and to see if in fact the experience of veteran detectives and street police officers is correct, and that is that there is a certifiable link between the commission of crimes and the use and abuse of drugs and that's what it's all about. As far as the unconstitutionality, we passed a Constitutional Amendment in this state at...which basically would deny the right of bail to certain people. Now this doesn't deny the right of bail, it simply is a factor in certain instances that can be used to deny the right of bail. I would urge this...the adoption of this..."

Speaker Breslin: "Representative Stephens, to explain your vote."

Stephens: "Well, thank you, Madam Speaker, Ladies and Gentlemen of the House. I don't understand that being tested is an equivalent to being found guilty. It's nothing of the sort. And I'm amazed when I look at the board, I see some Representatives who, if the statistics I see come from cities that have a very high crime rate and it seems as if they're not interested in dealing with that issue, it's almost as if they don't want to lose any constituents to the prison system. I'm just amazed. It seems like it should be just the opposite. Those should be the 'green' votes and maybe some of the Representatives who have low crime areas would have less of an interest in a Bill like this. If you want to help deal with the problems of crime in the inner city and those areas that are most stricken, it just seems more than obvious to me that a 'green' vote

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is a proper vote."

Speaker Breslin: "Representative Dunn, to explain your vote."

Dunn: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. One of the early speakers reiterated what has been the constitutional provision of this country for two hundred years..."

Speaker Breslin: "Proceed, Representative Dunn."

Dunn: "...And that is that your innocent until you're proven guilty. For God's sakes, if Tiananmen Square had not happened, maybe you would be obtuse enough to ignore this point, but can't you remember what happened in Tiananmen Square just days ago? The reason those people were run over, the reason they were arrested, is because they have no individual rights and freedoms. For God's sake, that's what this country is about. Can't you understand what you're doing here? You're beginning to slam the door on individual rights and freedoms. For God's sake, kill this bad Bill."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On the question there are 54 voting 'aye', 44 voting 'no'. Representative Petka, what is your desire?"

Petka: "...tee's on this..."

Speaker Breslin: "Pardon me?"

Petka: "I wish to just poll the absentees."

Speaker Breslin: "Oh, poll the absentees, Mr. Clerk."

Clerk O'Brien: "Poll of those not voting. Harris. Klemm. Santiago. Stange and Woolard. No further."

Speaker Breslin: "Fifty-four voting 'aye', 44 voting 'no'. This Bill fails to receive the necessary Majority in order to be declared passed. No demonstrations, please. Senate Bill 1221, Representative Cullerton. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1221, a Bill for an Act in relation to criminal law. Third Reading of the Bill."

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Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This amends the Criminal Code, adds the Freedom From Violence and Enjoyment of Legal Rights Article to the Criminal Code, amends the offense of ethnic intimidation, changes the factors in aggravation and sentencing, establishes civil causes of action for persons subject to harassment due to the factors listed in the ethnic intimidation statute. This Bill increases the criminal penalty for ethnic intimidation from Class A to a Class IV, and the Bill is supported and sponsored in effect by the Cook County State's Attorney's Office who has asked that the Bill be passed. Move for it's passage."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1221. Does anyone rise in opposition? Mr. Johnson."

Johnson: "Well, Representative Countryman did a...Cullerton did a very good job of acting like this is just a regular Bill. But this isn't just a regular Bill, this is a...more than a Homosexual Right's Bill. It's a Forced Imposition of Homosexuality 'On the Public Bill' and it should be defeated by even stronger margins than what we defeated some of the predecessor Bills with respect to just gathering statistics. This Bill creates a select category for homosexuals in our criminal justice system and it provides such vague references, that nearly any action one would take towards a homosexual would be subject to extreme criminal penalties. This is a dangerous Bill. It puts unfairly and absurdly in my judgment, homosexuality in the same category of protection that it does legitimate minorities. It's a ridiculous concept with a very good Sponsor, my good friend Representative Cullerton, and it should be overwhelmingly defeated by Members of this

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General Assembly; who think that even introduction of Bills like this carry us far beyond what any of our constituents really intend us to do. This is a bad Bill and it ought to be defeated."

Speaker Breslin: "Representative Cullerton, you're recognized to close."

Cullerton: "Well, I didn't know the Bill did all that. I thought it was the State's Attorney's Bill that increased penalties. So, if you want to vote against the State's Attorney of Cook County, fine, vote 'no', if you want to vote for him, vote 'yes'."

Speaker Breslin: "The question is, 'Shall Senate Bill 1221 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Sixty votes are required for passage, even of a State's Attorney's Bill. Representative Lang, one minute to explain your vote."

Lang: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. You're making a very serious mistake with all these 'red' votes. This Bill has nothing to do with homosexuality. This Bill has to do a lot with ethnic intimidation, it has a lot to do with the problems of race, it has a lot to do with the problems of the handicapped. The Bill is designed to increase penalties to people who are discriminated against because of their race, because of their handicap, because of their religion. If it keeps us from discriminating against all people in the state and perhaps including homosexuals, so be it. This Bill is for human rights and for people's rights and I urge you to reconsider your votes and vote green."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 32 voting 'aye', 74 voting 'no' and the Bill fails. Senate Bill 1315, Representative Petka. Clerk."

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read the Bill."

Clerk O'Brien: "Senate Bill 1315. This Bill was held on Second Reading."

Speaker Breslin: "Representative...Mr. Clerk, what's the hold up?"

Clerk O'Brien: "This Bill was held on Second Reading previously. Amendments #1 and 2 were adopted in committee...or previously. Floor Amendment #3, offered by Representative Petka."

Speaker Breslin: "Representative Petka, on the Amendment."

