

STATE OF ILLINOIS
83RD GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

86th Legislative Day

November 2, 1983

Speaker McPike: "The House will come to order. The House will come to order. The Members will be in their seats. The Chaplain for today will be Rabbi Israel Zoberman of Temple B'rith Sholom in Springfield. Rabbi Zoberman is a guest of Representative Mike Curran. The guests in the gallery please rise to join us in the invocation."

Rabbi Zoberman: "Our God of life, dear Legislators, the painful events in Lebanon and Grenada are a grim reminder that the human family is yet to be one. Ideological rift and inhumane fanaticism keep broadening the gap among nations at the perilous risk of global confrontations. Has the lesson not been learned that the ultimate victims are always human beings, that human life is an irreplaceable precious gift? Is not coexistence preferable to nonexistence? May God's sacred image not be erased from the midst of His children. May our heartrending sacrifices keep alive the vision of human togetherness through genuine shalom. So may it be. Amen, and do have a good day."

Speaker McPike: "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 McPike: "Roll Call for Attendance. 115 Members answering the Roll Call, a quorum is present. Representative Greiman, do you have any excused absences? Representative Hastert, do you have any excused absences? Turn on Representative Hastert, please."

Hastert: "Representative Harris and Representative Ewing are excused."

Speaker McPike: "The record will so indicate. Representative

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Greiman in the Chair."

Speaker Greiman: "Agreed Resolutions. The Gentleman from Winnebago, Mr. Giorgi."

Clerk O'Brien: "House Resolution 335, McGann; 336... "

Giorgi: "Hold it. Hold it. Wrong number. Wrong number."

Clerk O'Brien: "535. How about that?"

Giorgi: "How about 534? Get with it."

Clerk O'Brien: "534, Curran; 535, McGann; 536, Daniels; 538, Mulcahey; 539, Hastert; 540, McGann; 541, McGann; 542, McGann; 543, Didrickson; 544, Curran; 545, Johnson; 546, Matijevich; 547, Matijevich; 548, Koehler; 549, Brummer; 550, Panayotovich; 551, Panayotovich; 552, Madigan; 553, Madigan; 554, Madigan; 555, Madigan; 556, Madigan; 557, Oblinger; 558, Yourell; 561, Brookins; 562, Ralph Dunn; 563, Rea; 565, Bowman. And also Senate Joint Resolutions 24, Giorgi; 49, Madigan; 54, Hicks; 65, DiPrima; and 68, Mulcahey."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "How about the House Joint 98? You going to read that? House Joint 98? Mr. Speaker, House Resolutions 534, by Curran, tells of an award to Parries H. Morrison. 535, by McGann, notes an anniversary. 536, by Daniels, tells about an employee going from his staff to the Lieutenant Governor's staff. 538, by Mulcahey, hails a retirement. 539, by Hastert, notes a golden anniversary. McGann's... McGann's 540 tells about an Eagle Scout award. 541, by McGann, is the same thing. 542, by McGann, same award. 543, by Didrickson, heralds a continuity in service. 544, by Curran, tells of a retirement. 545, by Johnson, celebrates... commemorates a 20th anniversary. 546, by Matijevich, lauds the Keystone Printing Service. 547, by Matijevich, heralds Joe Drobnick Day. 548, by Koehler, urges the Illinois Department of Agriculture to take the

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leadership at the state level to coordinate plans and actions on water sediment. 549, by Brummer, heralds a sesquicentennial. 550, by Panayotovich, honors Brother 'Serbian Serbastor'... no, Serbian Sisters. 551, by Panayotovich, tells us of a golden wedding anniversary. 552, by Madigan, celebrates a 98th birthday... 98th birthday. 553, by Madigan, tells us about a Talman Home Federal Savings and Loan Association. 554, by Madigan, commends two firefighters, David McElroy and Joseph Quinn, on their heroic saving of a person's life. 555, by Madigan, notes volunteers beneficial of volunteer work. 556, by Madigan, marks the 100th anniversary of of Southwest Federal Savings and Loan. 557, by Oblinger, says... talks about a dedication. 558, by Yourell, talks about tank you... thank you, Clark Alford. 561, by Brookins, honors the E. G. Gardner Beauty Products Company. 562, by Dunn, brags about a Class S championship. And 568, by Rea, congratulates the Veterans' Administration Hospital in Marion. And 565, by Bowman, honors Cardinal Bernardin. I move for the adoption of those Resolutions."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Giorgi, has moved for the adoption of the Agreed Resolutions, House Resolutions and... the House Resolutions. All those in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it, and the Resolutions are adopted. Mr. Giorgi."

Giorgi: "On the Senate Joints - Buzbee, Senate Joint Resolution 24 that I'm handling just asks the department to... Department of Labor to allow personnel to retain their eligibility for unemployment while involved in appropriate training programs. That's the law now. Senate Joint 49, by Madigan, honors Senator Scott W. Lucas... (sic - Senate Joint Resolution 54) Hicks, resolves that a committee study

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the circuit clerk dilemma of Illinois. And Senate Joint 65 , DiPrima, talks about Veterans' Day. And I move for the... No, wait. (sic - Senate Joint Resolution 68), by Mulcahey, extends the reporting date of the elementary and secondary education to January 9, 1985. And I move for the adoption of the Senate Joint Resolutions."

Speaker Greiman: "The Gentleman has moved for the adoption of the Senate Joint... the Agreed Senate Joint Resolutions. All those in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it, and the Resolutions are adopted. Committee Reports."

Clerk O'Brien: "Representative Pierce, Chairman of the Committee on Revenue, to which the following Resolution was referred, action taken November 2, 1983, reported the same back with the following recommendation: 'be adopted' House Resolution 476."

Speaker Greiman: "Introduction and First Reading."

Clerk O'Brien: "House Bill 2331, Shaw, a Bill for an Act to amend Sections of an Act concerning public utilities. First Reading of the Bill."

Speaker Greiman: "On the Order of Amendatory Veto Motions at page five of the Calendar appears Senate Bill 22, Mr. Terzich. Out of the record. On the Order of Amendatory Veto Motions appears Senate Bill 61. Out of the record. On the Order of Amendatory Veto Motions appears Senate Bill 66. Mr. Yourell, do you wish to proceed with that? Mr. Clerk, call the Bill."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 66 as it was passed on to the Governor did certain things removing judicial officers and not allowing those individuals to serve as judges of election, and all the amendatory veto does was change the effective date of the Act. And I move to accept the Governor's

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specific recommendations for change as it relates to the amendatory veto of Senate Bill 66. Thank you."

Speaker Greiman: "The Gentleman has moved to accept the Governor's amendatory veto. Is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 66 by the adoption of the Amendment?' This is final action. All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. Have all voted who wish? Have all voted who wish? On this Motion, there are... Mr. Clerk, take the record. On this Motion, there are 110 voting 'aye', none voting 'no', none voting 'present', and this Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 66 by the adoption of the Amendment. The next Bill on the Calendar, 69 and 71 are on Special Orders. On the Order of Amendatory Veto Motions appears Senate Bill 98. The Gentleman from Lake, Mr. Pierce."

Pierce: "Senate Bill 98 was originally a Bill to exempt from withholding... "

Speaker Greiman: "Excuse me, Mr. Pierce. For what purpose does the Gentleman from DeWitt, Mr. Vinson, seek recognition?"

Vinson: "Thank you, Mr. Speaker. Would you show Representative Ewing as having been an excused absence for yesterday, and Representative Ewing and Harris for today."

Speaker Greiman: "For today as well?"

Vinson: "Yes."

Speaker Greiman: "Let the record show that Representative Ewing is an excused absence for yesterday and today. Mr. Pierce, proceed."

Pierce: "Senate Bill 98 was originally a Bill to exempt from

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withholding under the Illinois income tax interest and dividends so that we wouldn't have to do it if the Federal Government did it. Well, House Bill 400 did the same thing, and the Governor signed House Bill 400, which I sponsored, along with Representative Hastert and others. So the Governor took out that portion of Senate Bill 98, because he signed the prohibition on withholding of interest and dividends in law as House Bill 400. However, a couple of other items were added to Senate Bill 98, giving a 60 day extension for people overseas traveling outside the country to file their state income tax returns. That conforms with federal law. And another Section required the Department of Revenue to collect, in public's individual income tax data , a number of returns and refunds in each county of the state. The Governor supported the automatic extension of time in his amendatory veto, took out the with... took out the prohibition of withholding, because he signed that in another Bill and deleted the reporting... Department of Revenue's reporting requirements saying he'd do that by administrative action. The Bill is a very minor Bill that gives people traveling overseas 60 days additional to file their state income tax returns, which conforms with the federal income tax law, and I move to accept the Governor's recommendations for change."

Speaker Greiman: "The Gentleman from Lake, Mr. Pierce, has moved to accept the Governor's amendatory veto. And on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 98, by the adoption of the Amendment?' This is final action. All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have

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all voted who wish? Mr. Clerk, take the record. On this Motion, there are 107 voting 'aye', 4 voting 'no', none voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding Senate Bill 98 by the adoption of the Amendment. On the Order of Amendatory Veto Motions on page six of the Calendar appears Senate Bill 128. Out of the record. On the Order of Amendatory Veto Motions appears Senate Bill 147, Mr. Bullock. Out of the record. On the Order of Amendatory Veto Motions appears Senate Bill 247, Mr. Leverenz. Out of the record. On the Order of Amendatory Veto Motions appears Senate Bill 263, Mr. DiPrima. Out of the record. On the Order of Senate Bills... of Amendatory Veto Motions appears Senate Bill 316. The Lady from Lake, Ms. Frederick."

Frederick: "Mr. Speaker and Ladies and Gentlemen of the House, I move the House accept the amendatory veto on Senate Bill 316. The Bill dealt with the office of coroner and permitted the coroner more... more control over the operations of his or her office. The Governor has seen fit to change and place back under the authority of the county board a couple of provisions; one dealing with salary of personnel and the other with the purchase of major equipment. Those of us who have worked on the coroners' Bill have agreed to accept the amendatory veto, thus, I'm asking that the House accept the amendatory veto on Senate Bill 316."

Speaker Greiman: "The Lady from Lake, Ms. Frederick, has moved for the adoption of the amendatory... Governor's amendatory veto. On that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate

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Bill 316 by the adoption of the Amendment?' All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 113 voting 'aye', 1 voting 'no', none voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding Senate Bill 316 by the adoption of the Amendment. On the Order of Amendatory Veto Motions appears Senate Bill 323. The Gentleman from Cook, Mr. Yourell."

Yourell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 323, as it passed the House and the Senate and went to the Governor, provided the broadening of powers of library boards making taxation, annexation and creation much easier than it had been in the past, but it also provided that, in the provisions of the Bill, to make it impossible for a library district to seek dissolution. And the Governor's amendatory veto provides that, and rightfully so, so that the citizens of a community can dissolve or get rid of their library board... library if they want to, and I move to accept the Governor's specific recommendations for change as it relates to House... Senate Bill 323."

Speaker Greiman: "The Gentleman from Cook, Mr. Yourell, has moved for the adoption of the Governor's amendatory veto. On that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 323 by the adoption of the Amendment?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this

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Motion, there are 110 voting 'aye', none voting 'no', none voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding Senate Bill 323 by the adoption of the Amendment. On the Order of Amendatory Veto Motions appears Senate Bill 448, the Gentleman from Will. Out of the record. On the Order of Amendatory Veto Motions appears Senate Bill 476. The Gentleman from Cook, Mr. Bowman. Mr. Bowman. Would you turn on Mr. Bowman?"

Bowman: "Thank you very much. Mr. Speaker, Ladies and Gentlemen of the House, the Bill, in its original form, dealt with taxes imposed on coinoperated amusement devices. The Governor's amendatory veto simply makes it clear that this tax covers devices operated or operable by the insertion of coins, tokens, chips or other similar objects. So coin-like materials would also be covered. And it's a basically technical change, because the state has no way of determining whether a coin or a token will be used to actually operate the device. So this change is necessary to make the law workable. And I urge acceptance of the Governor's amendatory change."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman, has moved for the acceptance of the Governor's amendatory veto. And on that, is there any discussion? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, I rise on a point of parliamentary inquiry."

Speaker Greiman: "Proceed. State your inquiry, Sir."

Vinson: "Mr. Speaker, it would appear to me that the amendatory veto, in this particular case, is an unconstitutional amendatory veto, exercise of that power, insomuch as it seeks to... the amendatory veto would seek to impose a tax

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on an entirely new activity not currently taxed by Illinois law. And for that reason, it would be an unconstitutional exercise of the amendatory veto power."

Speaker Greiman: "Is it your suggestion, Sir, that it is beyond the scope of the Governor's constitutional powers?"

Vinson: "Yes, Sir."

Speaker Greiman: "Mr. Bowman... Mr. Vinson, this is a matter of some thought, and we would want to make a ruling consistent with the Constitution, as well as the power of this Chair, and so, Mr. Bowman, accordingly, I would ask you to take the Bill out of the record for a few moments. We'll get back to it. I do promise you will both have your day. Okay, on the Order of Amendatory Veto Motions appears Senate Bill 598. The Gentleman from Cook, Mr. Jaffe."

Jaffe: "Yes, Mr. Speaker. I'm moving to accept the Governor's amendatory veto. The Bill, as passed, provided that there shall be no statute of limitations applicable for damages against a person if the action is based on the conduct of a defendant which constituted the commission of a murder, a Class X felony or a Class 1 felony. And there is also a notice provision. Now, the thing that the Governor was afraid of, he was afraid that there might be some liability accruing to the Department of Corrections or to some state's attorneys if they neglected to give the notice, and basically, what he does is he eliminates any liability for not giving of the notice. I think it's a reasonable Amendment, and I move to accept the Governor's amendatory veto."

Speaker Greiman: "The Gentleman from Cook, Mr. Jaffe, has moved to accept the Governor's amendatory veto. And on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 598,

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by the adoption of the Amendment? All in favor signify by voting 'aye', those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Mr. Clerk... Mr. Bowman, would you vote me, please? Thank you. Mr. Clerk, take the record. On this Motion, there are 112 voting 'aye', none voting 'no', none voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding Senate Bill 598 by the adoption of the Amendment. On the Order of Amendatory Veto Motions on page seven of the Calendar appears Senate Bill 607. The Gentleman from Bond, Mr. Slape."

Slape: "Thank you, Mr. Speaker. I would move that the House would accept the Governor's specific recommendations concerning Senate Bill 607. Senate Bill 607 deals with the Coroners' Act. The provisions that the Governor left in the Bill provides that any time there's a death involved in a police chase or when somebody's held in custody by a police department, an autopsy must be performed. The Governor vetoed out a provision that amended a 1953 statute, and the Governor felt by amending that statute, since the provisions were now in the 1970 Constitution, that the Bill would now become unconstitutional. And I would move that the House would pass Senate Bill 607 and accept the Governor's specific recommendations."

Speaker Greiman: "The Gentleman from Bond, Mr. Slape, has moved that we accept the Governor's amendatory veto. On that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 607 by the adoption of the Amendment?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Mr. Clerk, take the record. On

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this Motion, there are 114 voting 'aye', none voting 'no', none voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding Senate Bill 607 by the adoption of the Amendment. On the Order of Amendatory Veto Motions appears Senate Bill 695. The Gentleman from Franklin, Mr. Rea."

Rea: "Thank you, Mr. Speaker... "

Speaker Greiman: "Excuse me... Excuse me, Mr. Rea. For what purpose does the Gentleman from Champaign, Mr. Johnson, seek recognition?"

Johnson: "Purpose of a point of order and... of inquiry, and I don't know whether you want... let him explain the amendatory veto, or have him make the point now? Whether it be... "

Speaker Greiman: "This is on this Bill, or on the process generally?"

Johnson: "Right. This is this Bill, on 695."

Speaker Greiman: "Well, why don't you let Mr. Rea continue, and I'll recognize you at the appropriate time? Unless it relates to Mr. Rea proceeding. The Gentleman from Franklin, Mr. Rea. Proceed."

Rea: "Thank you, Mr. Speaker, Members of the House. The amendatory veto provides that all information reports, statements, memorandums or other data used or generated by the Department of Mental Health and Developmental Disabilities in the course of internal quality control for improving patient care at Department facilities will be subject to the same assurance of confidentiality as the private hospitals and other bodies, and I would move for the acceptance of the Governor's amendatory veto."

Speaker Greiman: "The Gentleman from Champaign, Mr. Johnson."

Johnson: "I would make the same point that's been made on a few

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other Bills, and that is, that the Bill as it originally was approved by the House, did this. The law, prior to the spring of 1983, was that there were certain confidentiality privileges for peer review medical of hospital records of accredited hospitals. The Bill that Representative Rea introduced in the past changed that so that the same confidentiality privilege for peer review was to be extended to licensed hospitals. Even if not accredited, there were, I guess, four or five licensed hospitals that didn't have that confidentiality. And now, the Governor, by this amendatory veto, wants to give that same degree of confidentiality, same privilege, to peer review procedures for the Department of Mental Health. It's a totally different area. It has nothing to do with hospitals. It has nothing to do with peer review of hospitals. It's a totally different subject matter. And for those reasons, I would suggest that the Governor's amendatory veto is beyond the Governor's power in that regard."