Petka: "Thank you again, Madam Speaker. Amendment #3 changes the penalty for a Class I felony, which is defined in the Bill as an aggravated battery with a firearm, by reducing the maximum penalty that can...for that provision, from forty years to thirty years. The reason for the change was simply to remedy a possible constitutional defect that might arise, and I urge the adoption of this Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 3 to Senate Bill 1315. Who rises in opposition? Is there any opposition? There being none, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, the Amendment is adopted. Are there any further Amendments? Are there any further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Representative Petka, a prison impact note has been filed on this Bill. The Bill must remain on the Order of Second Reading. We are now going to a Special Call. Ladies and Gentlemen. Ladies and Gentlemen. We are going to a Special Call on the Order of State Government Administration. The first Bill appears on page 6 on your Calendar, it is Senate Bill 60. Representative Hicks. Mr.

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Hicks. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 60, a Bill for an Act in relation to financial services. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

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

Clerk O'Brien: "Senate Bill 60, a Bill for an Act in relation to financial services and the investment of funds. Third Reading of the Bill."

Speaker Breslin: "Representative Hicks."

Hicks: "Thank you very much, Madam Speaker. Senate Bill 60 is a commissioner of bank's Bill. It deals with certain investment of the public funds by public agencies and eliminates requirements of that...public agency having to do with undivided interest in the assets of any bank. Be happy to try to answer any questions."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 60. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 60 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the question there are 110 voting 'aye', none voting 'no'. This Bill having received the Constitutional Majority is declared passed. Senate Bill 63, Representative Richmond. It appears on page 6 on your Calendar. Is Mr. Richmond in the chamber? Representative Cullerton, would you please hand this Bill...handle this Bill for Representative Richmond? Excuse me, Representative Richmond is back. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 63, a Bill for an Act concerning use of state funds. Second Reading of the Bill. No Committee

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Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Read the Bill."

Clerk O'Brien: "Senate Bill 63, a Bill for an Act concerning use of state funds to strengthen the production of agricultural programs in Illinois. Third Reading of the Bill."

Speaker Breslin: "Representative Richmond."

Richmond: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Very briefly, this Bill authorizes expenditure of state funds to enlarge, improve and sustain the publicly supported programs of adaptive research as they relate to production of agriculture in Illinois. And it involves allocations to U of I agricultural experiment station, SIU College of Agriculture, WIU Department of Agriculture and SIU Department of Agriculture. It's supported...endorsed by the Department of Agriculture, and I ask for your support."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 63. Does anyone rise in opposition? The Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Madam Speaker. Will the Gentleman yield for a question?"

Richmond: "Yes."

Speaker Breslin: "He will."

Mays: "When this Bill passed the House, or a Bill very similar to this passed the House, I think the price tag on it at that time was a quarter of a million dollars. What's the price tag on this Bill?"

Richmond: "An appropriation of two million in the start up and four million in operating funds will be sought from the AG Premium Fund. This has already been arranged for in the budgeting process in the Senate as I understand."

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Mays: "Well, that was one of the questions. I think the Department of Agriculture's budget is coming back over here with six million dollars to initiate this program, and I thought it was suppose to be a quarter of a million dollar program when we passed it out of here? These are AG Premium Funds or GR?"

Richmond: "GRF."

Mays: "That's what I thought. Now..."

Richmond: "And these are just...the Department of Agriculture...it just passes through their hands and there's very little if any expenditure. We have on file the..."

Mays: "Well, that's another question."

Richmond: "...Fiscal impact."

Mays: "That's another question I have, cause when we passed it out of here, I thought the quarter of a million, the paltry sum it was suppose to be, was suppose to go out to individual farmers for the most part, to experiment through groups in local counties. But now I understand that this is a six million dollar giveaway to universities. Is that correct?"

Richmond: "Well, it depends on how you look at it, I suppose. I think you might have it confused with another program, but this is not a giveaway, it's to coordinate the very essential experimentation for agri...through the betterment of agriculture through our leading universities and their agricultural programs."

Mays: "Well, to the Bill and I'll be brief."

Speaker Breslin: "Proceed."

Mays: "You know, we voted for a Bill pretty much similar to this, but was suppose to help local groups in local counties get into this area. It was suppose to only cost around a quarter of a million dollars. Well it's coming back from

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the Senate on an AG budget, GRF, six million dollars, and it's mostly all going to universities. I'm planning to vote 'present' on this particular Bill, because I think we voted for a better Bill when we had it in the House, at a much more affordable price that does good back in our own districts."

Speaker Breslin: "Representative Richmond, you're recognized to close."

Richmond: "Yes, I think the Gentleman has it confused with a different program, and that was the sustainable agricultural program. This is an entirely different program and it addresses different problems."

Speaker Breslin: "The question is, 'Shall Senate Bill 63 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 84 voting 'aye', 22 voting 'no'. This Bill having received the Constitutional Majority is declared passed. Senate Bill 240 appears on page 4 on your Calendar, Representative Granberg. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 240, a Bill for an Act to amend the Illinois Enterprise Zone Act. Third Reading of the Bill."

Speaker Breslin: "Representative Granberg."

Granberg: "Thank you, Madam Speaker. Could I have leave to bring this back to Second Reading for purposes of an Amendment?"

Speaker Breslin: "The Gentleman asks leave to return to Second for an Amendment. Is there any objection? Hearing none, leave is granted. Are there any Amendments filed, Mr. Clerk?"

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

Speaker Breslin: "Representative Granberg."

Granberg: "Thank you, Madam Speaker, Members of the House. Floor

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Amendment 3, as I said earlier on Senate Bill 525, these are parallel Bills. Amendment #3 puts Senate Bill 240 in exactly the same condition as Senate Bill 525 and I would move for its adoption."

Speaker Breslin: "The question is, 'Shall Amendment #3 be adopted?' Is there any objection? Hearing none, the question is, 'Shall it be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. The Gentleman asks leave now for immediate consideration of this Bill, as amended. Does he have leave? Leave is granted. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Senate Bill 240, a Bill for an Act to amend Sections of the Illinois Enterprise Zone Act. Third Reading of the Bill."

Granberg: "Thank you, Madam Speaker, Members of the House. This Bill is in exactly the same condition as Senate Bill 525 which we passed out of here unanimously. It's supported by the Department of Commerce and Community Affairs and I would ask for a favorable vote."

Speaker Breslin: "Repre...the Gentleman has moved the passage of Senate Bill 240. Does anyone rise in opposition? Representative Dunn."

Dunn: "I rise in support of this legislation."

Speaker Breslin: "The question is, 'Shall Senate Bill 240 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Granberg, to explain your vote."

Granberg: "I'd just like to take this opportunity to thank Representative Dunn for his support, and I know without it

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I couldn't have passed it. Thank you, John."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On the question there are 106 voting 'aye', 5 voting 'no'. This Bill having received the Constitutional Majority is declared passed. On page 7 appears Senate Bill 347, Representative Dunn. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 347, a Bill for an Act to amend the Good Samaritan Food Donor Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes. This is a cleanup Amendment, that was suggested in committee when the Bill came out of the Judiciary Committee, Representative Dunn indicated that he would work with some Members of the committee to see if we could clean this up. It concerns the issue of liability of people who donate food to charitable groups. I move for its adoption."

Speaker Breslin: "The question is, 'Shall Amendment 1...' The Gentleman has moved for the adoption of Amendment 1 to Senate Bill 347. Does anyone rise in opposition? There being none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Dunn."

Dunn: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is an Amendment to accommodate one of the Governor's agencies, the Illinois Department of Public

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Health. This is a Bill which would...or an Amendment which would increase the penalty for those who violate the provisions in our laws about dealing with tainted food. This would establish a fee for someone who is qualified as a food service manager, and it would make other technical changes which I'll explain if you wish. But, it is an agreed Amendment to the best of my knowledge by the Illinois Department of Public Health and the Illinois Restaurant Association, and I ask for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 2 to Senate Bill 347. Does anyone rise in opposition? There being none, the question is, 'Shall the Amendment be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment's adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

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

Clerk O'Brien: "Senate Bill 347, a Bill for an Act concerning food and drugs and other matters of public health. Third Reading of the Bill."

Speaker Breslin: "Representative Dunn."

Dunn: "Thank you, Madam Speaker. This is legislation which would authorize people to donate food to...what for a lack of a better term, I will call 'soup kitchens', and I ask for your favorable vote. It does contain the Public Health Amendment."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 347. On the question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes. On the Public Health Amendment, is there any change with regard to requirements of testing for salmonella by the Department of Public Health?"

Dunn: "No. That...that...I guess there was other legislation

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around which did consider that, but that is not in this Bill. The requirements for salmonella testing remain in effect."

Cullerton: "Well, on page 5 of Amendment #2, where it says at least four times during every six month period, representatives of the enforcing agency shall collect samples of milk from each milk plant for testing. The samples shall be tested for salmonella, butterfat content and milk solids, not fat. Why are we striking butterfat content and milk solids, not fat?"

Dunn: "There...it's clear now the stricken language has nothing to do with salmonella testing, it has to do with butterfat testing. And the Department of Public Health has run three thousand tests and found no adverse results and they really don't see a need for that test. That is a different test from the salmonella test."

Cullerton: "Okay. Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 347 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final passage. Have all voted who wish? The Clerk will take the record. On the question there are 108 voting...109 voting 'aye' and none voting 'no'. This Bill having received the Constitutional Majority is declared passed. Senate Bill 729, Representative Saltsman. This Bill appears on page 8. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 729, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of the Bill. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

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

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

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Clerk O'Brien: "Senate Bill 729, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Saltsman."

Saltsman: "Yes. Presently, the law for probationary firefighters in the State of Illinois states that there should be a probationary period, but there is no such standard. The current probationary periods range from six months to two, three, four years and this standardizes the length statewide and it is a one year probationary period."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 729. Who rises in opposition? The Gentleman from Vermilion, Representative Black."

Black: "Well, thank you, Madam Speaker. Just to ask the Sponsor a question, if I could?"

Speaker Breslin: "Proceed."

Black: "Thank you. Representative, I can understand why the Illinois Municipal League is opposed to this. I guess I'm having a little problem understanding why the Illinois Association of Fire Chiefs is opposed to this, as well as the fire protection districts. Could you enlighten me on that?"

Saltsman: "No, they haven't mentioned...I've had this Bill for three weeks and I haven't had no opposition to it. They haven't contacted me or said anything, but probably the reason is, if you put a four year probation period on a man, you could work him up to the last three years and eleven months and let him go because he hasn't finished his probation. The paramedics are not involved in this. That was one of the reasons, I think, because it takes a longer time for the paramedics to be certified. I think anyone that they mention would be opposed to it. And when they talked about it when it was in the Senate Committee, it was

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the paramedics. And the paramedics are not included in this because they're not one of...they're not the lowest rank which the Bill says. This is for the lowest rank only of probationary firefighters."

Black: "Well, isn't...on the EMS or the paramedic, isn't that period to get certification already understood as a condition of employment?"

Saltsman: "If it is, it can exceed the one year probation."

Black: "Alright. And if I understand what you're doing here, you're excluding Chicago obviously and this does preempt home rule. Correct?"

Saltsman: "Yes."

Black: "Thank you very much, Representative."

Speaker Breslin: "The question is, 'Shall Senate Bill 729 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Wennlund, one minute to explain your vote."

Wennlund: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. All this does is reduce the probationary period from three years down to one. Now if you don't know that you've got a good employee, a good fireman in one year, then you ought to quit and get out of business."

Speaker Breslin: "Representative Wojcik, one minute to explain your vote."

Wojcik: "Yes, Madam Speaker and Members of the House, I notice that it just exempts Chicago and Chicago is a home rule, but it does not exempt any of the other home rule cities. So you who live in home rule cities, this is a bad Bill."

Speaker Breslin: "Have all voted who wish? Representative McCracken, one minute to explain your vote."

McCracken: "Inquiry of the Chair. Does this require 71 votes to pass? Is it exempt...preempts home rule?"