Speaker Greiman: "Mr. Rea, we are in the process of determining the issue that has been raised by both Mr. Vinson and Johnson, and accordingly, it might be well to just take this out of the record for a little while. We will get back to you. Okay? On the Order of Amendatory Veto Motions appears Senate Bill 697. The Gentleman from Vermilion, Mr. Stuffle."

Stuffle: "Mr. Speaker, Members of the House, the Governor's veto simply makes changes to make the Bill consistent with regard to the fee schedule set up for land surveyors in another Bill and makes some technical changes in the Bill with regard to that issue and the question of land surveyors and the grandfathering in of people who have been in the business for years. There's no opposition to the amendatory veto, so I move to accept the amendatory changes

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of the Governor with regard to Senate Bill 697."

Speaker Greiman: "The Gentleman from Vermilion, Mr. Stuffle, has moved to accept the Governor's amendatory veto. And on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 697, by the adoption of the Amendment?' All in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 113 voting 'aye', none voting 'no', none voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding Senate Bill 697 by the adoption of the Amendment. On the Order of Amendatory Veto Motions appears... appears Senate Bill 740. The Lady from... Oh, Mr... I'm sorry. The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Mr. Speaker, I move that we accept the Governor's amendatory veto on Senate Bill 740."

Speaker Greiman: "The Gentleman from Marion has moved to accept the Governor's amendatory veto with respect to Senate Bill 740. On that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendation for change with respect to Senate Bill 740, by the adoption of the Amendment?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 112 voting 'aye', none voting 'no', none voting 'present'. This Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's

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specific recommendations for change regarding Senate Bill 740 by the adoption of the Amendment. On the Order of Amendatory Veto Motions appears Senate Bill 794. The Gentleman from DeKalb, Mr. Ebbesen."

Ebbesen: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, the recommended change to Senate Bill 794 is for the purpose of clarification of the intent of the Act, and the language currently could indicate that the Department of Public Health would issue a prescription for premeasured doses of epenephedrine, and this is not the intent of the legislation, nor was it ever during the discussion, and the intent of the Section is to indicate that the Department of Public Health is to issue a certificate for the approval of the use of the medication, and this change as recommended by the Governor would clarify the language to fulfill the original intent of the Bill, and I move for its adoption."

Speaker Greiman: "The Gentleman from DeKalb has moved that we adopt the Governor's amendatory veto. On that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 794 by the adoption of the Amendment?' All those in favor signify by voting 'aye', those opposed 'no'. The open... The voting is now open. Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 111 voting 'aye', none voting 'no', none voting 'present', and the Motion prevails, this Motion having received the Constitutional Majority. And the House accepts the Governor's specific recommendations for change regarding Senate Bill 794 by the adoption of the Amendment. On the Order of Amendatory Veto Motions appears Senate Bill 824, the Gentleman from Cook, Mr. Keane. Out of the record. On the Order of Amendatory Veto Motions appears Senate Bill 849, Mr. Keane.

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Okay. Alright, on the Order of Amendatory Veto Motions appears Senate Bill 891, Mr. Saltsman, the Gentleman from Peoria."

Saltsman: "Thank you, Mr. Speaker. I move to override the Governor's veto on Senate Bill 891. This Bill passed the House and Senate overwhelming last spring and amends the enabling law of the Department of Children and Family Services. It has the definition of child welfare services that may be provided by the agency to include supported services of living maintenance that contributes to the physical, emotional and social well-being of children who are pregnant and unmarried. I was asked to amend this Bill in the Human Services Committee - and we did amend it to their satisfaction - that prohibits DCFS expenditure of public funds for the expressed purpose of performing abortions. I ask for your supportive vote."

Speaker Greiman: "The Gentleman from Peoria has moved to override the Governor's amendatory veto. And on that, is there any discussion? The Gentleman from Cook, Mr. Bowman."

Bowman: "Yeah. Would... I didn't quite catch the explanation. What does... What does the amendatory veto do versus what the Bill did?"

Saltsman: "It prohibits them from using funds for the purpose of abortions."

Bowman: "Well, is that what the Bill did, or what the amendatory veto does?"

Saltsman: "That was the... That was our Amendment that we asked for. The amendatory veto just gutted the whole Bill completely."

Bowman: "Okay. Well, then, Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of the amendatory veto and urge the House to reject this particular Motion, and then we can go on to accepting the Governor's amendatory

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language. You know, I think the Governor has taken a very wise action here. The thing is that we have public hospitals in various parts of the state. And in Cook County, for example, the hospital is run by the County Board, and those people are elected officials. I don't think we should be telling them how to run their hospitals, and I think the Governor very wisely is keeping the state out of that sort of preemption of local control over local hospitals, and I think that we ought to reject this Motion, and then later accept the Governor's language."

Speaker Greiman: "The Lady from St. Clair, Ms. Younge."

Younge: "Would you explain your Motion again, please?"

Speaker Greiman: "I'm sorry. What was that, Ms... "

Younge: "I asked for a further explanation of his Motion."

Speaker Greiman: "Mr. Saltsman?"

Saltsman: "Yes. I move to override the Governor's veto on Senate Bill 891. This is a right-to-life vote."

Younge: "You said this is a right-to-life vote?"

Saltsman: "Predominantly, I would say that it goes along with their thoughts."

Speaker Greiman: "Ms. Younge, did you want to speak to the Motion? Further discussion? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "I rise in support of the Gentleman's Motion."

Speaker Greiman: "It certainly is a terse debate here. Further discussion? There being none, Mr. Saltsman to close."

Saltsman: "As I said, this Bill left the House and Senate in the spring by large majorities, and I express to have your same vote again. I move that the Governor's veto notwithstanding."

Speaker Greiman: "The question is, 'Shall Senate Bill 891 pass, the... the amendatory veto of the Governor notwithstanding?' This is final action. All those in favor signify by voting 'aye', those opposed vote 'no'. 71

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regarding Senate Bill 849 by the adoption of the Amendment. On the Order of Amendatory Veto Motions appears Senate Bill 906, Ms. Alexander."

Alexander: "Thank you, Mr. Speaker. I rise to accept the Governor's amendatory veto on Senate Bill 906."

Speaker Greiman: "The Lady from Cook, Ms. Alexander, has moved to accept the Governor's amendatory veto. And on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 906, by the adoption of the Amendment?' All those in favor signify by voting 'aye', those opposed 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 109 voting 'aye', 1 voting 'no', none voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding Senate Bill 906 by the adoption of the Amendment. On the Order of Amendatory Veto Motions appears Senate Bill 1056. The Gentleman from McHenry, Mr. Klemm on 1056."

Klemm: "Thank you, Mr. Speaker. I'd like to move that we accept the specific language suggested by the Governor in Senate Bill 1056, and basically, all it does is change the effective date to make it immediate rather than January 1st. And if there's any questions, I'll be delighted to answer them."

Speaker Greiman: "The Gentleman from McHenry, Mr. Klemm, has moved that we accept the Governor's amendatory veto, and on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 1056, by the adoption of the Amendment?' All in favor

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votes are required. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 83 voting 'aye', 24 voting 'no', 5 'present', and the Motion to override prevails. And the Bill is hereby declared passed, the veto of the Governor notwithstanding. On the Order of Amendatory Veto Motions appears Senate Bill 824. The gentleman from Cook, Mr. Keane."

Keane: "Thank you, Mr. Speaker. Could we go to Senate Bill 849, please?"

Speaker Greiman: "The next Bill. Alright. You want... You want Senate Bill 824 out of the record. Is that right?"

Keane: "849. Yes. Thank you."

Speaker Greiman: "Alright. Senate Bill 849, Mr. Keane."
Keane: "Thank you, Mr. Speaker. I move to accept the Governor's veto on 8... Senate Bill 849. The Governor changed some of the language that deals with the closed meetings of the Illinois Commerce Commission. Those changes have been accepted by the Senate, and I would move that we accept the changes also."

Speaker Greiman: "The gentleman from Cook, Mr. Keane, has moved that we accept the Governor's amendatory veto. On that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 849, by the adoption of the Amendment?' All in favor signify by voting 'aye', those opposed 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 108 voting 'aye', 4 voting... 109 voting 'aye', 4 voting 'no', none voting 'present', and the Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change

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signify by voting 'aye', those opposed vote 'no'. Voting is now open. 71 votes. Requires 71 votes. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 111 voting 'aye', 1 voting 'no', none voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 1056 by the adoption of the Amendment. On the Order of Amendatory Veto Motions on page eight of the Calendar appears Senate Bill 1174. The Gentleman from Fulton, Mr. Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Senate Bill 1174 was an Amendment to the Prevailing Wage Act (sic - Prevailing Wage Rate Act) and provided that upon violation by a contractor of the Prevailing Wage Rate Act that any such contract would be void and that the contractor would be limited to damages consisting of time and materials only. It also provided that the Department of Labor would be empowered to seek an injunction against that contractor or against that particular job. The Governor's veto simply clarified that since the Department of Labor does not, in of itself, have legal authority without counsel to pursue litigation, that that representation would come in the form of the Attorney General, who is the official counsel for all the state agencies. So, it was just simply a clarification, and we would ask that you support the... and accept the Governor's amendatory veto."

Speaker Greiman: "The Gentleman from Fulton, Mr. Homer, has move that we accept the Governor's amendatory veto. On that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendation for change with respect to Senate Bill 1174,

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by the adoption of the Amendment?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 79... 78 voting 'aye', 30 voting 'no', 1 voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 1174 by the adoption of the Amendment. On the Order of Amendatory Veto Motions appears Senate Bill 1239, Mr. Jaffe."

Jaffe: "Mr. Speaker, I'm going to move to accept the Governor's amendatory veto. Basically, what the Governor's amendatory veto does is provides that all convicted felons shall be excluded from possessing firearms, and it allows the Department of Law Enforcement to determine, on an individual basis, the nature and severity of the applicant's criminal act for the purpose of granting relief. It also reverses the order of granting relief so that the state, not the Federal Government, must first grant the relief, and I would move to accept the Governor's veto."

Speaker Greiman: "The Gentleman from Cook, Mr. Jaffe, moves that we... that the House accept the Governor's amendatory veto for change. Is there any discussion? On that, the Gentleman from Champaign, Mr. Johnson."

Johnson: "I don't... I don't mean to be disrespectful to the Chairman of Judiciary, but I really didn't hear anything that he said in explaining that Bill or the amendatory veto. I guess it's because of background noise. It's not Representative Jaffe's fault, but I... I don't... What did the original Bill do, and what does this Amendment do, and could this Amendment be construed as... as promoting gun

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control?"

Speaker Greiman: "The Gentleman will yield for a question. Mr. Jaffe, proceed."

Jaffe: "No, no. No, no. If you look at the amendatory veto, I think you'll see that it doesn't. All that the amendatory veto does is provides that all convicted felons must be excluded from possessing firearms. And it also permits the Department of Law Enforcement to determine, on an individual basis, the nature and severity of the applicant's criminal act for the purpose of granting relief."

Johnson: "There's apparently a Section that... that amends a Section on Department of Law Enforcement discretion to prohibit them from granting exception to any person ever convicted of a felony."

Jaffe: "No, no, no, no. You've got it just the other way around, Tim. What it does is it permits them, on an individual basis, to determine the nature and severity of the applicant's criminal act. What is really does is this says that first the state will determine it instead of the Federal Government. In other words, the Department of Law Enforcement now will make that determination instead of the Federal Government... "

Johnson: "Eut, do they do that on an administrative basis?"

Jaffe: "On a case-by-case basis, sure."

Johnson: "So that if you had administrators in that Department who happened to be disinclined to want people to be able to exercise their Second Amendment rights, that they could... "

Jaffe: "Well, I... "

Johnson: "... Whimsical discrimination to... "

Jaffe: "I really think you're stretching it quite a bit, because basically, it's the Department of Law Enforcement. Who

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else are you going to have determine that? You're going to put it in the Department of Transportation? You have to have the Department of Law Enforcement do it. I think you're making a... really, a mountain out of a molehill."

Johnson: "Well, I'm not doing that. I was just asking devil's advocate's questions that you're so good in responding to."

Jaffe: "Well, that's my explanation. Yeah."

Speaker Greiman: "Further discussion? There being none, Mr. Jaffe to close, if you feel you have to."

Jaffe: "I don't think that I have to. Basically, what the provision is that all convicted felons are... would be excluded from having firearms, and the Department of Law Enforcement would now be the first court where you determine whether or not you can reinstate that right."

Speaker Greiman: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 1239, by the adoption of the Amendment?' All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 66 voting 'aye', 38 voting 'no', 3 voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding Senate Bill 1239 by the adoption of the Amendment. On the Order of Amendatory Veto Motions appears Senate Bill 1260. The Gentleman from Fulton, Mr. Homer."

Homer: "Thank you, Mr. Speaker and Members of the House. Senate Bill 1260 was a Bill that amends the Environmental Protection Act in such a way as to provide for certain notices and public hearings to be given where an application is made for a regional pollution control facility for the disposal of hazardous waste. The Governor

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made two very minor changes through the use of the amendatory veto. One is that he exempted from the Bill the permits for underground injection control, because those are already covered by the federal RCRA standards and are not needed to be included in this particular Bill. In addition, the Governor's veto would reinstate the right of a third party, even though not a litigant in the permit application to file an appeal of any permit that is granted pursuant to the authority of this... of the EPA Act in this regard. I would urge your acceptance of the Governor's amendatory veto."

Speaker Greiman: "The Gentleman from Fulton has moved to accept the Governor's amendatory veto. On that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendation for change with respect to Senate Bill 1260, by the adoption of the Amendment?' All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 114 voting 'aye', none voting 'no', none voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding Senate Bill 1260 by the adoption of the Amendment. On the Order of Amendatory Veto Motions, page five of the Calendar, appears Senate Bill 22. The Gentleman from Cook, Mr. Terzich. Mr. Terzich, on Senate Bill 22."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I move that we accept the Governor's amendatory veto on Senate Bill 22. What he did is he simply added on the Chicago Park District employees to be included in the... in the provision of Senate Bill 22, and I would move for its

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adoption."

Speaker Greiman: "The Gentleman from Cook, Mr. Terzich, moves that the House adopt the Governor's amendatory veto. And on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 22 by the adoption of the Amendment?' All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 111 voting 'aye', none voting 'no', none voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding Senate Bill 22 by the adoption of the Amendment. And on the Order of Amendatory Veto Motions appears Senate Bill 61, the Gentleman from Cook, Mr. Nash."

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to accept the Governor's amendatory veto on Senate Bill 61."

Speaker Greiman: "The Gentleman from Cook, Mr. Nash, has moved that we accept the Governor's amendatory veto with respect to Senate Bill 61, and on that, is there any discussion? The Gentleman from Effingham, Mr. Brummer."

Brummer: "I know some of these explanations have been brief, but I think that set a new record. I wonder... "

Speaker Greiman: "The Gentleman indicates he'll yield for a question, Mr. Brummer."

Brummer: "Well, I wonder... My question is, I guess, two very general questions. What did the Bill do as it went to the Governor's desk, and what did the Governor do with the... in the amendatory veto?"

Speaker Greiman: "Mr. Nash."

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Nash: "Mr. Speaker, Ladies and Gentlemen of the House, the Governor's amendatory veto clarifies the otherwise uncertain legal status of the parties involved. Exclusively requires spousal consent requiring that a woman be married in order to be artificially inseminated."

Brummer: "What was the reason that the Governor deleted the language which provided that only persons licensed to practice medicine in all its branches may perform the technique of artificial insemination?"

Nash: "I haven't been able to get the answer to that question either."

Brummer: "Well, if we pass this Bill, accepting the Governor's amendatory veto, who can perform the technique of artificial insemination?"

Nash: "Just a medical doctor, an M.D."

Brummer: "I'm sorry. I didn't hear."

Nash: "The person qualified to do it would be an M.D., a medical doctor."

Brummer: "Well, our analysis says that the Governor deleted that provision."

Nash: "Some portions of the analysis, Representative Brummer, are not correct."

Brummer: "Does that mean... Does that mean that only a doctor could... only a individual licensed to practice medicine in all its branches could perform the technique of artificial insemination?"

Nash: "To my knowledge, yes."

Brummer: "You're saying our analysis is absolutely in error on that point."