Speaker Breslin: "We'll look at the Bill, Representative

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McCracken. This is a...a Bill that does preempt home rule, that requires only sixty votes according to subsection (h) of Section 6 of the Constitution. Sixty votes are required. Have all voted who wish? The Clerk will take the record. On this question there are 74 voting 'aye', 34 voting 'no'. This Bill having received the Constitutional Majority is declared passed. On page 8 appears Senate Bill 819, Representative Hicks. Mr. Hicks. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 819, a Bill for an Act to amend the Horse Racing Act. Second Reading of the Bill. Amendment #1 was adopted in committee."

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

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

Speaker Breslin: "Mr. Hicks, we can't find Amendment 2. Do you know what happened to it?"

Clerk O'Brien: "Amendment 2 was withdrawn..."

Speaker Breslin: "...It was withdrawn..."

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker. I believe I began to explain this Amendment a few...maybe an hour or so ago and then we took it out of the record. It increases the amount that's donated by the racetrack owners to the charities from 500,000 to 3,000,000. I move for its adoption."

Speaker Breslin: "The Gentleman moves the adoption of Amendment 3 to Senate Bill 819. Who rises in opposition? There are several lights flashing. Representative Ropp or Parke or McCracken. Representative McCracken."

McCracken: "Thank you, Madam Speaker. This Bill has been intended by its Sponsors to serve as a vehicle for any

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racetrack legislation that might be entered into by the end of Session. The Sponsors of the Bill are not in agreement with this Amendment. We are happy to accept Amendment #4 to put it into Conference Committee and ask everybody to oppose this Amendment at this time. Thank you."

Speaker Breslin: "The question is, 'Shall Amendment 3 be adopted?' Representative Cullerton to close and then we'll go to others for explanation of votes. Representative Cullerton."

Cullerton: "Okay. Well, just so you know what you're voting on. This Bill, as I said, racetrack owners, who've made 15,000,000 dollars additional money, as a result of the change in the Racetrack Law in 1988; this requires that racetrack owners, there's about six of them, increase their contributions to charities from 500,000 dollars to 3,000,000 dollars. That's what this Amendment does. If you want to vote against it, fine. I just want to make sure you know what it does. I want a Roll Call."

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

Ropp: "Yeah, Madam Speaker, the only thing I would urge the Conference Committee when they ever get to work on this, is to ask the question, why we think track owners need to give so much to charities? Why don't they just give it back to the Ag. premium fund so that we can use it for the intended purpose, which those monies were used for."

Speaker Breslin: "Representative Hicks, one minute to explain your vote. Mr. Hicks, do you wish to explain your vote?"

Hicks: "Thank you, Madam Speaker. It is my intention to put this Bill into a Conference Committee. We can send it over to the Senate. I would like to see one of the Amendments

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adopted so we can do that. I don't... we have an Amendment #4 also coming. I'd like to see an Amendment adopted."

Speaker Breslin: "Representative Cowlshaw, one minute to explain your vote."

Cowlshaw: "Well, thank you...thank you, Madam Speaker. I would have just liked to suggest to the Sponsor of this Amendment, that he might have wanted to require the...the horse race owners to dedicate this money to the fund that we have for rehabilitating compulsive gamblers. That would be a good charity."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 54 voting 'aye', 52 voting 'no'. And the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #4, offered by Representative Hicks and Cullerton."

Speaker Breslin: "Representative Hicks."

Hicks: "Thank you, Madam Speaker. Amendment #4 would be an Amendment that would allow us to put this Bill into the Senate and hopefully get a Conference Committee to be worked on it. The Amendment actually says that all OTB parlors, that were authorized would be open no later than one..."

Speaker Breslin: "Representative Hicks."

Hicks: "One, July, 1991. So we would hope to have all those parlors open if in fact, the Senate did agree with the Amendment."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment 4 to Senate Bill 819. Does anyone stand in opposition? There being none, the question is, 'Shall Amendment 4 be adopted?' All those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have

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it. The Amendment is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Read the Bill on Third, Mr. Clerk."

Clerk Leone: "Senate Bill 819, a Bill for an Act to amend the Illinois Horse Racing Act. Third Reading of the Bill."

Speaker Breslin: "Representative Hicks."

Hicks: "The Bill as amended, says that all OTB parlors will be open in the state that were authorized by July 1, 1991. That's all it does."

Speaker Breslin: "The question is, 'Shall Senate Bill 819 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 93 voting 'aye', 14 voting 'no'. The Bill having received a Constitutional Majority is hereby declared passed. On page nine appears Senate Bill 856, Representative Leitch. Clerk, read the Bill."

Clerk Leone: "Senate Bill 856, a Bill for an Act to amend the Vehicle Code. Has been read a second time previously. Amendment #1 was adopted in committee."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "No Motions filed. Floor Amendment #2 is being offered by Representatives Leitch and Granberg."

Speaker Breslin: "Representative Leitch."

Leitch: "Thank you, Madam Speaker. Floor Amendment #2 strips the Bill and the Amendment becomes the Bill. It's an agreed Amendment. It's one which anticipates increases in motor fuel tax funds and provides for..."

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

Currie: "Parliamentary inquiry, Madam Speaker. Is this Amendment germane?"

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Speaker Breslin: "We'll look at the Bill. You can proceed, Representative Leitch, while we look at the Bill."

Leitch: "And it provides for agreed upon increases in both the Safe Boating Act Fund and the Gray Crossing Protection Fund. It's been agreed upon by DOT and by both sides of the aisle. And I do not know of any opponents and would appreciate a favorable vote."

Speaker Breslin: "Representative Leitch, the Amendment is not germane, so you may not proceed with the Amendment. Rep... the Amendment is not germane. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "We have only a few more Bills, Ladies and Gentlemen. We're just going to see if we can work this little problem out. Third Reading. Representative...read the Bill on Third."

Clerk Leone: "Senate Bill 856, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Leitch."

Leitch: "Without Amendment #2, Amendment #1 in effect, created the...or reverted the Bill back to a shell Bill. It took out provisions that were controversial in committee. So I'd like to move for a favorable Roll Call and move the Bill and continue to work on these..."