Nash: "Could we take this out of the record so I can discuss it with... "

Speaker Greiman: "Alright. 61 will be out of the record. On the Order of Amendatory Veto Motions appears Senate Bill 147,

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Mr. Bullock. Mr. Bullock? Proceed, Mr. Bullock. Oh, I'm sorry. Excuse me, Mr. Bullock. There was one before you. Mr. Preston. Out of the record on 128? Alright. We'll get right back to you. I missed that on the Calendar. Mr. Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would ask for us to go along with the Governor's amendatory veto of Senate Bill 128. The change that was made was really a technical change in the Bill that changed some of the language in the Bill concerning kosher labeling of food from the language that was originally there talking about the Jewish community's involvement to language which talks about the code of Jewish law being the guide for the labeling of food as kosher or non-kosher. It's a technical change that was agreed to by all the parties who met with the Governor, and I'd ask for your 'aye' vote."

Speaker Greiman: "The Gentleman from Cook, Mr. Preston, has moved that the House accept the Governor's amendatory veto. And on that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 128, by the adoption of the Amendment?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 111 voting 'aye', none voting 'no', none voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding Senate Bill 128 by the adoption of the Amendment. On the Order of Amendatory Veto Motions appears Senate Bill 147. Mr. Bullock?"

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

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House. I rise in support of the Governor's amendatory veto and specific recommendations for change and would urge that the Assembly adopt the amendatory veto message. Basically, this legislation has been discussed at length in this Body. It deals with the correctional budget and impact note. The Governor, in his wisdom, decided that he would amendatorily veto the legislation to require only that legislation which would require incarceration in Department of Correction facilities in the state would, in fact, apply, and he specifically said that we should, in fact, delete the provision in the Bill which relates to unrelated restitution portions for individuals. I know of no opposition to the Governor's amendatory veto. I think we all are familiar with the essence of the Bill, and I would urge its adoption."

Speaker Greiman: "The Gentleman from Cook, Mr. Bullock, has moved that we accept the Governor's amendatory veto. On that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 147, by the adoption of the Amendment?' All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 77 voting 'aye', 37 voting 'no', 1 voting 'present'. This Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding Senate Bill 147 by the adoption of the Amendment. On the Order of Senate Bills, Amendatory Veto Motions, appears Senate Bill 247. The Gentleman from Cook, Mr. Leverenz."

Leverenz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I would ask for your 'aye' vote to accept the

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amendatory veto of the Governor. It basically... The Bill started out allowing for one annual audit of the Illinois Toll Highway Authority. I did amend it to provide for public hearings on toll increases and make it subject to the Illinois Administrative Procedures Act. Those Amendments were embodied in Senate Bill 1244. Thus, they are not needed in this Bill. It is, however, necessary that we get to one annual audit instead of two for the Toll Road Authority. I would now move for the acceptance of the amendatory veto of the Governor and ask for your green vote."

Speaker Greiman: "The Gentleman from Cook, Mr. Leverenz, has moved that the House accept the Governor's amendatory veto. On that, is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 247, by the adoption of the Amendment?' All in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 108 voting 'aye', 4 voting 'no', none voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding Senate Bill 247 by the adoption of the Amendment. On the Order of Amendatory Veto Motions appears Senate Bill 263, Mr. DiPrima. Proceed, Mr. DiPrima."

DiPrima: "Yes, Ladies and Gentlemen of the House, I move that the House concur with the Senate in the acceptance of the Governor's specific recommendations for change in Senate Bill 263. What the Governor has done, he substituted the federal regulations which is more formidable, and I move for concurrence."

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Speaker Greiman: "The Gentleman from Cook, Mr. DiPrima, has moved that we accept the Governor's amendatory veto. On that, is there any discussion? There being none... Yes, the Gentleman from Champaign, Mr. Johnson."

Johnson: "What... What's the position of the various state universities and colleges with respect to the provisions that the Governor's amendatorily vetoed this with? I know that it's already federal law. But do they think that there's going to be any difficulty in administering this?"

Speaker Greiman: "The Gentleman from Cook... indicates he'll yield for a question. Go ahead, Mr. DiPrima."

DiPrima: "Yes, I don't think so. I mean, after all, it's uniform throughout the country and should be understandable to any intelligent person, you know, especially big school people."

Johnson: "Well, it makes sense to me."

Speaker Greiman: "Alright. Further discussion? Mr. Johnson, did you want to speak on the Bill? No. Alright. Further discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 263 by the adoption of the Amendment? All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 93 voting 'aye', 15 voting 'no', 6 voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendation for change regarding Senate Bill 263 by the adoption of the Amendment. Now, on the Order of Amendatory Veto Motions appears Senate Bill 476, the Gentleman from Cook, Mr. Bowman. Mr. Bowman, we are on Senate Bill 476. Mr. Bowman. Excuse me."

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Bowman: "Yes, thank... thank you very much."

Speaker Greiman: "Excuse me, Mr. Bowman."

Bowman: "Yeah, okay."

Speaker Greiman: "The Gentleman from DeWitt, Mr. Vinson, has requested... has made a parliamentary inquiry of the Chair and has suggested that the Governor's amendatory veto for change is beyond the power and scope of the Governor's power to act in that regard. This Chair has used as... is using as its test today the question of as to whether or not the amendatory veto is germane to the Bill, on the subject matter, and is using the test customarily applied to the germaneness rule in this House. Accordingly, we rule that the amendatory veto of the Governor, in terms of subject matter, is, indeed, germane. Mr. Bowman, proceed."

Bowman: "Well, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I renew my Motion to accept the Governor's amendatory language."

Speaker Greiman: "Ms. Pullen, were you asking for recognition? Oh, yes, I... we see him. Mr. Vinson, yes, on the Bill. No?"

Vinson: "Mr. Speaker, you said that today you were using that test. Is that a transient test, or is that the permanent test?"

Speaker Greiman: "Well, Mr. Vinson, we are both students of the Anglo-American legal system, and both probably believe in the Doctrine of 'Stare Decisis'."

Vinson: "Thank you. That's all I wanted to hear."

Speaker Greiman: "Proceed, Mr. Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The... I don't know what all the fuss was, because this is absolutely a technical Amendment. It is not, as the Gentleman from DeWitt had represented, a major extension of the state policy. It's just that the state

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has no way of knowing in advance whether the slots in these machines will be used for coins or tokens or some other device. All we can determine is that we're taxing a machine that has a slot in it. And how that slot is to be operated at some future date is not possible to be known by the state, so that really, in order to make the law workable at all, this technical change was required, and I believe it to be only a technical change, and I am renewing my Motion to over... excuse me... to accept the Governor's amendatory veto."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman, moves to accept the Governor's amendatory veto. The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 476, by the adoption of the Amendment?' Voting is now open. All those in favor signify by voting 'aye', those opposed vote 'nay'. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this Motion, there are 111 voting 'aye', none voting 'no', none voting 'present', and this Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 476 by the adoption of the Amendment. On the Order of Amendatory Veto Motions appears Senate Bill 695. The Gentleman from Franklin, Mr. Rea. We're going to take that out of the record. Mr. Yourell. Representative Yourell in the Chair."

Speaker Yourell: "On page four, appearing on the Order of Total Veto Motions, appears Senate Bill 10. Representative Ewing? Who's going to handle that Bill for Representative Ewing? Representative Ebbesen, are you going to handle that Bill? Joe? Representative Ebbesen."

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

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on overriding this, there was some misinformation that went to the Governor when he vetoed it, and the Bill itself amends the Vehicle Code to allow the use of studded tires on vehicles displaying handicapped or disabled veteran license plates, and it's restricted. You have to have a valid driver's license, and you have to reside in an unincorporated area upon a county or a township road, and it allows this to take place between November 15th and April 1st. And when the Governor wrote his veto message, it indicated there, and I think that was the basic reason, that the Federal Highway Administration had issued a policy statement denying the use of federal funds for resurfacing unless a state law prohibits the use of studded tires, which we now know from a letter from the Department of Transportation, the Federal Highway Administration, that it is... states... it's from Mr. Barnhart, the Federal Highway Administrator, that it is the prerogative of the states to determine whether or not studded tires should be used on their highways, and the policy is not tied to the state's eligibility to receive federal aid highway funds. And with that in mind, I would move for the override of the Governor's veto."

Speaker Yourell: "Is there discussion? The Gentleman from Macon, Representative Dunn."

Dunn, J.: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of the Governor's veto and in opposition to the Gentleman's Motion. If I recall this piece of legislation correctly when it appeared before the Transportation Committee this spring, the legislation was, and I think it still is, limited to providing studded tires for those who have handicapped plates and who live in an unincorporated area located upon a county or township highway or road. Now, if we're going to do this kind of

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thing for one person, we should do it for everyone who can certify to any proper authority that during the winter months when the weather is bad, the roads are covered with snow or ice, that all those people will have problems. We shouldn't provide legislation just for one group of people. What about the group of people in the City of Chicago who have difficulty getting around on snow and ice? They are not covered by this legislation. What about all the people who live inside the corporate boundaries of villages and cities in downstate Illinois and who have trouble getting around? They are not covered by this legislation. What about you and I? There's a lot of people may think we have handicaps of one kind or another, and who, nevertheless, have to travel in bad weather to get here to Springfield. We are not covered by this legislation. At one time, we had legislation for studded tires in the State of Illinois, and we found that it was chewing up our roads so fast we could not repair them. So, we eliminated and prohibited the use of studded tires to preserve our roads. We should continue to do that. We do not have unlimited resources for the maintenance of our highways in the State of Illinois, as everyone knows. The Governor's veto was a correct position on this Bill, and although the 'mover' (sic - mover) here is a fine Gentleman, one of the Members I really respect in this General Assembly, I think he is misguided on this issue, and I would urge support of the Governor and a 'no' vote on this Motion to override."

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

Klemm: "Thank you, Mr. Speaker. I stand in support of an override of this Bill. You know, when you're traveling around some of the country roads that certainly I represent in my area, and you slide off the street or the highway,

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and you're stuck there, and it's late at night, you know it's a frightening experience, really, because you're wondering what car or who can come by to help you out. But picture yourself as being a handicapped person or disabled veteran who's in that car and have some misfortune of perhaps spinning around the ice and slipping off and can't getting out. Now, that's really a scary situation. I think that for those few people that would be using this type of studded tires, it's certainly not going to destroy the roads of Illinois. And, in fact, certainly would do a service for those handicapped people who just are really alone at that time. I think we should support this override, pass this Bill and at least help those people who are certainly less fortunate than I. And I would ask for your favorable vote."

Speaker Yourell: "The Gentleman from Vermilion, Representative Stuffle."

Stuffle: "Mr. Speaker and Members, I think Representative Klemm has hit the nail on the head. In fact, I can recount a specific instance of receiving a letter from a person who, only by accident, had been found on a rural road after they had spun off the road. They were handicapped. They would have been unable at all, unless someone just fortuitously came by and helped them out to get back into a position of being able to get back to town, being able to get out of their car, being saved in the middle of winter on an icy night. The fact is that the Bill is tightly drawn. That fact is that the fact that it's limited to the rural situation would prevent major deterioration to the roads. The person who's in town's going to be accessible to help, to an ambulance. The person in a rural area - and there are very rural areas of this state in my district and some of the others - have no opportunity, or may have no

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opportunity to be helped or saved in a situation that may be extremely one of inclement weather or extreme icing conditions. This is a very narrowly drawn, very necessary piece of legislation, in my opinion. I think Representative Ebbesen's pointed out that the Governor's Office probably knows the error of their ways, probably realizes that this will not hinder our ability to capture federal funds in any way, and that red herring has been tossed out. For the reasons cited, for the real reasons that there are these situations - they're limited in scope, and so is the Bill - I would urge that we support the Motion of Representative Ebbesen on Representative Ewing's behalf to override the Governor's veto with regard to Senate Bill #10."

Speaker Yourell: "The Gentleman from McClain, Mr. Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. I stand in support of the override of this Bill, because oftentimes people who are handicapped do require more medical attention than others, and it seems to me that on very severe weather conditions, these people do not take advantage of, let's say, medical care and so forth, and I think it's important that studded tires be granted them. We've stated that there is a severe damage to the highways because of studded tires. Let me tell you, I think the cost of potential damage and loss of life is far greater than the cement and sand that may have to be replaced as a result of studded tires. I think it's a good Bill and certainly ought to be supported."

Speaker Yourell: "Is there further discussion? Seeing none, the question is, 'Shall Senate Bill 10 pass, the veto of the Governor notwithstanding?' This is final action and requires 71 votes. All those in favor will signify by voting 'aye', those opposed will vote 'no'. Have all voted

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who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 100 voting 'aye', 12 voting 'no', none voting 'present'. On this... And this Bill, having received the Constitutional Majority, is hereby declared passed. Appearing on the Order of Total Veto Motions is Senate Bill 186, Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We have here a Bill which, in its original form, amended the Casual Deficits Act. The Casual Deficits Act was passed in the late 19th Century, before sophisticated bonding techniques for covering these deficits were developed. This particular piece of legislation is required to bring the bonding procedures for covering these casual deficits up to date. Now, Mr. Speaker and Ladies and Gentlemen of the House, 186 does one other thing. It involves the Legislature more in the process. It involves other constitutional officers besides the Governor in the process. If we're going to be involved in borrowing up to 300 million dollars, which the Bill provides, as a casual deficit to cover operating costs, I think we've got to have the Comptroller involved and the Treasurer involved along with the Governor, and I think the Legislature ought to have something to say about it. And let me tell you, Ladies and Gentlemen, back in the spring when we were working on this legislation, we worked with the Governor's Office. We worked with the Bureau of the Budget. They signed off on it. The other side of the aisle approved it, and I think it's irresponsible of the Governor to come in now and veto this legislation. And this is what I think of his veto message. He can just take it and stick it in his ear. Okay? I move to override."

Speaker Yourell: "The Gentleman from DeWitt, Representative Vinson. Try that one, Sam."

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Vinson: "Mr. Speaker, until fairly recently, we didn't have a position on this Bill. But I rise in opposition to the Gentleman's Motion, on its merits."

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

Matijevich: "I was just going to say to Woody, be careful about telling someone to stick it in their ear. When they told that to the President, he got a hearing aid."

Speaker Yourell: "Is there further discussion? Does the Gentleman wish to close, or have you had enough? The question is, 'Shall Senate Bill 186 pass, the veto of the Governor notwithstanding?' This is final action and requires 71 votes. All those in favor will signify by voting 'aye', those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative Bowman?"

Bowman: "I'd be happy to repeat my earlier speech for the benefit of anyone who was off the floor."

Speaker Yourell: "You ripped it up, didn't you?"

Bowman: "In... In all seriousness, Mr. Speaker, Ladies and Gentlemen of the House, what we're dealing with here is the very important issue of how the state obligates itself for short-term debt, if we happen to have a shortfall in revenues, and the statutes provide that we can borrow up to 300 million dollars, but there's no mechanism that's presently included in the statute. That's why we had Senate Bill 186, to provide a reasonable, responsible mechanism. And it was one that we worked with the Bureau of the Budget on. We developed language with. The other side of the aisle signed off on it back in the spring. I don't understand what the Governor's doing now. I think it is irresponsible of the Governor, and we need to override this veto."

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Speaker Yourell: "Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 57 voting 'aye', 44 voting 'no', 2 voting 'present', 15 not voting, and the Motion to override fails. Appearing on the Order of Total Veto Motions is Senate Bill 319, Representative McMaster."

McMaster: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move that Senate Bill 319 pass, the veto of the Governor notwithstanding. Senate Bill 319 concerns itself with the money generated by the Lottery Fund. As the Assistant Majority Leader on the other side of the aisle will verify, when we first had the Lottery bills in, the purpose of the Lottery funds was to go to the Common School Fund. We all know that it now goes to the General Fund, and in turn, it's dispersed out, part of it, of course, to the School Fund. The main effect of this Bill would let the people of the state know, as some of them still do not know, that we will return all of the Lottery proceeds to the Common School Fund. And I would urge the support of this veto override."

Speaker Yourell: "Is there discussion? The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. With all due respect to the maker of this Motion and the intention of this particular legislation, I would suggest to you that this will not increase the amount of resources that are available for schools, but will, in fact, cause or could cause some cash flow problems for the General Revenue Fund. The level of appropriations for educational purposes will not change. It will merely say that the amount that comes out of the Common School Fund is greater than it was before, because we've moved the money from the General Revenue Fund to the Common School Fund. I, for one, don't believe that would change the bottom line

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at all. That's a bottom line that is established by the Legislature. What it will do, however, in my judgment, and I agree with the Governor that it may very well cause some additional cash flow problems in the General Revenue Fund. Now, if we look down the road to the expiration... the ending... the expiration of the income tax which we adopted, the increase in the income tax, which we adopted when we were in Session in the spring which is due to expire the end of June, that we very well may be facing some additional cash flow problems similar to those that we've had in the past. And for this reason, I think it ill behooves this Body to, in effect, if you will, tie our hands or tie the hands of the Executive which will, in effect, cause us difficulties as a Legislative Body in the future. I think for the cosmetic affect that is created by this Bill, it is not only unworthy of this Body to support it on an intellectual basis, but it also is going to very well... may very well cause us some other kinds of problems, particularly political problems in the future. For that reason and no other, certainly not addressing the intent of the Sponsors or the seriousness with which they address this, I just think that in this particular case, the Governor is correct. And I would suggest that we have 'no' votes on this legislation."

Speaker Yourell: "The Gentleman from Macon, Representative John Dunn. Gentleman from McLean, Representative Ropp. Push your button, Sir, speak button. Indicates he will. Why don't you move to another microphone."

Ropp: "A couple of weeks ago when this Bill was brought before this chamber again, you mentioned that it was going to increase revenues to the school aid program, and I thought at that time an answer forthcoming was somewhat difficult. And I'm wondering in the passage of time, if you have been

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able to determine whether or not there would be additional funds go to the school educational system in the state as a result of this Bill passing."

Speaker Yourell: "Representative McMaster."

McMaster: "Thank you, Mr. Speaker. In answer to the Gentleman's question, I did not state that there would be any additional funds, Representative. In fact, I said quite the contrary. It would probably not effect the amount of money going to the Common School Fund, but would have the effect of satisfying the people of the State of Illinois that the Lottery funds are going to education. And this is what we're attempting to do with this Bill."

Bopp: "Okay. I'm sorry. I wasn't here. You were not the Sponsor a couple of weeks ago, and I guess you didn't make that remark. And I stand corrected on that. I agree with you that I don't think that there will be any additional funds at all go into the educational system in the State of Illinois. And certainly, as Representative Hoffman said, some complications and problems surely in my judgment would arise too, and I think we ought not to support this."

Speaker Yourell: "Is there further discussion? Hearing none, the Gentleman to close, Representative McMaster."

McMaster: "Thank you, Mr. Speaker. I fail to see where this Bill will cause any cash flow problems to the State of Illinois. Certainly, the amount of money going to the Common School Fund is determined by formulas that we pass in the Illinois General Assembly. Why it would have affect on the cash flow of the General Fund of the State of Illinois is beyond me. So, I think that's a fallacious understanding that this would have an affect. Also, there was a statement made by a previous speaker, something about political ramifications, and I fail to see any politics involved in this. And I would, certainly, urge support of this

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override Motion."

Speaker Yourell: "The question is, 'Shall Senate Bill 319 pass, the veto of the Governor notwithstanding?' This is final action. Takes 71 votes. All those in favor signify by voting 'aye', those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 48 voting 'aye', 57 voting 'no', 1 voting 'present', and the Motion to override fails. Representative Leverenz, for what reason do you rise?"

Leverenz: "Record me 'aye', and a Poll of the Absentees."

Speaker Yourell: "On this question, there are 49 'aye', 57 'no', 1 voting 'present'. This Bill, having failed to meet the Constitutional Majority, fails. Appearing on the Order of Total Veto Motions is Senate Bill 502, Representative Keane. Here he comes."

Keane: "Thank you, Mr. Speaker. I move to override the Governor's veto of Senate Bill 502. What 502 did was it made the state pay... the state in the past had free copies for... when they went to a county for the registrars and recorders of titles. They had... We had... They had to give free... free copies to the state and the state agencies. The Bill originally said they would pay the same fees as private persons which is only fair. The Governor, in his total veto, said that... that it's a tremendous amount of money involved in making vouchers and doing the paperwork to do this. I disagree with the Governor's position on this. The fact that the state does not want to pay for this... for the costs of doing... of getting their copies from registrars and recorders of title gives it some privileged status. It's costing local government money, and I would move for a total override of the veto of the Governor's veto on 502."

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Speaker Yourell: "Is there discussion? Representative Vinson."

Vinson: "Mr. Speaker, I rise in opposition to the Gentleman's Motion again, not because his idea's a bad idea, but because we're not in the position at this point fiscally where the state can just continue going ahead and assuming new obligations constantly. This is a new program, a new obligation within an additional cost, and quite clearly, the state budget is not in shape at this point to do that. I would be very willing to join the Gentleman in sponsorship of such legislation in a fiscal year where the state had some reasonable belief that there were surplus funds to begin paying for this kind of cost. But under the circumstances, I don't believe that any of us want to imperil the state's fiscal situation to do anything that might necessitate the extension of the temporary income tax, and I would urge a 'no' vote on that basis."

Speaker Yourell: "Is there further discussion? Seeing none, the Gentleman from Cook to close."

Keane: "Thank you, Mr. Speaker. The fiscal impact on this Bill will be minimal. We're talking a matter of a few dollars in fees, and right now local government is having a difficult time in the State of Illinois, probably more difficult than State Government. And what we're doing by not paying our... what the cost of the service is, and we're forcing local government to pick up the table for providing state services or services to the state. The... As I said, the fiscal impact will be minimal; but, for units of local government who have been giving this free service to the state and are much, much more strapped than the State Government, I would ask that you vote to override the Governor's total veto. Thank you."

Speaker Yourell: "The question is, 'Shall Senate Bill 502 pass, the veto of the Governor notwithstanding?' This is final

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action. Requires 71 votes. All those in favor will vote 'aye', those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 71 voting 'aye', 42 voting 'no', 1 voting 'present'. The Gentleman from DeWitt, Representative Vinson, for what reason do you rise?"

Vinson: "I think Representative Karpziel is seeking your attention."

Speaker Yourell: "Representative Karpziel, for what reason do you wish to be recognized? Pushed the wrong button? How's the Lady recorded?"

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

Speaker Yourell: "Record her as voting 'no'. The Gentleman requests a Poll of the Absentees. Mr. Clerk, read the absentees."

Clerk O'Brien: "Poll of the Absentees. Ereslin, Ewing, Harris and Levin."

Speaker Yourell: "Representative Keane. Representative Breslin, for what reason do you rise? Representative Breslin votes 'aye'. Representative Vinson, for what reason do you rise?"

Vinson: "To request a verification."

Speaker Yourell: "The Gentleman's within his rights to request a verification. On this question, there are 71 voting 'aye', 42 voting 'no', 1 voting 'present'... 43 voting 'no', 1 voting 'present'. Mr. Clerk, poll the affirmative vote."

Clerk O'Brien: "Alexander, Berrios, Bowman, Braun, Breslin, Brookins, Brummer, Brunsvold, Bullock, Capparelli, Christensen, Cullerton..."

Speaker Yourell: "Excuse me, Mr. Clerk. For what reason does Representative Doyle rise? Record the Gentleman as voting

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'aye'. Proceed Mr. Clerk, with a poll of the affirmative vote. Representative Huff, for what reason do you rise?"

Huff: "Leave to be verified, Mr. Speaker."

Speaker Yourell: "The Gentleman asks leave to be verified. Leave is granted. Representative Nash. Leave to be verified. Representative Vinson, leave? Representative Jesse White leave to be verified. Mr. Vinson? Representative Currie, for what reason do you rise? Leave to be verified. Representative Jaffe requests leave to be verified. Any problem Mr. Vinson. You got them? Proceed with the affirmative Roll Call."

Clerk O'Brien: "Curran, Currie, Deuchler, DiPrima, Domico, Doyle, John Dunn, Farley, Flinn, Giglio, Giorgi..."

Speaker Yourell: "Excuse me, Mr. Clerk. For what reason does Mr. Marzuki rise?"

Marzuki: "Leave to be verified."

Speaker Yourell: "Leave to be verified? Leave's granted. Proceed, Mr. Clerk."

Clerk O'Brien: "Greiman, Hannig, Hicks, Huff, Jaffe, Keane, Kirkland, Krska, Kulas..."

Speaker Yourell: "Excuse me, Mr. Clerk. For what reason does Mr. Dunn rise?"

John Dunn: "Request leave to be... verified."

Speaker Yourell: "The Gentleman asks leave to be verified. Leave granted. Proceed, Mr. Clerk."

Clerk O'Brien: "Laurino, LeFlore, Leverenz, Markette, Marzuki, Matijevich, Mautino, McGann, McMaster, McPike, Mulcahey, Nash, O'Connell, Olson, Panayotovich, Pangle, Pierce, Preston, Rea, Rhem, Rice, Richmond, Ronan, Saltsman, Satterthwaite, Shaw, Slape, Steczo, Stuffle, Taylor, Terzich, Turner, Van Duyn, Vitek, Wait, White, Wolf, Younge, Yourell, Mr. Speaker."

Speaker Yourell: "Questions of the affirmative, Representative

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Vinson."

Vinson: "Representative Farley."

Speaker Yourell: "Representative Farley. Representative Farley.
Is the Gentleman in the chamber? Representative Farley.
Remove him."

Vinson: "Representative Greiman."

Speaker Yourell: "What was that, Sir?"

Vinson: "Greiman."

Speaker Yourell: "Representative Greiman. Representative
Greiman. Is the Gentleman in the chamber? He'll be out,
Sam. Remove him."

Vinson: "Can't we remove him for a while?"

Speaker Yourell: "Remove him. Proceed. Yes. We'll remove him."

Vinson: "Representative Hannig."

Speaker Yourell: "Representative Hannig. Representative Hannig.
The Gentleman in the chamber? Remove him from the Roll
Call. For what reason does Representative Steczo rise?"

Steczko: "Leave to be verified."

Speaker Yourell: "Leave to be verified, Sam? Proceed, Sir."

Vinson: "Representative Laurino."

Speaker Yourell: "Representative Laurino. Representative Laurino
in the chamber? Remove him. Proceed."

Vinson: "Representative Leverenz."

Speaker Yourell: "Representative Leverenz. Representative
Leverenz. Return Representative Greiman to the Roll Call.
Representative... Leverenz in the chamber? Remove him.
For what reason do you arise, Representative O'Connell?"

O'Connell: "May I have leave to be verified?"

Speaker Yourell: "Leave to be verified is granted. Proceed,
Sir."

Vinson: "Representative Matijevich."

Speaker Yourell: "Representative Matijevich is in his chair."

Vinson: "Representative Mautino."

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Speaker Yourell: "Representative Mautino. Representative Mautino. Just in the back. He's here. Representative Mautino in the back. Return Representative Hannig to the Roll Call. He's down in the well. Proceed, Sir."

Vinson: "Mr. McGann."

Speaker Yourell: "Representative McGann is in his seat."

Vinson: "Mr. Pierce."

Speaker Yourell: "Representative Homer, for what reason do you rise?"

Homer: "May I be recorded as 'aye'?"

Speaker Yourell: "The Gentleman asks leave to be recorded as 'aye'. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman's recorded as voting 'no'."

Speaker Yourell: "Record the Gentleman as 'aye'. Proceed, Sir. What was the last name?"

Vinson: "I see him there now."

Speaker Yourell: "Okay."

Vinson: "Representative Ronan."

Speaker Yourell: "Representative Ronan. Representative Ronan in the chamber? His coat's there. He's not in the coat. Remove him. Proceed, Sir."

Vinson: "Representative Shaw."

Speaker Yourell: "Representative Shaw. Representative Shaw in the chamber? Return Representative Ronan to the Roll Call. Remove Representative Shaw. Proceed."

Vinson: "Representative Turner."

Speaker Yourell: "Representative Turner is in his seat."

Vinson: "Beg your pardon?"

Speaker Yourell: "He's in his seat."

Vinson: "Representative Kirkland."

Speaker Yourell: "Representative Kirkland. Representative Kirkland in the chamber? Representative Kirkland. Remove the Gentleman. Any further questions?"

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Vinson: "No further questions."

Speaker Yourell: "No further questions. What's the count, Mr. Clerk? On this question, there are 68 voting 'aye', 42 voting 'no'. The Gentleman's Motion to override fails. Appearing on the Order of Total Veto Motions is Senate Bill 520, Representative Curran."

Curran: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I ask the House to override the Governor's veto of Senate Bill 520 which is strongly backed by the right-to-life movement and is required because of the abortion decisions of the United States Supreme Court handed down earlier this year. Those decisions in the... Akron, Ashcroft and Simopoulos cases mean that, unless the Illinois abortion law is amended, we will be left with virtually no effective regulation of abortion in this state. Senate Bill 520 has been meticulously designed to bring our law into conformance with those decisions. It's a responsible and carefully drafted response to make the Illinois Abortion Law constitutional. I want to stress that 520 is concerned almost exclusively with the viable, unborn child - a child born during an attempted abortion. A vote in favor of this Bill is almost exclusively a vote to protect these children. A vote against this Bill is a vote against providing even minimal protection to children during the last few months of pregnancy. In three limited areas, this Bill builds on statements by the Supreme Court. In the Akron and Ashcroft cases, the Court stressed that the medical, health-related aspects of abortion... They said that the states could constitutionally regulate abortion to serve, quote, 'important state health objectives', unquote, so long as these regulations were in accord with accepted medical practice. First, this Amendment ensures that when a woman has an abortion, a test

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will be give for maternal RH blood factor, so that subsequent... subsequent wanted pregnancies will not result in the death of a child do to RH incompatibility. The need for this test is something upon which responsible physicians agree. Second, the Amendment directs the Department of Health to set up an effective program for reporting statistics about maternal deaths, both from child birth and from abortion. It is essential to promote the development of generally accepted medical standards about which the Supreme Court wrote. Finally, the Amendment prevents a very frivolous and shocking abortion - the practice of aborting late-term pregnancies solely because that fetus is of a certain sex. The Supreme Court explicitly held in Doe versus Bolton that the states can require that abortions be done only when a physician certifies that they are clinically necessary. In last June's decision, the Supreme Court strongly stressed the medical nature of the abortion decision. Who can say that the mere desire not to have a girl can be a serious reason for the late-term abortion, truly related to the pregnant woman's health? Such frivolous abortions which can only be done near or after viability can and must be stopped. The changes in this Amendment are careful, responsible, constitutional and urgently needed. They are strongly backed by the pro-life movement, which considers this, perhaps, the most important pro-life Bill of the Session. I move for a favorable Roll Call."

Speaker Yourell: "Is there discussion? The Gentleman from Cook, Representative Keane."

Keane: "Thank you, Mr. Speaker. I have a few questions of the Sponsor."

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

Keane: "You mentioned that the... it prohibits abortion as a

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means of sex selection. Is this going on now?"

Curran: "Yes. The Washington Post quotes Dr. Maurice Mahoney, the Director of Prenatal Diagnosis at Yale University, as saying that a lot of obstetricians over the country are quietly doing amniocentesis for sex determination. There have been letters from doctors in medical journals like the Journal of American Medical Association and the New England Journal of Medicine telling about sex selection abortions. There's a great bias against girls. In a poll done by Princeton University's office of population research, 45% of those would choose boys and only 20% would choose girls."

Keane: "Second question I have, does your... does your Bill change the definition of viability?"

Curran: "In... In House Bill 666, the question of viability has been changed. So that point has already been taken care of - in another Bill, House Bill 666, which was passed by this chamber, passed by the Senate and then signed into law by the Governor."

Keane: "And this Bill does not change that?"

Curran: "This Bill does not touch that, because it's already been taken care of."

Keane: "Okay. Finally, what about with the handicapped? If a child is likely to be handicapped of a particular sex, if that has... sex has a determination in it, would your Amendment speak to that area, or would the Bill speak to that?"

Curran: "The Amendment wouldn't affect that type of abortion. There's a series... there's a specific exemption from the prohibition in the Amendment, where there's an abortion for sex linked genetic disorder."

Keane: "Thank you. I have no further questions."

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

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Pullen: "I have some questions of the Sponsor please."

Speaker Yourell: "The Gentleman indicates he'll yield."

Pullen: "You indicated that this Bill deals primarily with viable fetuses, and it's my understanding that Section 6, paragraph 3 prohibits experimentation upon a live fetus unless experimentation is therapeutic to the fetus. What is the difference between therapeutic experimentation and the type of experimentation that is prohibited in this Bill?"

Curran: "In terms of constitutionality, that has already been established by the Federal District Court in the case of Margaret S. versus Edwards. In that case, the Court specifically interpreted the meaning of therapeutic experimentation on fetuses and upheld a ban on all other fetal experimentations as constitutional. The Court said, and I quote, speaking now of the Louisiana Legislature, 'that the Legislature meant that it wished to permit only experimentation which is designed to benefit, either in the short term or the long term, the individual upon whom it is conducted. So regardless of whether he can calculate the odds of success, a doctor knows whether an experiment is tended to help a patient. If it is so intended then it is therapeutic. Since experimentation involves itself in the chance of failure, the legislation could not have meant only that successful experimentation would have been therapeutic. The Court notes that this Section will not prescribe important medical procedures such as amniocentesis. It is a test, rather than an experiment.' End quote. Now those are the words of the Court in Louisiana. I want to establish legislative history that the terms in Section 6-3 of our statute are meant to be interpreted exactly as the Court did in Margaret S. versus Edwards."

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Pullen: "So you're indicating that the Court has already ruled that a state can constitutionally prohibit experimentation on a fetus if it is not for therapeutic purposes."