Speaker Breslin: "The Gentleman has moved the passage of Senate Bill 856. Is there any opposition? There being none, the question is, 'Shall Senate Bill 856 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 108 voting 'aye', 2 voting 'no'. The Bill having received the Constitutional Majority is declared passed. On page nine appears Senate Bill 1017,

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Representative Sieben. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1017, a Bill for an Act in relationship to Illinois emergency services. Been read a second time previously. Amendment #1 was adopted."

Speaker Breslin: "Any Motions or Amendments?"

Clerk Leone: "There are no Motions filed and no further Amendments."

Speaker Breslin: "Third Reading. Read the Bill on Third."

Clerk Leone: "Senate Bill 1017, a Bill for an Act in relationship to Illinois emergency services and interstate disaster compact. Third Reading of the Bill."

Speaker Breslin: "Representative Sieben."

Sieben: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill creates the interstate disaster compact. It adds the telecommunications failure to the current list of disasters. We provide for the establishment of IESDA as the State Emergency Response Commission and it would designate the director of IESDA as the executive head of the State Emergency Response Commission. I move for the passage of Senate Bill 1017..."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1017. Does anyone rise in opposition? There being none, the question is, 'Shall Senate Bill 1017 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the question there are 112 voting 'aye', none voting 'no'. The Bill having received the Constitutional Majority is hereby declared passed. On page 10 appears Senate Bill 1139, Representative Ryder. Clerk, read the Bill. Speaker Madigan in the Chair."

Clerk Leone: "Senate Bill 1139, a Bill for an Act to amend Acts in relationship to medical assistance payments. Second

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Reading of this Bill. Amendment #1 was adopted previously."

Speaker Madigan: "Are there any Floor Amendments?"

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

Speaker Madigan: "Mr. Ryder."

Ryder: "Withdraw #2."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

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

Speaker Madigan: "Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. This exempts certain nursing homes and administrators of nursing homes from licensing requirements, if the home relies exclusively on treatment by prayer, primarily, Christian scientist. I move its adoption."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1139, a Bill for an Act to amend certain Acts in relationship to medical assistance payments. Third Reading of the Bill."

Speaker Madigan: "The Gentleman moves for the passage of the Bill. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 110 'ayes', no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. Senate

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Bill 1325, Mr. Churchill. Mr. Clerk, on what Order is this Bill?"

Clerk Leone: "Senate Bill 1325 is on the Order of Third Reading."

Speaker Madigan: "Read the Bill."

Clerk Leone: "Senate Bill 1325, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Madigan: "Put the Bill on the Order of Second Reading. Mr. Clerk, are there any Amendments filed?"

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

Speaker Madigan: "Mr. Churchill."

Churchill: "Withdraw."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

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

Speaker Madigan: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. This is a cleanup by the Secretary of State. It authorizes the Secretary of State to issue special classic vehicle license plates for the additional vanity plate fee for classic vehicle."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Representative Parcels."

Parcels: "Thank you, Mr. Speaker. This is a cleanup for the State Police and DOT. It prohibits a court from..."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

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Parcells."

Speaker Madigan: "Representative Parcells."

Parcells: "Thank you, Mr. Speaker. This is my last. It's also for DOT, removes the Department of Transportation from overseeing the ATV safety training program..."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Mr. Cullerton on Amendment #5."

Cullerton: "This provides that optional airport access fees are legitimate additional charges on advertised rental rates."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. This will delete the exception to the public records of the Department of Conservation. I move its adoption."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'."

Clerk Leone: "Senate Bill 1325, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Madigan: "Have all voted who wish? Have all voted who

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wish? Have all voted who wish? The Clerk shall take the record. On this question there are 109 'ayes', 4 people voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 1369, Mr. Ronan. Mr. Clerk, are there any Amendments filed?"

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

Speaker Madigan: "Mr. Ronan."

Ronan: "Thank you, Mr. Speaker. House Bill 13...no, Senate Bill 1369, I want to add Amendment #2, which is...just makes...keeps it as a vehicle Bill. This could be a Bill dealing with the towing issue and it'll just make it a vehicle..."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Madigan: "Mr. Ronan."

Ronan: "This Bill does absolutely nothing at this point. Let's send it to the Senate."

Speaker Madigan: "Those in...Mr. Clerk, have you read this Bill a third time? The Bill is on the Order of Second Reading and... Mr. Clerk, where are we?"

Clerk Leone: "Floor Amendment #3 is before us, Representative Ronan."

Ronan: "I want to withdraw #3."

Speaker Madigan: "Withdraw the Amendment. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, Representative Ronan."

Speaker Madigan: "Mr. Ronan."

Ronan: "What this Bill does is it guts everything after the enacting clause, so now the Bill really does nothing. So

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let's send it to the Senate."

Speaker Madigan: "Those for the Amendment say 'aye', those against say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Madigan: "Third Reading. Read the Bill."

Clerk Leone: "Senate Bill 1369, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question there are 66 'ayes', 42 'nos'. This Bill having received a Constitutional Majority is hereby declared passed. Senate Bill 1376. The Chair recognizes Mr. Turner on a Motion to reconsider. Mr. Turner, on your Motion. Mr. Turner."

Turner: "A Motion to reconsider the vote by which Senate Bill 1376 failed."

Speaker Madigan: "The Gentleman moves to reconsider. Those in favor say 'aye', those opposed say 'no'. The Motion is adopted using the Attendance Roll Call. And the matter was reconsidered. Mr. Turner, what is your pleasure?"

Turner: "I'd like to call the Bill, Mr. Speaker."

Speaker Madigan: "On Third Reading?"

Turner: "On Third Reading. We have some Amendments that have been agreed upon. I'd like to bring it back to Second Reading..."

Speaker Madigan: "The Bill shall be placed on the Second Reading. Mr. Clerk, are there Amendments filed?"

Clerk Leone: "Floor Amendment #5 is being offered by Representative Terzich, Piel and Turner."

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Speaker Madigan: "Mr. Terzich, on the Amendment."