Curran: "That is correct."

Pullen: "So it would... This Bill would limit fetal experimentation to therapeutic experimentation."

Curran: "That is correct. In *Margaret S. versus Edwards*, the Court upheld such a ban and said that it applied to all stages of fetal development."

Pullen: "The definition of first trimester has been taken out of this Bill. Is there any constitutional problem with that? Why are you doing that?"

Curran: "Well, the term 'first trimester' is no longer used anywhere in the statute; therefore, it's unnecessary to define that term. Nothing in the constitution requires the state to define terms which are not used. Senate Bill 520 amends the Illinois Abortion Law so that all remaining distinctions are based on whether the child is viable or not, and viability occurs well after the first trimester."

Pullen: "I've read in some newspaper accounts that opponents of this Bill are saying the definition of human being is unconstitutional according to recent court decisions. Is that true?"

Curran: "Absolutely not. In the landmark case, *Roe versus Wade*, the Supreme Court said that the state cannot rely on one theory of life, in justification for overriding the pregnant rights - the rights of pregnant women who are at stake. Now, nothing in the Constitution or in the opinion of the Supreme Court prevents the state from recognizing the unborn as human beings or from protecting their lives and well being in any way so long as no constitutionally recognized rights of pregnant women are thereby infringed. Moreover, the term 'human being' is

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only used... is used only in Section 6-2 where it is modified by the words 'born alive'. Thus, it is never applied in the manner which affects, let alone infringes, on the rights of a pregnant woman."

Pullen: "Did I understand you to say that this Bill was put together - I think it was amended extensively last June - that it was put together at that time to take into account the Supreme Court decisions of June?"

Curran: "Absolutely. Now, the decisions that you're talking about are the Ashcroft, Akron and Simopoulos cases. And those decisions would mean that, unless the Illinois Abortion Law is amended, we'll be left with no abortion law. Senate Bill 520 has been meticulously designed to bring our law into conformance with those decisions so that we'll have a constitutional abortion law."

Pullen: "So this Bill is to make the Illinois Abortion Law constitutional under the current Supreme Court decisions."

Curran: "Absolutely."

Pullen: "Thank you very much."

Speaker Yourell: "The Gentleman from Cook, Representative Greiman."

Greiman: "Thank you, Mr. Speaker. Not to overburden this Legislative Session with long questions and answers, I would just reflect on an Illinois tradition that we now have firmly established. Except for the last Session of the General Assembly, I will say in the last Session we passed no unconstitutional abortion... anti-abortion Bills, anti-choice Bills, and it broke a tradition. We're, apparently, returning to the tradition of throwing out the Constitution, not looking at it. Akron came out the week, the very week, that this Bill passed this House. Since that time, the... the Carey case has been decided in the U.S. Court in Chicago in the northern district and has,

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basically, struck most of the Abortion Act of 1975 as amended, so that we are essentially amending an unconstitutional Act. That is what we are doing here. Now, the tradition, of course, is that we do our thing. We pass this Bill, and then it goes to the United States Courts and the Federal Courts strike it down. The people who are involved in the litigation get attorneys fees. Then we appropriate for those attorneys fees; because, under the law, we're... under the Civic Rights Acts, we're required to do that. And so we have... we have a fine tradition which this House has an opportunity, at least, to turn its back to. Whether you like it or not, Roe versus Wade is the law of this country. Section 6-7 deals with the subjective opinion, the subjective feelings of a woman when she goes in for an abortion. That's not your business. That's not your business at all. Before viability, that's her business. That's her business and her doctor's business. That's under the law. Whether you like it or not is immaterial. That's what the law of this land is. She has a right to make her decision based on her reasons and her reasons alone. And this Bill imposes on an utterly unconstitutional subjective test that no court... Well, if this should pass, and if it should become the law of Illinois, within a very short time, it will be struck down. Section 10 goes into long prescriptions with all kinds of revisions of procedures to be used by the Department of Public Health for statistics. In short though, Section 10 provides an interpretation of those statistics in a way to make abortion appear a much more dangerous procedure medically than it is. It has then a chilling effect, a chilling effect if you will, on the right of a woman to exercise her view and her constitutional rights to have an abortion. Section 2(A)

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which has been the subject of some back and forth stuff here is not corrected by this legislation. It remains unconstitutionally vague. It would, in fact, if... if allowed to stand, make a doctor... make a doctor liable possibly for murder if he did not give service to a nonviable fetus. So taken together, this Bill is hopelessly unconstitutional. Now, there are those who sit in this chamber who say, 'Let the courts make that decision'. I say that we are arbiters of that same Constitution, that we are clothed when we raise our oath to defend the Constitution. And that's not the Constitution as we might like it. It's the Constitution that the courts of this land have said it is. Women have got these rights. They will continue whatever we do. We are sort of like Hitler in the Bunker in the last days of World War II, throwing in divisions that are nonexistent. We sit here. We'll pass laws, but the Constitution remains unviable from us. Thank you."

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

Piel: "Thank you, Mr. Speaker. Try one more time."

Speaker Yourell: "Why don't you move to another microphone?"

Piel: "Let's try one more time. Okay. First of all, will the Gentleman yield to some questions?"

Speaker Yourell: "The Gentleman indicates he'll yield."

Piel: "Representative, somewhat going a little bit farther to what the previous Gentleman has just stated, there is in reading this and questions that have been brought up by different people deal with the constitutionality. I've got a couple questions dealing with the constitutionality. There's one area that deals with... requiring the physician to report his findings on why he is recommending a... to perform an abortion and his decision on why he's going to perform this abortion to the Department of Health. Isn't

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it unconstitutional to require such reports for abortions during the first trimester?"

Speaker Yourell: "Representative Curran."

Curran: "Thank you, Mr. Speaker. No, it is not unconstitutional. The Supreme Court upheld record keeping and reporting requirements that applied in the first trimester in the case of Planned Parenthood versus Danforth. The Court held that such requirements are justified to help develop statistical data so long as doctors and public health officials might have such useful information available. The reporting requirement to which you refer is specifically intended to find out on what medical record, what medical grounds abortions are being performed. Certainly, it is medically useful to determine that the health reasons... it is useful to determine what the health reasons are that the woman might want to be seeking an abortion. It is an important public health concern. Now, referring to the other things that the Gentleman mentioned - Section 7, Section 10. The Gentleman didn't tell you what Section 7 did. He didn't want you to know. But Section 7 says that you can't perform an abortion simply because you don't like the sex of the child. That has to take place when the fetus is viable, and the Gentleman doesn't want you to know that Section 7 deals with the... with the sex of the child. I think we have every right in this state to prevent abortions based upon the sex of the child. In Section 10, the Gentleman suggested somehow that mere reporting requirements could possibly cause dangerous abortions. I think that's absurd. I think it's ridiculous. Reporting requirements aren't going to cause anything... any more dangerous abortions."

Piel: "Thank you. Going onto the 'definitionary' that you just spoke of. Alright. There's the definition of born alive,

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live birth, live born, et cetera, et cetera. Isn't this... Does it unconstitutionally allow the state to protect free viable fetuses..."

Curran: "The last major Abortion Act we had in Illinois was the Abortion Act of 1975. Those terms were not defined in tha... in tha... in that Act; and, because of that, the Section of that Act which incorporated those terms was struck down as unconstitutionally vague. Now, by defining these terms, the Bill avoids a future constitutional challenge on that issue. And I think it's also important to remember that the state is not precluded from protecting any individual unless in doing so it infringes upon the constitutional protected rights of a pregnant woman."

Piel: "One final thing. It's been suggested by different people that it's unconstitutional to apply criminal penalties for violations of the requirements of the abortion law during the first trimester. Is it true as far as the unconstitutionality?"

Curran: "Absolutely not. Certainly, the... the imposition of criminal penalties during the first trimester of abortion is permissible, and to claim otherwise is absurd. For example, the Supreme Court specifically held... upheld criminal penalties in the first trimester on failure to report complications in the case Planned Parenthood versus Danforth."

Piel: "Thank you very much."

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

John Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I've read the Bill, and read the reports and the information submitted to us and listened to the debate. And I have some questions about the Bill in general, about whether the provision which deletes the references to the

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first trimester will render the Bill unconstitutional, some questions about whether the definition of 'born alive' is correct or not. I generally try to vote pro-life, because I oppose abortion. But it becomes very difficult to tell what to do when Bill after Bill in this subject area is promptly declared unconstitutional. The concern I have right now about this piece of legislation is that... is not regarding the constitutional issue. I think that will be taken care of by the courts eventually. But if this Bill is declared unconstitutional - and I really haven't even looked - I don't know whether it has a severability clause in it or not at the present time - but it does contain a provision about experimentation with live fetuses. And a live fetus, as I read the Bill, is defined to mean any human organism. We had testimony in the Judiciary Committee about the unfortunate couples who were trying to have children, who wished to participate in the process of in vitro fertilization who are on long waiting lists because there is, at the present time, only one or two medical facilities in this state which participate in that program, because the rest of them are fearful that if they do so and there is not success, they expose themselves to liability law suits. So they are reluctant to proceed with this process. If you're pro-life, you should be doing everything you can to encourage the ability of those married people who wish to have children, to encourage them to be able to do so. If we pass this Bill, in its present form, it provides there shall be no experimentation upon a live fetus. I asked the pro-life people what that meant and how that affects the process of in vitro fertilization, commonly taking place in the petri dish. It looks to me like if we really are pro-life we have seen that process work, but it doesn't always work. It looks to me like if

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we are really pro-life that we would like to know everything we can about that process to encourage its use, to promote live births where the parents really want to have children. This Bill restricts the experimentation and the in vitro process. And in response to my questions, the answer given to me is that Section 6-3, which is the pro... the Section of the Bill which refers to the in vitro fertilization process and experimentation says that 6-3 does not permit experimentation to advance the in vitro process. The memo does say it also plainly permits experimentation that would benefit the fetus conceived in vitro if that experimentation would improve the chance that the fetus would survive. How, in the name of heaven, are you going to know whether the experimentation will improve the chances of survival on a fetus before you do it? The nature of experimentation is to try something new and different, to try something that hasn't been tried, to try something that because of past research, past experiment, past knowledge, gives you an indication that it might work. This doesn't say experiment with the in vitro process to make it better if you have reasonable chance of success or if you have reasonable medical assurance that the newly... that the process being tried anew will work. This says that the only time you can experiment with a fetus conceived in the in vitro process is if you are guaranteed that that experiment will enhance the chances of survival of that fetus. That is a ridiculous concept. All this means is that we are not going to see the in vitro process furthered as a result of this Bill. This is one part of the legislation which might remain upon the books, and I know in my district back home and probably in your district there is at least one couple. A couple came to the hearings in the Judiciary Committee from my district begging that we

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do everything we can to promote life, to encourage the fertilization outside the womb with... by husbands and wives who want to have children who cannot otherwise have them and that we encourage the experimentation necessary to advance that process. We slapped that couple in the face in the Judiciary Committee. We payed no attention to them. An Amendment was proposed to... to permit advanced experimentation with reasonable safeguards that experimentation would not be used upon deformed fetuses so that we wouldn't be taking little arms and legs and doing terrible things with them, but that we'd be trying to encourage live births. That Amendment was rejected. It has been rejected out of hand at every opportunity since that time. And I submit to you, Ladies and Gentlemen, that the one part of this particular piece of legislation which can become law is the part which will restrict in vitro fertilization process, discourage that process and make it impossible for many, many people in the State of this... in the State of Illinois who want to become parents, make it impossible for them to do so. And I suggest to you that if you are pro-life, if you want to encourage live births, if you want to allow people to become parents who really want to become parents, you should reject this Bill and bring it back in a proper form at a later time, because a vote for this Bill really and truly is not a pro-life Bill. And I don't intend to vote for it no matter what any pro-life organization says pro or con, no matter what the constitutional questions are, because I am convinced that the language of this Bill will restrict the in vitro fertilization process, and that's a terrible thing for us to do if we want to encourage the birth of lovely little children for husbands and wives who want to have them. I urge a 'no' vote."

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Speaker Yourell: "The Gentleman from Cook, Representative Bullock."

Bullock: "Thank you, Mr. Speaker. I move the previous question."

Speaker Yourell: "The Gentleman has moved the previous question. All those in favor will say 'aye', opposed 'no'. The previous question has been moved. The Gentleman from Sangamon to close."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The previous speaker mentioned constitutionality early in his comments and said that he didn't care about constitutionality later on. Two things that he discussed were why we took the definition of 'first trimester' out of the Bill. We took it out because it's not... why we took the definition out because it's nowhere mentioned. You don't define something in a Bill if it's not mentioned. It would be ridiculous to do that. Second, the definition of 'born alive' is necessary because... in Illinois the previous definition was struck down as constitutionally vague. This is a very explicit definition, and I'm sure that it will stand the test of constitutionality. Frankly, I... I'm... I am convinced that that certainty of standing the test of constitutionality is what the other side is afraid of... afraid of. Finally, the Gentleman at the heart of the matter of his speech discussed experimentation. I don't know if the Gentleman understands that in Illinois we already have a great, big, long, complicated law on experimentation with live fetuses. This simply simplifies that. It says that you can't experiment on a live fetus except for therapeutic reasons. And I remember earlier in this discussion, I dis... I discussed what the Court had said in Louisiana when they discussed what therapeutic meant. In the... In the case of Margaret S. versus Edwards, the Court says that such experimentation

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itself involves the chance of failure. The Legislature could not have meant that only successful experimentation would be therapeutic. The Court notes that this Section will not proscribe important medical procedures such as amniocentesis. It is a test, rather than an experiment. I don't think the Gentleman understands that we already have a law on the Illinois books dealing with that. This simply simplifies that Section of the law. We tried last year in a Bill that was called the in vitro fertilization Bill to deal with that problem. We could not. This chamber struck down that Bill. We didn't vote for it. I'm suggesting to the people in this room that this is a very important right-to-life Bill. Since this Bill has passed earlier this year, I've received two correspondences. I'd like to read you sections from each of those correspondences, because I think it gets to what the... what is the nature of this Bill, and what is the nature of the difference between pro-life and pro-choice. I received a letter from the Chillicothe family physicians. Those Chillicothe family physicians were saying when they were discussing what life sustaining methods would be, the Chillicothe family physicians said that these efforts would be ineffective, expensive and that they would contradict the purpose of the abortion procedure. Let me put that into perspective for you. What they're saying is that this Bill forces doctors, if a baby is born during an attempted abortion, it forces doctors to per... to give that baby life sustaining methods, to take care of... to take care of the baby in the same way that you'd take care of any other baby. Now, what these doctors are criticizing this Bill for is that if we did that, if we gave that baby born... alive during an attempted abortion, if we gave that baby the same kind of chance we're giving any other baby, it

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would, quote, 'contradict the purpose of the abortion procedure'. What are they saying? The intent is to kill that baby. Now... The question is where you stand. Do you stand for trying to kill that baby, or do you stand for giving that baby a chance? Finally, and as a disappointment to me as a Democratic Member, from a friend of mine and from a very intelligent person, in the veto analysis on the Democratic Party, it said, 'Section 3 - warnings to pregnant women seeking abortions about possible fetal pain, fetal pain resulting from the abortion have been found medically unjustified and unnecessarily stressful to the patients'. Now, we are talking about viable fetuses. We are talking about mostly third trimester fetuses. The suggestion here is, by a critic of this Bill, that the mere telling of a woman that there might be an alternative procedure which would handle fetal pain, which would eliminate fetal pain would be unnecessarily stressful to the pregnant woman. We are either going to chop the baby up, or we're going to stress the mother for a few minutes. Now, those are the critics of the Bill. The determination for you now and where you vote is where you stand on that. I think this is a constitutional Bill. I think it is going to stand the test of constitutionality. I think that a good friend of mine and former Speaker misunderstood the... the Section on experimentation, and I'd move for a favorable Roll Call."

Speaker Yourell: "The question is, 'Shall Senate Bill 520 pass, the veto of the Governor notwithstanding?' This is final action. It requires 71 votes. All those in favor will signify by voting 'aye', those opposed will vote 'no'. The voting is open. Representative Terzich, one minute to explain his vote. Representative Bowman, one minute to explain his vote."

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Bowman: "Thank you, Mr. Speaker. This is only the latest attempt by the so called pro-life forces to overturn the Constitution. What they have been doing for the last several years is trying to nibble at the fringes of the Supreme Court ruling in Roe versus Wade. So now we're dealing with the sex of the child, and we're dealing with experimentation. They're nibbling at the fringes, Ladies and Gentlemen, in the hopes of finding a chink in the constitutional armor which they can then use to completely change the law. One of the reasons that they like this Bill so much is because it does go too far. If it didn't go too far, they wouldn't like it so much. They would consider it inconsequential. So, therefore, I believe that this is, as represented by Representative Greiman, totally unconstitutional. And I would say lastly, that because... the reason it is totally unconstitutional is that it does not respond to the Court's feeling in Roe versus Wade that abortion is fundamentally an issue of privacy - privacy which is... of the... of the perspective parents which is protected by the Constitution."

Speaker Yourell: "The Gentleman from Cook, Representative O'Connell, one minute to explain his vote."

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. On the question of whether or not Bills that we are passing out are constitutional and specifically with regards to this Bill, it should be mindful to everyone in this chamber that not since 1978 has a Bill been passed out of this Legislature that has been addressed as being unconstitutional by the court. It has been a major effort on behalf of those advocates of the pro-life philosophy to make certain that Bills that pass out of this House are, indeed, constitutional. We, as Legislators, have a responsibility to make our legislation in the best possible

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form to be upheld by the courts. I think it is an injustice to apply a broad-brushed stroke to say that every Bill that we pass out of here is con... unconstitutional or has a potential for being unconstitutional. A great effort has been put into this Bill to make it as current and updated with the state of law to make it constitutional. I would suggest that this Bill is, in fact, constitutional and will be upheld. I would request your favorable vote."

Speaker Yourell: "Representative McCracken, one minute to explain his vote."

McCracken: "Thank you, Mr. Speaker. I also encourage Members to vote in favor of this Bill. This Bill got 71 votes the last time it was considered by us in the spring and should receive at least that many again. 520 has been meticulously designed to be sustained on the constitutional basis, and we are not the constitutional experts to make that decision in any event. We have heard the only evidence... The only legal arguments we have heard that have been sustained by reference to authority are those arguments in support of the constitutionality of that Bill. This Body can act in good faith and with a clear conscience relative to its duties under the Constitution. If it is to be held unconstitutional, that is for the court, another branch of government, to decide. Our only duty is to pass these Bills or to act on these Bills with a clear conscience. We clearly have that in this matter. Let's get those 71 votes again."

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

Brummer: "To explain my vote."

Speaker Yourell: "One minute to explain your vote. Proceed, Sir."

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Brummer: "Yes, this is a very important pro-life issue. I think it's important to understand that the function and purpose of this Bill is to delete the provisions of the Act that have been held unconstitutional so that we do have a... a clear Bill on the issues that would appear to be constitutional. It has been worked on at length by lawyers who work in the area, who indicate that the constitutionality should be upheld. In the absence of this, we have a hodgepodge Abortion Law of 1975, much of which is unconstitutional. Those provisions have been eliminated. This is a very important Bill, has very important social consequences. I would suggest has important political consequences, although I don't think that's a reason anyone ought to vote on a pro-life issue. In any event, I would urge 'aye' votes on this."

Speaker Yourell: "Representative Nelson, one minute to explain her vote."

Nelson: "Thank you, Mr. Speaker, Members of the House. This Bill is clearly designed to prohibit freedom of choice. It is punitive to doctors in our society, and it would be detrimental to those people who wish to use the process of in vitro fertilization. If it receives the requisite 71 votes, I would like a verification."

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

Curran: "I request a Poll of the Absentees."

Speaker Yourell: "The Gentleman requests a Poll of the Absentees. Mr. Clerk, poll the absentees. Excuse me, Mr. Clerk. Representative Nelson, does Representative Matijevich have leave to be verified? Leave's granted. Proceed with a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Breslin, Ewing, Harris,

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Hicks, McAuliffe, Panayotovich, Ronan and Topinka."

Speaker Yourell: "On this question, there are 68 voting 'aye', 38 voting 'no', 4 voting 'present', and this Bill, having failed to receive the necessary votes, fails. Appearing on the Order of Total Veto Motions is Senate Bill 521, Representative O'Connell."

O'Connell: "Mr. Speaker, Ladies and Gentlemen of the House, this is another issue on the question of abortion. This Bill was subject to a good deal of debate on several occasions in this chamber on the question of prenotification of abortion on unemancipated minors or incompetents. The Governor vetoed the Senate Bill 521 which was the Prenotification of Abortion Act. His justification for vetoing this measure was that he indicated that it did not provide for a judicial alternative which, as he states, is required under several cases that have been rendered by the United States Supreme Court. I would submit to you that the Governor has overlooked the contents of Senate Bill 521 which does provide very precisely and meticulously for a judicial alternative to a minor who is seeking an abortion - the alternative to notifying one or more parent. The Bill specifically provides that if a minor does seek judicial alternatives, that it would be done in both a confidential and an expeditious manner. The Bill goes so far as to request that the Illinois Supreme Court promul... promulgate rules and regulations to afford the certainty of expedition. We also indicate in the measure that the decision on to whether to waive the notification of the parent would be afforded within a 48 hour period. The Bill in its philosophic content addresses the question of whether it is in the interest of the state that a parent of a child should receive notification that their child is, indeed, being subjected to surgical procedures. It's

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ironic that in this state a child can't even be dispensed aspirin without notifying the parent, but in a serious surgical operation, such as an abortion, the parent has been completely precluded from providing input to the child. The Bill has been very precise as to meeting the number of various constitutional cases that have been rendered by the Supreme Court and other courts affecting this jurisdiction. In anticipation of certain questions that could come up, the question of prenotification of abortion has been upheld by a number of courts in a number of cases, specifically in Parenthood versus Danforth, Bellotti versus Beard - both one and two, and H.L. versus Matheson. The courts in those cases, did consider the question of prenotification... or strike that... did consider the question of consent for minor children... of minor children of their parents prior to notification. This is not a case of seeking consent. This is a case of seeking notification. The question of notification was addressed by these courts and was upheld, given the certain criteria of judicial alternatives which have been, indeed, provided for in this Bill. I would ask for a favorable vote to override the Governor's veto."

Speaker Yourell: "The Gentleman from Cook, Representative Krska."

Krska: "I move the previous question."

Speaker Yourell: "The Gentleman has moved the previous question.

All those in favor say 'aye', opposed 'no'. The previous question is moved. Representative O'Connell to close."

O'Connell: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would ask for a favorable vote to override the Governor's veto."

Speaker Yourell: "The question is, 'Shall Senate Bill 521 pass, the veto of the Governor notwithstanding?' Final action. Requires 71 votes. All those in favor will signify by

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voting 'aye', those opposed will vote 'no'. The voting is open. Representative Bowman, one minute to explain his vote."

Bowman: "Thank you, Mr. Speaker. This Bill contains many unconstitutional deficiencies. The most glaring involves the waiver of notice provision. A recent decision of the U.S. 7th Circuit Court of Appeals in Indiana Planned Parenthood versus Pearson, which was decided just this past August 26th, found a similar Indiana statute unconstitutional. I think it is very clear that this is unconstitutional. This same issue exists here. It is a privacy question. This clearly violates privacy, and I think that we, accordingly, should vote 'no'. And I will ask for a verification if this gets the requisite 71 votes."

Speaker Yourell: "Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question, there are 76 voting 'aye', 31 voting 'no', 3 voting 'present', and the Gentleman requests a verification. Representative Capparelli wishes to be verified, Representative Bowman. Leave granted. Representative Terzich. Leave to be verified. Anybody else before we start with... Representative Mays. Leave to be verified. Representative Monroe Flinn. Representative Markette. Representative Saltsman. You getting all these? Alright. They're here. I see them. Representative Younge. Markette, Younge. Representative O'Connell."

O'Connell: "May I ask for a Poll of the Absentees?"

Speaker Yourell: "The Gentleman requests a Poll of the Absentees. Poll the absentees, Mr. Clerk."

Clerk Leone: "Poll of the Absentees. Doyle, Ewing, Giorgi, Harris, Hicks, Levin, Matijevich and Ronan."

Speaker Yourell: "Proceed with the affirmative verification."

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Representative Levin wishes... How is the Gentleman recorded, Representative Levin?"

Clerk Leone: "The Gentleman is not recorded as voting."

Speaker Yourell: "Before we allow you to vote, Sir, you were not present when the quorum Roll Call was established, but now you are. You asked leave to be recorded as being 'present' and also recorded as voting 'no' on Senate Bill 521. Proceed, Sir."

Clerk Leone: "Poll of the affirmative. Barger, Barnes, Berrios, Birkinbine, Breslin, Brummer, Brunsvold, Capparelli, Christensen, Churchill, Curran, Daniels, Davis, DeJaegher, Didrickson, DiPrima, Domico, Ralph Dunn, Ebbesen, Farley, Flinn, Dwight Friedrich, Giglio, Hallock, Hannig, Hastert..."

Speaker Yourell: "Excuse me, Mr. Clerk. For what reason does Representative Giorgi rise?"

Giorgi: "Register me as an 'aye' vote, please."

Speaker Yourell: "Pardon me, Sir?"

Giorgi: "Register me as an 'aye' vote."

Speaker Yourell: "How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's not recorded as voting."

Speaker Yourell: "Record him as voting 'aye'. Proceed with the verification."

Clerk Leone: "Continuing with a poll of the affirmative. Hastert, Hawkinson, Hensel, Homer, Johnson, Karpiel, Keane, Koehler, Krska, Kulas, Laurino, Leverenz, Mautino, Mays, McAuliffe, McCracken, McGann, McMaster, Mulcabe, Nash, Neff, Oblinger, O'Connell, Olson, Panayotovich, Pangle, Bernard Pedersen, William Peterson, Piel, Preston, Pullen, Rea, Ropp, Ryder, Saltsman, Slape, Stuffle, Tate, Terzich, Topinka, Tuerk, Van Duyne, Vinscn, Vitek, Wait, Winchester..."

Speaker Yourell: "Excuse me, Mr. Clerk. Speaker Madigan and

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Representative Matijevich wish to be verified. Leave? Oh, he's not voting. Matijevich. How is the Gentleman recorded?"

Clerk Leone: "The Gentleman's not recorded as voting."

Speaker Yourell: "Record him as 'aye'. Leave for Representative Ropp to be verified. Leave is granted. Proceed with the verification of the affirmative."

Clerk Leone: "Winchester, Wojcik, Wolf, Yourell and Mr. Speaker."

Speaker Yourell: "Representative Domico asks leave to be verified. Leave is granted. Are there questions of the affirmative, Representative Bowman?"

Bowman: "Berrios."

Speaker Yourell: "Representative Berrios. Representative Berrios. The Gentleman in the chamber? Remove him."

Bowman: "Breslin."

Speaker Yourell: "What was that, Sir?"

Bowman: "Breslin."

Speaker Yourell: "Breslin. Representative Breslin is in her chair."

Bowman: "Oh, she's not in her chair. She's behind me. Okay."

Speaker Yourell: "That's close enough."

Bowman: "Davis."

Speaker Yourell: "Representative Davis is in his seat."

Bowman: "Harris."

Speaker Yourell: "What is that?"

Bowman: "Harris."

Speaker Yourell: "Representative Harris."

Bowman: "Oh, I'm sorry. I beg your pardon. He's not voting. DeJaegher."

Speaker Yourell: "Representative DeJaegher is in his seat."

Bowman: "Stuffle."

Speaker Yourell: "Representative who?"

Bowman: "Stuffle."

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Speaker Yourell: "Representative Stuffle is standing in the aisle."

Bowman: "Doyle."

Speaker Yourell: "Representative Doyle. Representative Doyle. He's not voting."

Bowman: "Okay. I'm sorry. Farley."

Speaker Yourell: "Representative Farley. Representative Farley. Is the Gentleman in the chamber? How's the Gentleman recorded?"

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

Speaker Yourell: "Remove him."

Bowman: "Ronan."

Speaker Yourell: "Representative Ronan. Representative Ronan. The Gentleman in the chamber? He's..."

Bowman: "Oh, he's not voting. I'm sorry."

Speaker Yourell: "... not voting."

Bowman: "Deuchler."

Speaker Yourell: "Representative Deuchler is in her seat."

Bowman: "Hannig."

Speaker Yourell: "Representative Hannig is in his seat."

Bowman: "Nash."

Speaker Yourell: "Representative Nash. Representative Nash. The Gentleman in the chamber? How is he recorded, Mr. Clerk?"

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

Speaker Yourell: "Remove him."

Bowman: "Dwight Friedrich."

Speaker Yourell: "Dwight Friedrich. Representative Friedrich. The Gentleman in the chamber? How is he recorded, Mr. Clerk?"

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

Speaker Yourell: "Remove him."

Bowman: "Olson."

Speaker Yourell: "Representative Olson is in his seat."

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Bowman: "I see him. Representative Piel."

Speaker Yourell: "Who was that?"

Bowman: "Is Piel still on the floor?"

Speaker Yourell: "I can't hear you, Sir."

Bowman: "Representative Piel."

Speaker Yourell: "Representative Piel, is waving his arm at you right now. Representative Nash. Return the Gentleman to the Roll Call. Further questions?"

Bowman: "No further questions."

Speaker Yourell: "No further questions. Representative Dwight Friedrich. Return the Gentleman to the Roll Call. What's the record, Mr. Clerk. On this question, there are 76 voting 'aye', 32 voting 'no', 3 voting 'present', and the Motion to override prevails. Appearing on the Order of Total Veto Motions is Senate Bill 583, Representative Levin."

Levin: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 583 was developed by the Joint Committee on Administrative Rules and passed this Body by 107 to nothing vote. What it simply does is to remove obsolete language from the Administrative Procedure Act that exempted from the Act State Board of Education statements, guidelines or policies which do not have the force of law. The State Board has never used this procedure. They have always gone through the Administrative Procedure Act, and they are not opposed to this legislation. If there are any questions, I'll be happy to answer them. Otherwise, I would ask for the override of the Governor's veto of Senate Bill 583."

Speaker Yourell: "Is there discussion? The Gentleman from Lee, Representative Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As a Member of Joint Committee on Administrative Rules, I wish to embellish what Representative Levin has

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said. This Bill had attached its support in both Houses, and we would support the Motion of Representative Levin."

Speaker Yourell: "Further discussion? Seeing none, the Gentleman wish to close? The question is, 'Shall Senate Bill 583 pass, the veto of the Governor notwithstanding?' It's final action. Requires 71 votes. All those in favor will be voting 'aye', those opposed will be voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? You ready Ethel? Take the record, Mr. Clerk. On this Motion, 114 voting 'aye', none voting 'no', no voting 'present', and the Motion to override prevails. On the Order of Total Motions... Veto Motion appears Senate Bill 643, Representative Hensel."

Hensel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to override the Governor's veto of Senate Bill 643. Briefly, I would just like to state what the Illinois Purchasing Act as it presently states under Article 132.2 Public Policy. It states that, 'It is the purpose of this Act and is hereby declared to be the policy of this state that the principle of competitive bidding and economical procurement practices shall be applicable to all purchases and contracts by or for any state agency'. Then it goes on to define state agency, person, licensed architect, engineer and contract. What it fails to do in this Purchasing Act is to define competitive bidding. What this Bill 643 does is to add competitive bidding which means bidding where solicitations of bids are made to prospective suppliers using purchasing specifications or other purchase descriptions that are explicit, realistic and nonrestrictive as to source, supplier, manufacturer or vendor. I propose to you that if the state wants to save money we have to work with competitive bidding. The... In the Regular Session, the Senate... Senate passed the Bill

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59 to nothing. The House passed this Bill 111 to nothing. The Senate overrode the Governor's veto 58 to nothing, and I would recommend to you that we put up as many 'aye' votes. And I'd like to see about 118 there, and I would move for passage of the override."

Speaker Yourell: "Is there discussion? The Gentleman from DeKalb, Representative Ebbesen."

Ebbesen: "Well, yes, Mr. Speaker and Ladies and Gentlemen of the House, I rise in support of this Motion. It should be pointed out and for the record, you know, the Governor states in his veto message that, and I quote, 'under certain circumstances it's necessary for the Capital Development Board to specify a brand name products'. Now, there's nothing in the legislation that prohibits using a good choice of words such as 'similar to' when specifying a brand name and still be nonrestrictive. And he also stated in his veto message that he's convinced that there is no deliberate abuse by state agencies in the specifications of single source bids. And I don't think the House or the Senate Sponsors, I'm sure, are not indicating there's deliberate abuse; but, in defining competitive bidding in the statutes, it's very broad language, such that in the future there's never going to be a question about abuse whether it's deliberate or not. And I... This Bill ought to be supported. This Motion ought to be supported."

Speaker Yourell: "Representative Leverenz."

Leverenz: "The Sponsor yield?"

Speaker Yourell: "Indicates he'll yield."

Leverenz: "Could you explain the position of the Capital Development Board on the override?"

Hensel: "Yes, I believe that they're opposed to the Bill, but there again, the reason is for... They're saying that in

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certain instances, they have to use a specific product. I believe if the... under competitive bidding that if the specifications are written out, I believe there could be more than one source. Without competitive bidding, I believe the cost could be much higher. I've worked in purchasing for ten years. Our company goes through competitive bidding on everything; and, without competitive bidding I don't know whether our company would still be in line. But to keep our costs down that's one of the ways that we can do it. I believe that this Bill here will help not only large business, but small business people to participate in the furnishing of products and materials to the state and the agencies."