Terzich: "Yes, Mr. Speaker, the...Amendment #5 deletes everything after the enacting clause. The Amendment is the Bill. And basically, what it does is that there has been a court ruling on the Mobile Home Act, and this Amendment simply states that rents charged to a tenant by a park owner maybe increased upon renewal of a lease and notification of an increase shall be delivered sixty days prior to expiration of the lease. And I would move for its adoption."

Speaker Madigan: "The Gentleman moves for the adoption of the Amendment. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, has this Bill been read a third time?"

Clerk Leone: "This Bill has been read a third time previously."

Speaker Madigan: "Fine. Mr. Terzich on the Bill."

Terzich: "Well again, Mr. Speaker, this basically is...I don't know of any objections to the Bill or the Amendment. Basically, when the...when it was put in the Mobile Home Act, that there was question made by the courts whether or not, like any other place, whether or not rent could be adjusted during that time that they were leasing the property. And this simply clarifies that situation that they may be changed upon notification."

Speaker Madigan: "Mr. Clerk, read the Bill again."

Clerk Leone: "Senate Bill 1376, a Bill for an Act to amend the Mobile Home Lanlord and Tenants Rights Act. Third Reading of the Bill."

Speaker Madigan: "Question is, 'Shall this Bill pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish?"

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Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 86 'ayes', 24 'nos'. This Bill having received a Constitutional Majority is hereby declared passed. The Chair recognizes Mr. White for a Motion."

White: "Mr...Mr. Speaker and Ladies and Gentlemen of the House, I move to reconsider the vote by which Senate Bill 735 passed."

Speaker Madigan: "The Gentleman moves to reconsider the vote by which this Bill failed to pass. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. And the Motion is adopted using the Attendance Roll Call. The matter is now on the Order of Third Reading. Mr..."

White: "...Oh, I inadvertently, Mr. Speaker, I inadvertently removed..."

Speaker Madigan: "The Bill should be placed on the Order of Second Reading."

White: "Alright, fine."

Speaker Madigan: "Mr. White."

White: "I inadvertently deleted...oh, I had Amendment #1 tabled on this Bill, and I would now like to place that Amendment back in the order so that we can move properly on this matter."

Speaker Madigan: "The Gentleman moves to reconsider the vote by which Amendment #1 was tabled. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. And the vote has been reconsidered using the Attendance Roll Call. Now we are on the question of Amendment #1. Mr. White moves for the adoption of Amendment #1. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Madigan: "Third Reading. Mr. Clerk, read the Bill."

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Clerk Leone: "Senate Bill 735, a Bill for an Act to amend the Public Aid Code. Third Reading of the Bill."

Speaker Madigan: "Mr. White, on the Bill."

White: "I have a question of the Chair. There wasn't an Amendment 2, which was adopted so this action does not delete Amendment...Amendment #2?"

Speaker Madigan: "Everything's in tact."

White: "Alright, thank you..."

Speaker Madigan: "...Everything's in tact. Proceed, Mr. White, on the Bill."

White: "This Bill passed overwhelmingly a few moments ago. And I move for its passage now."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 114 'ayes', no one voting 'no'. This Bill having received a Constitutional Majority is hereby declared passed. The Chair recognizes Mr. Pedersen. Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker. I ask leave of the House to extend the deadline on Senate Bill 1466 to December 15th, 1989."

Speaker Madigan: "You all heard the Gentleman's Motion. Did you say November 2, 1989?"

Pedersen: "December 15th."

Speaker Madigan: "November 2, 1989. November 2..."

Pedersen: "...November 2, 1989. Fine"

Speaker Madigan: "Okay. You've all heard the Motion. The Gentleman wants to extend the Third Reading deadline on this Bill to November 2, 1989. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Motion is adopted. The Chair recognizes Mr. Kulas for the purpose

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of a Motion. Mr. Kulas."

Kulas: "Thank you, Mr. Speaker. I filed a Motion to suspend the appropriate rules, to extend the deadline on Senate Bill 292 'til June 30th."

Speaker Madigan: "You've all heard the Gentleman's Motion. The Chair recognizes Mr. McCracken."

McCracken: "This...this Bill lost on Third Reading tonight earlier. We do not agree to this deadline to extend and I'll seek a verification if it appears to get it."

Speaker Madigan: "Representative Didrickson."

Didrickson: "...Mine was the same point as Representative McCracken. It's had a full hearing."

Speaker Madigan: "The question is, 'Shall the Gentleman's Motion be adopted?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Mr. Kulas, to explain his vote."

Kulas: "Well, thank you, Mr. Speaker. I just wanted to tell the Members that the Bill that I passed out of this chamber that went to the Senate, never got called in the Senate. And my...my plans are to take Senate Bill 292, work on it for the next week, amend it to...to a position where it can be passed. So I would ask for your favorable Roll Call."

Speaker Madigan: "Mr. McCracken."

McCracken: "This is the family leave Bill. We're opposed to it. It didn't get sixty votes. Do not vote for it now thinking you're doing a colleague a favor. It'll come back to bite you. Do not extend the deadline and kiss this issue goodbye."

Speaker Madigan: "Mr. Homer."

Homer: "I support the Gentleman's Motion. It's my understanding he's going to amend this Bill with the provisions of the House Bill that he had that passed out, went to the Senate, was not called in the Senate. It's the only family leave

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Bill that we'll have a chance to vote on. Enlight of these developments, it's crucial that we have that opportunity to do it. It's not the Bill that...he won't call this Bill, Senate Bill 292, which was defeated earlier. He's going to amend this Bill with the provisions of the House Bill, and which provides that the employer will have absolutely no costs associated with the eight days...or with the eight weeks of family leave. So it ought to be supported. And we ought to extend the deadline."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "Well, I...I would like to see a few more votes here because Representative Kulas is doing this upfront. All of you know here what can be done with the Conference Committee Reports, but they're going to verify. So, the fact is that you might as well jump on this because it's...it's right upfront. He's telling you what he's going to do. You're going to be able to review it and vote on it. Better to do it that way then to come up with a Conference Committee Report that you won't have as much time to vote and look at."

Speaker Madigan: "Mr. McCracken. Representative Parcels. Parcels."

Parcels: "Thank you, Mr. Speaker. He had a fair hearing on this Bill. This Bill was beaten. We don't like to be able to take another chance, another crack at our Bills. It isn't fair that he should have a second crack. He can come back next year like the rest of us. We all lost Bills this year, but we're bringing them back next year. He can do it the same way. He doesn't get...he shouldn't have a second bite at the apple, nobody else here has. And I suggest you vote 'no' and get rid of this issue."

Speaker Madigan: "The Clerk shall take the record. On this question there are 65 'ayes' and 46 'nos'. The Clerk shall

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read the names of those not voting."

Clerk Leone: "A poll of those not voting. Harris. Hasara. Shirley Jones. Klemm. Richmond. And Stange."

Speaker Madigan: "And the Clerk shall read the names of those voting 'aye'."

Clerk Leone: "A Poll of those in the Affirmative. Balanoff. Bowman. Breslin. Brunsvold. Bugielski. Cullerton. Curran. Currie. Davis. DeJaegher. DeLeo. Dunn. Edley. Farley. Flinn. Flowers. Giglio. Giorgi. Goforth. Granberg. Hannig. Hartke. Hicks. Homer. Lou Jones. Keane. Krska. Kulas. Lang. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijeovich. Mautino. McGann. McNamara. McPike. Morrow. Mulcahey. Munizzi. Novak. Phelps. Preston. Rice. Ronan. Saltsman. Santiago. Satterthwaite. Shaw. Steczo. Stern. Sutker. Terzich. Trotter. Turner. Van Duyne. White. Williams. Wolf. Woolard. Anthony Young. Wyvetter Younge. And Mr. Speaker."

Speaker Madigan: "Questions? Questions? Mr. McCracken."

McCracken: "You've got that electrician well-trained, you know, he was waiting for you to mention my name. Representative Preston?"

Speaker Madigan: "Mr. Preston. He's out interviewing for his administrative assistant. Remove this Gentleman from the Roll Call. Mr. McCracken."

McCracken: "Representative Santiago?"

Speaker Madigan: "Mr. Santiago. Remove the Gentleman."

McCracken: "Representative Currie?"

Speaker Madigan: "Representative Currie's in her chair."

McCracken: "Representative Bowman?"

Speaker Madigan: "Mr. Bowman's in the chamber."

McCracken: "Representative Giorgi?"

Speaker Madigan: "Mr. Giorgi. Mr. Giorgi's in the aisle."

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McCracken: "Representative Lou Jones?"

Speaker Madigan: "Lou Jones. In the rear of the chamber."

McCracken: "Representative Flowers?"

Speaker Madigan: "In the rear of the chamber."

McCracken: "Representative Morrow?"

Speaker Madigan: "Mr. Morrow, in the chamber."

McCracken: "Okay. Representative Mulcahey?"

Speaker Madigan: "Mr. Mulcahey. Mr. Mulcahey. Remove the  
Gentleman from the Roll Call. Restore Mr. Mulcahey."

McCracken: "Representative Richmond?"

Speaker Madigan: "Mr. Richmond. Remove the Gentleman from the  
Roll Call."

McCracken: "Representative..."

Speaker Madigan: "Mr. McCracken, Mr. Richmond was not voting."

McCracken: "Alright. Representative Shaw?"

Speaker Madigan: "Mr. Shaw. Remove the Gentleman from the Roll  
Call."

McCracken: "Repre..."

Speaker Madigan: "...Excuse me, Mr. Shaw is in the rear of the  
chamber. Restore Mr. Shaw."

McCracken: "Representative Laurino?"

Speaker Madigan: "Mr. Laurino's in his chair."

McCracken: "Nothing further."

Speaker Madigan: "Nothing further. On this question there are 63  
'ayes', 46 'nos'. The Motion is adopted. The Chair  
recognizes Representative Hasara for a Motion."

Hasara: "Thank you, Mr. Speaker. I move to suspend the  
appropriate rule and extend the deadline on Senate Bill 1175  
to November 2nd. It's been agreed to by both sides of the  
aisle."

Speaker Madigan: "You've heard the Lady's Motion. Those in favor  
say 'aye', those opposed say 'no'. The 'ayes' have it.  
The Motion is adopted using the Attendance Roll Call. The

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Chair recognizes Mr. Keane for the purpose of a Motion.  
Mr. Keane."

Keane: "I move to extend the deadline on Senate Bill 1175. I'm  
sorry. I should have walked slower. We'll use Senate Bill  
100."

Speaker Madigan: "The Gentleman moves that the Third Reading  
deadline be extended on Senate Bill 100 to November 2,  
1989. On that question, the Chair recognizes Mr. Parke."

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the  
House. This Bill was well-debated yesterday. We know that  
the Bill is flawed, that it's not a good idea. It's time  
has not come and I ask that we have a Roll Call on this to  
defeat this Motion, and let them come back next year."

Speaker Madigan: "Mr. Pedersen."

Pedersen: "Yes, thank you, Mr. Speaker. We know the bankers need  
special privileges, but this is one privilege we should not  
extend to them. They had their chance yesterday and let's  
just treat them like everybody else. They don't need a  
better playing field than anybody else. Let's...let them  
come back next year. I urge a 'no' vote."

Speaker Madigan: "Those in favor of the Motion signify by voting  
'aye', those opposed by voting 'no'. Have all voted who  
wish? Have all voted who wish? Have all voted who wish?  
Mr. Parke."

Parke: "Thank you, Mr. Speaker. If this gets the required  
numbers, I would like a verification of the Roll Call."

Speaker Madigan: "Have all voted who wish? Have all voted who  
wish? Have all voted who wish? The Clerk shall take the  
record. The Clerk shall Poll the Absentees."

Clerk Leone: "A Poll of those not voting. Cullerton. DeJaegher.  
Harris. Klemm. Leverenz. Richmond. Santiago. Stange.  
Weaver. And Wojcik. No further."