Leverenz: "Thank you. I rise then in support of the override of 643. There are no abuses. Certainly, we must, in as many cases as possible, utilize competitive bidding. I hope to see an overwhelming majority of green votes."

Speaker Yourell: "Any further discussion? Seeing none, the question is, 'Shall Senate Bill 643 pass, the veto of the Governor notwithstanding?' This is final action. It requires 71 votes. All those in favor will be voting 'aye', those opposed will be voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Motion, there are 109 voting 'aye', none voting 'no', 1 voting 'present', and the Gentleman's Motion to override prevails. Appearing on the Order of Total Veto Motions is Senate Bill 731, Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to override the Governor's veto of Senate Bill 731. To give you a little background, this Bill passed the House 117 to nothing. It passed the... unanimously in the Senate. The... On the override Motion,

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the Senate vote was 53 to 5, and I would certainly hope that we have a similar type of a Roll Call here. The... This Bill is strongly supported by the Illinois Retail Merchants' Association, and here's what it does. If a merchant has a contest with the Department of Revenue over their retail occupation tax and if for any reason they have lost in their administrative review with the Department of Revenue - perhaps they didn't get a notice of the hearing or perhaps they just happened to... to lose - they have to go to court. And when they go to court, in order for a court of law to determine the merits of the case, they have to post a bond within 20 days of the filing to cover the protested assessment. If no bond is posted, a lien must be placed on the taxpayer's property, and it must be equivalent to the protested assessment plus interest and penalties. And if no bond is posted, for example, if the property is insufficient to cover the lien, the court dismisses the suit. So, all this Bill says is that the Judge, in his discretion, could determine that the property that's posted as a lien is sufficient. Just to give you an example, let's say Representative Panayotovich, who has a small business in the 10th Ward of Chicago, let's say that he is told that he owes a million dollars in sales tax. Well, for one reason or another, let's say he's down here in Springfield and he doesn't get the notice. The Department of Revenue rules against. He owes a million dollars. Then he goes to court, and he's got to post a bond of either a million dollars, or he's got to post... in effect, a lien goes on his tavern on the east side of Chicago there. And if the tavern's not worth a million dollars, he's thrown out of court altogether. He can't even go in and explain he didn't get the notice and whatever his excuse is. So, under that circumstances, he

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could go to the Judge and say, 'Judge, please consider my tavern in the 10th Ward as adequate security for the deficient assessment'. And that's all the Bill does. I see absolutely no reason why we shouldn't override the Governor on this. The Bill passed without a negative vote in the House, as it should have, and the vote in the Senate was overwhelming to override 53 to 5. I'd be happy to answer any questions, and I'd appreciate your support."

Speaker Yourell: "Mr. Cullerton, do you have the address of Panayotovich's bar?"

Cullerton: "Yes. It's called 'Mylon's' Pub."

Speaker Yourell: "Thank you."

Cullerton: "And the..."

Speaker Yourell: "Thank you, Sir. Is there discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Yourell: "He indicates he will."

McCracken: "Representative Cullerton, does this have retrospective application or retroactive application? For example, if a case were pending, could the taxpayer go in and substitute a full amount bond for this discretionary amount? I ask, because I have a case. If you feel it's retroactive, I'd just like to indicate my potential conflict."

Cullerton: "I don't know the answer right now, and I'd have to take a minute to check the Bill to see. I'll be happy to do that."

Speaker Yourell: "Any further discussion? Seeing none, the Gentleman wish to close? Question is, 'Shall Senate Bill 731 pass, the veto of the Governor notwithstanding?' This is final action, requires 71 votes. All those in favor will be voting 'aye', those opposed vote 'no'. The voting

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is open. Have all voted who wish? Is that Mulcahey? Have all voted who wish? Take the record, Mr. Clerk. On this Motion there are 100 voting 'aye', 10 voting 'no', 1 voting 'present', and this Motion to override prevails. Appearing on the Order of Total Veto Motions is Senate Bill 776, Representative Cullerton."

Cullerton: "Mr. Speaker, I believe it's on a Special Order of Business. Mr. Speaker?"

Speaker Yourell: "Yes."

Cullerton: "I believe it's on a Special Order of Business."

Speaker Yourell: "Okay. Appearing on the Order of Total Veto Motions is Senate Bill 826, Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Senate Bill 826 passed this House with 102 votes last spring. It was designed primarily to prevent the.. the problem of balloon levies that ... whereby local jurisdictions, knowing that their multipliers are likely to go up, create phony budgets, pad the budgets so that they ask for as much money as possible to be able to capture the maximum amount when the multiplier does indeed rise. This Bill would be a... strike a blow for truth in budgeting. It would permit the... the local governments to make adjustments in light of changing multipliers so that their... the public would have confidence that the budgets that were being adopted by the various boards and public bodies were accurate and reflected a legitimate desire and plan to expend money in the future years. So, I believe there must have been some misunderstanding on this in the Governor's Office, because, after all, the thing passed overwhelmingly in both chambers. And I haven't heard of any real problems with it. So, I would like to ask the House to override the Governor's veto."

Speaker Yourell: "Is there discussion? The Gentleman from

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Effingham, Representative Brummer."

Brummer: "Yes. Will the Sponsor yield?"

Speaker Yourell: "Indicates he will."

Brummer: "Our analysis indicates that this is only applicable to community college districts. Is that correct?"

Speaker Yourell: "Representative Bowman."

Bowman: "Yes, I believe that's correct."

Brummer: "Okay. And in the Governor's statement, as paraphrased at least in our analysis, it indicates that this Bill would cause a problem for local tax officials who would be forced to delay extending taxes and proceeding with the tax billing cycle. Could you indicate what the Governor is referring to?"

Bowman: "Well, the... the Governor is right in only the very narrowest sense of the word. There is a ten-day delay built in here. Right now the bills can't go out until the multipliers are known anyway, at least the final bills can't in Cook County. So, all this would do would be to provide a ten-day gap or window in there where adjustments could be made. That's all. Very small."

Brummer: "Thank you."

Speaker Yourell: "Any further discussion? Gentleman wish to close? Question is, 'Shall Senate Bill 826 pass, the veto of the Governor notwithstanding?' Final action, requires 71 votes. All those in favor will be voting 'aye', those opposed vote 'no', and the voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Motion there are 98 voting 'aye', 9 voting 'no', and the Gentleman's Motion to override prevails. Representative Vinson, for what reason do you rise?"

Vinson: "Did you say fail or prevails?"

Speaker Yourell: "Prevails, Sir."

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Vinson: "Okay."

Speaker Yourell: "Appearing on the Order of Total Veto Motions is Senate Bill 1156, Representative Tate. Out of the record. Appearing of the Order of Total Veto Motions is Senate Bill 1256, Representative Curran. Special Order. Okay. On page five of your Calendar, under the Order of Amendatory Veto Motions, appears Senate Bill 61, Representative Nash."

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I move to accept the Governor's amendatory veto on Senate Bill 61."

Speaker Yourell: "Is there discussion? The Gentleman from Effingham, Representative Brummer."

Brummer: "Yes. I think everyone ought to be aware of what they're voting on here. This is an artificial insemination Bill. The Bill, as it passed here, provided that only a doctor... only a physician licensed to practice medicine in all its branches was authorized to perform the technique of artificial insemination. The Governor, by eliminating all of Section 3, eliminated that Section so now that any licensed physician, be that an optometrist or a chiropractor or anyone else, could perform artificial insemination it would appear. Secondly and more seriously, the... the Bill originally provided that artificial insemination between... or artificial insemination when there was a husband and wife could only be performed with the consent of the husband. The... The Governor, by striking all of Section 3, eliminates that Section. The purpose of the Bill, I think, was admirable and that was to clarify the legal ramifications and duties of support arising from the birth of a child resulting from artificial insemination. However, as a result of the Governor's amendatory veto, I would respectfully suggest that this Bill will lead more chaos to that entire issue than it will

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clarify. Specifically, it leaves totally ambiguous a situation of what happens when a married woman is artificially inseminated without the consent of the husband who has the support obligations with regard to the child that's born; and, as most of you know, the Illinois law creates almost an irre... irrebuttable presumption that a child born of a married woman is a child... is the child of the husband. Obviously, that would not be the case with regard to artificial insemination, at least as is anticipated in this legislation. I talked to Senator D'Arco regarding this. He admits there are some real problems generated as a result of the Governor's amendatory veto. He further indicated that he would hope to address those next spring in remedial legislation. I would respectfully suggest that we would be better off not accepting the Governor's amendatory veto and not putting a ... a law on the books that everyone now seems to agree is somewhat ambiguous and does create some problems. And I think we would be better off passing a clean Bill next year rather than passing a Bill now that has some problems and then trying to clean it up later. Everyone needs to make that decision himself. It does, obviously, create a situation that it does not address the issue of... by the Governor's action, of what happens when a married woman is artificially inseminated without the consent of the husband who has the support obligations. That, in fact, could be done. The Governor indicates some constitutional issues, but, quite frankly, he does not cite any constitutional cases. Our staff indicates that there do not appear to be any constitutional cases, and I guess I would suggest that maybe we ought to be holding this."

Speaker Yourell: "Any further discussion? Representative Nash, do you wish to close?"

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Nash: "Yes, Mr. Speaker. I ask for a favorable Roll Call."

Speaker Yourell: "Question is, 'Shall Senate Bill 61 pass, the veto of the Governor notwithstanding?' This is final action, requires 71 votes. All those in favor will be voting 'aye', those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Speaker... Mr. Clerk. Representative Nash. Representative Tate 'aye'. Mulcahey. Have all voted who wish? Take the record, Mr. Clerk. Representative Nash."

Nash: "... absentees."

Speaker Yourell: "Pardon me?"

Nash: "Poll the absentees, please."

Speaker Yourell: "Gentleman requests a Poll of the Absentees."

Clerk Leone: "Poll of the Absentees. Ebbesen. Ewing. Farley. Harris. Hicks. Homer. Keane, and Younge."

Speaker Yourell: "Chair stands corrected. This requires 60 votes. Representative O'Connell, for what reason do you rise?"

O'Connell: "Change my vote to an 'aye', please."

Speaker Yourell: "Record the Gentleman as 'aye'. Representative Klemm. Record the Gentleman as 'aye'. Anyone else? Representative Younge 'aye'. Representative Bowman 'aye'. Representative Marzuki 'aye'. Are there any others? Anybody else? What's the count, Mr. Clerk? On this question... On this Motion there are 70 'aye', 26 ... Is that correct, Mr. Clerk? 26 voting 'no'. Yes. Representative Wojcik 'aye'. Representative Barnes 'aye'. Representative Johnson 'aye'. Anybody else? What's the count now, Mr. Clerk? Just a moment. Representative Hastert 'no'. Now, let's get on it now one way or the other so we can announce the Roll Call. On this Motion there are 73 'ayes', 25 'nos', and the Motion to override

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prevails. On the Order... On page seven, on the Order of Amendatory Veto Motions, appears Senate Bill 695, Representative Rea."

Rea: "Thank you, Mr. Speaker. On Senate Bill 695..."

Speaker Yourell: "Excuse me, Sir. For what reason does Mr. Johnson rise?"

Johnson: "This is a Bill that I inquired earlier as to the scope of the amendatory veto. It was taken out of the record, and I haven't gotten a response to that inquiry."

Speaker Yourell: "Representative Johnson, the Parliamentarian has advised me that the Amendment is germane and within the scope of the amendatory veto Motion. Representative Rea, proceed."

Rea: "Thank you, Mr. Speaker, Members of the House. Senate Bill 695, with the Governor's changes, includes the Department of Mental Health and Developmental Disabilities, and I would move that we accept the Governor's recommendations."

Speaker Yourell: "Is there discussion? Gentleman from Champaign, Representative Johnson."

Johnson: "I'm not questioning the rule of the Chair, but I think the Members ought to realize what the Governor has done to this Bill. The law was, prior to the Spring Session, that certain peer review committees recommendations and discussions can be given a privilege against disclosure in civil cases for accredited hospitals. The Bill, and I was the original Sponsor of the Bill, added licensed hospitals to that confidentiality. Now, the Governor says that this Bill is now going to give all materials prepared in peer review procedures for the Department of Mental Health the same privilege that we have in hospitals, totally expanding the area of privilege in the Department of Mental Health where it ought not to be expanded into and totally unrelated to the original purpose of the Bill. We can

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defeat this Motion and go back and allow the accredited hospitals and licensed hospitals to have their confidentiality but not to expand into the areas where nobody ever intended, when we passed this Bill, for it to be. It's a totally new Bill, absolutely unrelated to anything we did before, and I think this really subjugates the whole legislative process when we can make new law, something that never had any committee discussion, never had any subcommittee discussion, never had any discussion on the floor of the House or anything else. Now, I understand Representative Rea, and I would do the same thing if I were him. He's in a position where, in order to have any vote this week, he's got to make this Motion, whether he agrees with it or not. Aside from that, the practical ramifications of giving this sort of privilege are... Give you one example. If a person who is insane commits a crime, and you have a civil action based on that... the commission of a crime and then all sorts of information with respect to the failure of the Department of Mental Health to properly restrain or properly retreat the madman who committed the crime - and all that's free from disclosure - so that when the family of the victim or the injured person, who's been... who's been damaged as a result of an act by a person who wasn't properly restrained or treated by the Mental Health, have a chance to recover damages or a chance to have rectification for their family's injuries as a result of these acts, you can't get any of the information. It's absolutely disclosed... free from disclosure. The confidentiality veil is pulled up, and nobody is allowed to know anything about it. That's not the purpose of what we're here for. That's not what State Government ought to do. That's not what the Department of Mental Health's scope ought to be, and

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certainly, regardless of the merits of the issue, nobody ever intended, when we voted this Bill out of here last time, for it to come back in the form that it is. It's unrelated to anything we did, and it's really an insult to the legislative process to have this sort of thing come back under the guise of an amendatory veto."

Speaker Yourell: "Representative Vinson."

Vinson: "Mr. Speaker, Ladies and Gentlemen of the House. The subject matter that we're dealing with here is indeed complex. Now, my reading of the legislation is somewhat different from the... that of the Gentleman from Champaign. He has a rightful concern with the question of the availability of information in the process, and particularly in subsequent litigation. As I would read the legislation and the Governor's amendatory veto, the only thing which is... is protected or confidential information, as a result of the Bill or as a result of the amendatory veto, is peer review material. It is not material in the patient's personal medical history. That is subject to completely different standards. What the purpose of the legislation and the amendatory veto in this particular case is is to preserve and enhance and encourage the peer review process. If you have a concern with quality control in the medical care field and if you believe that it's important to use peer review, both for the purposes of enhancing quality control and the purpose of ensuring cost containment, then you have to, I think, provide some degree of confidentiality in the peer review process. And it is only in the peer review process, in my judgement, that this Bill will apply. Now, the peer review process, in my judgement, is a good thing in an accredited hospital. That is now the law. I can't see how the peer review process itself can be a bad thing in a licensed but not

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accredited hospital. Quality control and cost containment are equally important there and so, too, I believe, with regard to the amendatory veto, peer review and quality control are equally important in the context of a state hospital, for instance, the retardation facility operated at Lincoln by the Department of Mental Health. We currently protect peer review in the Department of Public Health. I believe we ought to protect peer review in the Department of Mental Health and in those licensed but unaccredited hospitals. I think we should only protect peer review. I do not believe we should provide these kind of confidentiality standards in the area of the patient's medical file, and I would hope that that would go to... be included as part of the legislative history that it is not our intention to insulate those particular aspects of the files of these institutions. So, I would rise in support of the Motion."

Speaker Yourell: "The Lady from Cook, Representative Alexander."

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

Speaker Yourell: "Gentleman indicates he'll yield."

Alexander: "Representative Rea, would this Eill, as amended, preclude the court from issuing subpoenas duces tecums for records even though we... our illustrious colleague on the other side made reference to peer control and the value or the non-value of it? Would this piece of legislation stop the issuance of subpoenas duces tecums in direct violation of courts?"

Speaker Yourell: "Representative Rea."

Rea: "I think it would vary on the circumstances there, and I'm not completely clear on the... the... on your inquiry."

Alexander: "Would we not then be putting the institution or the hospital under contempt citations of the court by passing this piece of legislation by not complying to the subpoenas

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duces tecum?"

Rea: "I don't think so, because already this... you are requested... It's already approved for the other hospitals, and this is only for nonaccredited ones. It's also approved for the Department of Public Health and for the Department of Mental Health, and there's only five... five institutions of the Department of Mental Health that this would probably affect."

Alexander: "I am aware of the confidentiality law regarding mental health institutions in the court systems and the reasons why those confidentiality laws persist. But when we expand it to include other hospitals and things, I believe that this piece of legislation will stop the court from getting the correct information that they would need in response to either a litigate seeking that information to help persons by passing this piece of legislation, and I cannot support it for that reason."