Speaker Madigan: "Mr. Clerk, read the names of those...record

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Representative Davis as 'aye'. And, Mr. Clerk, read the names of those voting 'aye'."

Clerk Leone: "A Poll of those in the Affirmative. Barnes. Bowman. Breslin. Brunsvold. Bugielski. Churchill. Cowlishaw. Currie. Daniels. Davis. DeLeo. Dunn. Ewing. Farley. Flinn. Flowers. Giglio. Goforth. Granberg. Hasara. Hensel. Hicks. Hoffman. Homer. Keane. Kirkland. Kubik. Kulas. Lang. Laurino. LeFlore. Leitch. Levin. Martinez. Matijevich. Mautino. Mays. McAuliffe. McCracken. McGann. McNamara. McPike. Munizzi. Myron Olson. William Peterson. Piel. Preston. Pullen. Rice. Satterthwaite. Shaw. Sieben. Steczo. Stern. Sutker. Tate. Terzich. Van Duyne. White. Williamson. And Anthony Young."

Speaker Madigan: "Mr. Parke. Excuse me, Mr. Parke. Representative Wojcik."

Wojcik: "Mr. Speaker, would you vote me 'aye' please? Thank you..."

Speaker Madigan: "...Record Representative Wojcik as 'aye'. And Mr. Parke."

Parke: "Thank you, Mr. Speaker. Representative Flowers?"

Speaker Madigan: "Representative Flowers is in the rear of the chamber."

Parke: "Thank you. Representative Hicks?"

Speaker Madigan: "Mr. Hicks. Mr. Hicks is at this door."

Parke: "Thank you. Representative Preston?"

Speaker Madigan: "Remove Mr. Preston."

Parke: "S. Jones?"

Speaker Madigan: "Shirley Jones."

Parke: "Is it 'no'? Thank you."

Speaker Madigan: "Shirley Jones. Remove Shirley Jones."

Parke: "Wait, wait. I understand that there may be confusion on how she's voting."

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Speaker Madigan: "Just...the Lady is recorded as voting 'no', so will you..."

Parke: "Then she's fine."

Speaker Madigan: "We can just pass over that. Yes."

Parke: "Representative Piel?"

Speaker Madigan: "Mr. Piel...in the rear of the chamber."

Parke: "Representative Ewing?"

Speaker Madigan: "Mr. Ewing. In the chamber."

Parke: "Representative McAuliffe?"

Speaker Madigan: "Mr. McAuliffe is in the chamber."

Parke: "It looks like we will continue to fight this battle. Thank you, Mr. Speaker."

Speaker Madigan: "Record Mr. Cullerton as 'no'. On this question there are 61 'ayes', 43 'nos'. The Motion is adopted. The Chair recognizes Mr. Cullerton for the purpose of a Motion."

Cullerton: "Yes, having voted on the prevailing side, I move to reconsider the vote by which Senate Amendment #3 to House Bill 1621 was nonconcurrent in."

Speaker Madigan: "The Motion is to reconsider the vote. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The...the Motion is adopted. The vote is reconsidered using the Attendance Roll Call. Is there anything further to come before the Body? Mr. Kirkland."

Kirkland: "Yes, I wonder if you'd call Senate Bill 1332?"

Speaker Madigan: "Is it supposed to be called?"

Kirkland: "Good question."

Speaker Madigan: "The Clerk can't seem to find that one, Mr. Kirkland. The Chair recognizes Mr. McPike for the Adjournment Motion. Mr. McPike moves that the House stand adjourned until 9:30 tomorrow morning. Those in favor say 'aye', and those opposed say 'no'. The Motion is adopted providing Perfunctory Time for the Clerk. 9:30 a.m."

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Clerk Leone: "Messages from the Senate. A message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred with the House in the passage of Bills of the following title, House Bill 2321; together with attached Amendments hereto, I'm... I'm instructed to ask in the adoption of which I am instructed to ask concurrence of the House of Representatives to wit; passed the Senate as amended, June 23rd, 1989. Linda Hawker, Secretary of the Senate.' A message from the Senate by Ms. Hawker. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred in the House in the passage of the following Bills together with Amendments and adoption of which I'm instructed to ask concurrence of the House of Representatives to wit; House Bill 261, 225, 168, 56, 45, 2784, 2780, 2776, 2772, 494, 416, 367, 354, 313, 263 and 283. Action taken by the Senate June 22nd, 1989. Linda Hawker, Secretary of the Senate.' Another message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has concurred in the House in the passage of the following Bills together which Amendments and adoption of which I'm instructed to ask concurrence of the House of Representatives to wit; House Bills 530, 594, 656, 643, 714, 725, 737, 760, 776, 779, 887, 892, 977, 1191, 1192, 1203, 1313, 1359, 1423, 1454, 1463, 1480, 1523, 1530, 1571, 1686, 1692, 1719, 1724, 1871, 1880, 1881, 1966, 1978, 2004 and 2025. Action taken by the Senate June 23rd, 1989, Linda Hawker, Secretary of the Senate.' A further message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred in the House in the passage of the following Bills together with

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Amendments and adoption of which I am instructed to ask concurrence of the House to wit; House Bills 1695, 2030, 2059, 2062, 2196, 2201, 2334, 2421, 2520, 2574, 2737, 2739, 2756, 2757, 2790, 2805, 43, 72, 113, 90, 257, 365, 386 and 470. Passed the Senate as amended, June 23rd, 1989. Linda Hawker, Secretary of the Senate.' A further message from the Senate by Ms. Hawker, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has concurred in the House in the passage of the following Bills together with Amendments and adoption of which I am instructed to ask concurrence of the House of Representatives to wit; House Bills 227, 1085, 1557, 1754, 2123, 2310, 2374, 2517, 497, 359, 535, 574, 1152, 2491, 2514. Action taken by the Senate, June 23rd, 1989. Linda Hawker, Secretary of the Senate.' No further business, the House will now stand adjourned until tomorrow at the hour of 9:30."

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