Speaker Yourell: "Further discussion? Mr. Rea, do you wish to close?"

Rea: "Well, this Bill, as it went out of the House, was on the Consent Calendar. It went out of the Senate 57, 58 to zero. And as it was amended, it came back from the Senate 57, 58 to zero. I think that this is only providing the provision that is necessary for the other institutions and... within the Department of Mental Health, as well as the nonaccredited hospitals. I would ask for a favorable vote on... in support of the Governor's recommendations."

Speaker Yourell: "The question is, 'Shall the House accept the Governor's specific recommendation for change with respect to Senate Bill 695 by the adoption of the Amendment?' This is final action. Requires 60 votes. All those in favor will be voting 'aye', those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish?"

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Take the record, Mr. Clerk. On this Motion there are 85 voting 'aye', 17 voting 'no', 6 voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding Senate Bill 695 by the adoption of the Amendment. Appearing on the Order of Amendatory Veto Motions is Senate Bill 824, Representative Keane."

Keane: "Thank you, Mr. Speaker. I move to override the Governor's veto of Senate Bill 824. The Governor vetoed the second part of the Bill which increased the numbers of signatures needed on a petition to reduce tax rates in certain taxing districts by referenda from five percent of the voters or a thousand, whichever is less, to a flat ten percent of the voters. The reason that this Bill is needed, and I rise to override the Governor's veto of that Section of the Bill, is that local government has been, in many cases, penalized by either five percent of the voters or a thousand signatures in putting matters on a referenda. They ... The Senate sub... overrode the Governor's veto. What happens is that, by requiring that the petitions for a tax cut referenda be signed by ten percent of the legal voters, the Bill places a reasonable restriction on the initiatives, and it's consistent with the legal signature requirements for other types of referendum. The Urban Counties Council, the Illinois Public Health Association, the Park District Association, the Township Officials' and various other associations support the override effort, and I would ask for your support."

Speaker Yourell: "Is there discussion? The Lady from Kane, Representative Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House, I, too, rise in support of the override on Senate Bill 824. I

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think I've talked to many of you about this Bill. It has a direct impact on county government. As you know, county government and municipal government is constantly being attacked by various groups who, rather capriciously, put tax initiatives before the voters. I think that a ten percent requirement is certainly very reasonable. It would be helpful to at least provide some base of support for county government so that they can plan their expenditures, particularly in the criminal justice system, and I urge your support of this override."

Speaker Yourell: "Is there further discussion? Representative Cowlshaw."

Cowlshaw: "Mr. Speaker and Ladies and Gentlemen of the House, I, too, rise in support of the Gentleman's Motion. I recognize that it is very important for us to make available to our taxpayers the opportunities to alter tax rates when that is appropriate. However, I think it is important for us to always be certain in the provisions which we have enacted here that we have, in fact, a representative sample of people who want to promote that sort of thing and not a very minimal number. In counties such as the one where I live, 1,000 signatures is practically nothing at all. It's something that one person could go out and achieve in one day. In regard to this particular measure, I have here a letter from Frank Miller who was the Chairman of the Board of Kane County. I think Mr. Miller makes a good point, and I would like to read a portion of his letter into the record. He says, 'Before the veto, this Bill required ten percent of the signatures of those voters who voted in the last general election. Ten percent is mandated with most other referenda requirements in the statutes. There is no reason for the tax cut referenda to be substantially different from the

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norm.' He goes on, 'More to the point, I am sure you realize the difficulty of preparing the state budget should 25% of your sales or income tax revenue be wiped out by voter initiative. It must be remembered that county government supports the criminal justice system which is essentially a state service mandated by law. Different from other units of local government, the county cannot close the jail, the courts or the fee offices.' I urge support of the Motion to override the Governor's veto on Senate Bill 824. Thank you."

Speaker Yourell: "Further discussion? Seeing none, the Gentleman to close. Representative Keane to close."

Keane: "I'd just ask for a favorable Roll Call."

Speaker Yourell: "Question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 824 by the adoption of the Amendments?' Final action, requires 71 votes. All those in favor signify by voting 'aye', those opposed will be voting 'no'. The voting is open. Yes, for what reason does the Gentleman rise, Slape?"

Slape: "Yes, Mr. Speaker. Isn't this a complete override Motion?"

Speaker Yourell: "Yes, a Motion to override."

Slape: "I believe... When you posed the question, you posed, does the House accept the Governor's veto."

Speaker Yourell: "I'm sorry. I'm sorry. I'm sorry. That's right. The Chair stands corrected. The question is, 'Shall Senate Bill 824 pass, the veto of the Governor notwithstanding?' This is final action, requires 71 votes. All those in favor will vote 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Motion there are 87 voting 'aye', 23 voting 'no', 3 voting

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'present', and the Motion to override prevails. On page six, on the Order of Amendatory Veto Motions, appears Senate Bill 448, Representative Van Duynes."

Van Duynes: "Yes, thank you, Mr. Speaker. I have refiled this override Motion on Senate Bill 448, because yesterday some of our Members weren't present. And, of course, we needed their vote. We only got 70 votes on this override Motion. So, they are here today, and I won't belabor the context of the override Motion. But I do move to override the Governor's amendatory veto on Senate Bill 448 and that Senate Bill 448 pass, the veto of the Governor notwithstanding."

Speaker Yourell: "Is there discussion? Hearing none, the question is, 'Shall Senate Bill 448...' Representative Vinson."

Vinson: "Mr. Speaker, I would yield, at this point, to Representative Nelson, and I do believe there's substantial discussion on this Bill."

Speaker Yourell: "The Lady from Cook, Representative Nelson."

Nelson: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This is the Motion that we defeated yesterday. If you'll remember, there was discussion on the floor over whether or not this General Assembly should get into the business of siting facilities, and my argument was and that argument prevails that we do not do this at the present time for any other kind of facility in the State of Illinois and, basically, that we do not want to get into the business of making those kinds of decisions that should be left up to technical experts and to the departments who have the power, under our Constitution, to write the rules and regulations that proscribe the conditions under which certain facilities in this state can exist. Those rules and regulations speak to the health and safety of our

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citizens, and I believe that we would create divisiveness within this Body if we get to the point where we are having to approve or disapprove a site in a colleague's district. You don't want to be in the position of having to vote against a good friend who sits here next to you over the issue of whether or not there will be a facility sited in his or her district. In House Bill 2234, which we passed, a siting procedure was created giving the Department of Nuclear Safety the authority to set rules and regulations for judging a site. In that Bill there is more than adequate provision for public hearings, and this Bill runs absolutely counter to what we have already done. We have already killed it once. I would urge you to vote 'no' again."

Speaker Yourell: "Representative Marzuki."

Marzuki: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Again, we are faced with the question of control over an area that has been very difficult in this state thus far. Oftentimes, the technical experts get together with those people who are in the business of disposal in siting waste management sites. This has happened over and over again, and we have had Bills before this House in order to correct what the experts say are good places for normal waste facilities when we know better. The Representative who just spoke has a district that is victimized to a degree by this kind of siting procedure. It's true that there will be times when it will be very difficult to go along with what the siting procedure will be. This, in no way, changes that siting procedure. It gives the Legislature the final authority. I'd like to also point out that at one time it was very dangerous to bring a prison into your district. Right now, a lot of you are fighting for that privilege. There is going to be

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a good deal of economic good that can come out of these facilities. I think there may be, in the future, competition for these sites. Certainly, the experts may decide that a site is okay from a geological or scientific standpoint and completely disregard the nuisance, the danger and the hazard that this will have for people. We certainly have a lot of nuclear plants that have been sited in very poor areas by the regulatory commissions that are designed to protect the people. I think the Legislature has a responsibility to have enough fortitude to make these kinds of decisions. The Legislature and each individual Representative has to be ready to do what is best for the people of Illinois, and I believe that this is a good Bill, that we need to override this veto."

Speaker Yourell: "Representative Vinson, for what reason do you rise?"

Vinson: "For the purpose of opposing this Bill."

Speaker Yourell: "Didn't you yield your time, Sir, to..."

Vinson: "I don't think she used it all."

Speaker Yourell: "Proceed, Sir."

Vinson: "Mr. Speaker, I rise to oppose this Bill, because it's a bad process. It is an anti-growth Bill. It is an anti-high tech Bill. I believe we ought to defeat the Gentleman's Motion. And in the event that it gets the requisite number of votes, I would request a verification."

Speaker Yourell: "Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Once again, I stand in support of overriding the Governor's veto on 448. I spoke the other day on the need for input for the protection of public health and safety. One of the most important areas of this Bill is the opportunity for local officials, whether they be road commissioners who are interested in what happens to the

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facilities and highways, gravel roads to a disposal site, to bring their concerns and have them evaluated by those of us who will be making the decision in the General Assembly as opposed to the Department of Nuclear Safety, EPA, NRC, or Pollution Control Board or whoever. You'll also give the opportunity to the firefighters who would be concerned as it pertains to training and availability of knowledge as it pertains to what is being brought to those sites if a catastrophe or a fire occurs. By the same token, I find it very difficult to understand why the General Assembly would want to give up that authority which we have as constitutional Members elected to this Body. If I can use an analogy to Representative Nelson's proposal that only the scientific research and development people are able to determine site selection, I would like to point out that we have been hassling over mental health facilities and correctional facilities in this state. The analogy is that once the determination is made by the bureaucrats or the administration, whoever that may be, Republican or Democratic Governor, the General Assembly has a very difficult time having their input into that process once the determination is made. You all know how it works. Why give away that authority that we were elected to provide for the citizens in which we represent? We've been giving too much of it away for too many years. I don't know why anyone would want to not have input into where these facilities will be located, but most importantly I don't see how anyone could vote against this Bill when we are allowing those individuals, whether they be local officials, providers of services, producers of hazardous or low-level nuclear waste, local officials having their day in court where they can bring their concerns, their recommendations and their fears before a Body who will be

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making that determination and maybe have their concerns responded to. This is a good proposal, 448, and the Governor's amendatory veto should be overridden. And we should take 448 in its original posture, and I recommend an 'aye' vote."

Speaker Yourell: "Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I realize that this is quite a controversial issue, and several speakers have spoken to the problem that we are trying to make sure and ensure here in the State of Illinois that we have the safest and best possible site for a disposal site. We all want to make very certain of that, and it is my belief and my opinion that the Department of Nuclear Safety is much more qualified to determine the safest possible site than I here in the General Assembly. Now, we want... all want to make very certain that the public does have an opportunity to comment on that, and that's what we in the General Assembly are most able to assess. And the public can have the ability to comment on the disposal site through the hearing process, which is certainly still allowed and certainly not prevented in any way whatsoever. By giving the General Assembly veto power over a disposal site, the only thing that we are doing is ensuring that whomever is the Speaker of the House at that time will not have that disposal site in his district. It would be a purely political question, and this is much too important to leave to the politicians to decide. We must have the fortitude - is what one Representative mentioned - we must have the fortitude to address this question. Well, fortitude is not the question here. It is technical ability to determine the best possible disposal site in the State of Illinois. And in my opinion, the Department of Nuclear Safety has that technical ability, and I would

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object. Thank you."

Speaker Yourell: "Is there further discussion? Mr. Van Duyne to close."

Van Duyne: "Thank you, Mr. Speaker and Members. As you know, I tried to not stretch this out too far, because this did have quite a bit of debate yesterday. And... But some of the remarks made really were in error. One of the previous speakers said, I believe erroneously, that we have not invaded any other agency's domain in terms of siting, and I say that she was wrong. We passed Senate Bill 172 a couple of years ago having to do with just hazardous waste and also plain landfills. Now, we're talking about ordinary garbage. We've given our county governments, especially I'm proud to say in my county, Will County, the right to veto sites made by the EPA in the State of Illinois. I don't understand why we don't agree with Representative Mautino's view, and I say he spoke it very eloquently, in the fact that we don't guard... guard our right to make some decision. We just give them away. Representative Marzuki told me that our great minds, referred to by one of the other Lady speakers over there, in their siting she said that... that the Nuclear Regulatory Commission had all the tools and all the expertise in picking sites. You ought to think about Zion site up there. Waukegan was a beautiful spot to put a nuclear plant with... most biggest concentrations of populations there is in the state. Now, if you... if you go along with the dialogue that Representative Klemm and I had yesterday as far as having to do with Senate Bill 172, I believe that you will have no other alternative but to think that if you... if you veto the siting of just plain landfills, that you should treat nuclear waste with a lot more importance. So, not to belabor it anymore, you all know the Governor's veto. And

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Brummer said for me to shut up, and I plead with you for an 'aye' vote."

Speaker Yourell: "Question is, 'Shall Senate Bill 448 pass, the veto of the Governor notwithstanding?' This is final action, requires 71 votes. All those in favor will be voting 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 63... On this Motion there ere 63 voting 'aye', 43 voting 'no', 3 voting 'present'. Representative Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. I'd like to poll the absentees, please."

Speaker Yourell: "Gentleman requests a Poll of the Absentees. Poll the absentees, Mr. Clerk."

Clerk Leone: "Poll of the Absentees. Capparelli. Cullerton. Ewing. Harris. Jaffe. Krska."

Speaker Yourell: "Representative Jaffe votes 'aye'."

Clerk Leone: "Krska. Nash."

Speaker Yourell: "Representative Nash votes 'aye'."

Clerk Leone: "Neff and Terzich."

Speaker Yourell: "What's the count, Mr. Clerk? On this question there are 65 voting 'aye', 43 voting 'no', 3 voting 'present', and the Motion fails. Mr. Tate, are you in the chamber? Tate. On page four, under the Order of Business of Total Veto Motions, appears Senate Bill 1156, Representative Tate."

Tate: "Mr. Speaker, Ladies and Gentlemen of the House, Senate Bill 1156, which passed both chambers by fairly wide margins, deals with the state grant program for fire departments and fire department districts in communities of less than 10,000 in population. It... There's been a lot of confusion, I think, regarding the Bill. Unfortunately,

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there's been some, I think, a little confusion between who administers the Bill between the Department of Conservation or the State Fire Marshal. And unfortunately, I don't think that should be the issue at hand. The issue at hand is that presently in the State of Illinois we collect about six and a half million dollars in insurance taxes for fire prevention... for the Fire Prevention Fund. Right now, in 19... in the last Fiscal Year 1983, we had about a million and a half dollars that were left over. That million and a half dollars automatically transfers into the General Fund. The Federal Government now is... is considering possibly phasing out a program for small communities, and I have a list in front of me. I'm sure everyone in this chamber today that represents small communities know how important it is to have the proper equipment to fight fires. And that is... what we're asking here is basically that we can assure and save the 173,000 dollars, and that's all we're talking about is 173,000 dollars for those small communities for those of you that have volunteer fire departments. And I would encourage a favorable vote."

Speaker Yourell: "Have you completed, Sir? Is there discussion? Seeing none, the question is, 'Shall Senate Bill 1156 pass...' Representative Saltsman."

Saltsman: "Yes, Mr. Speaker. I'm opposed to this, because there's not enough monies there for the type of equipment that is even needed for our small departments. We have better expertise in the Fire Marshal's Office to distribute these monies than the Department of Conservation. There's no sense in having two or three bureaucratic jobs to process 170,000 dollars which couldn't even as much as buy one Scott air pack for every company that comes from a fire protection district. This amount of monies here, when you start looking at fire equipment, you're talking a very

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expensive equipment, and this is why the amount of monies don't amount to enough. The Fire Chiefs' Association are opposed to this Bill. The Fire Marshal's Office is opposed to this Bill. Every firefighters' association is opposed to it. I don't know how this got out of here with that big of a vote, and I think that all we're doing here is probably trying to protect some bureaucratic jobs. And the fire equipment, the equipment for these firefighters is not getting their monies worth. We have enough help in the Fire Marshal's Office to distribute this money and eliminate some of the people with these types of jobs."

Speaker Yourell: "Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. I have fire districts in my district which are not volunteer and not rural and will... or stand to suffer from this diversion of funds. My... Hello? My chiefs are opposed to this Bill as well and ask that the integrity of the State Fire Marshal Fund be maintained. I, of course, respect the Cosponsors of this Bill and respectfully dissent."

Speaker Yourell: "The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I, too, rise in opposition to this Motion. I believe that the purpose of the Fund to provide funding for training for fire prevention is really needed and that we should not be diverting money from that training program. I suggest that even in those rural areas you will probably have more benefit from a good training program available than by diverting funds directly to the local fire department. And for those reasons, I would oppose this Motion."

Speaker Yourell: "Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. Many Members have asked me why

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I didn't file the Motion, because I was the lead Sponsor on this legislation. I think clarification is in order; and, in that regard, I'd like to make a statement. Many of you will remember that this legislation, as introduced by myself and Representative Tate, had to accept some Amendments and postures in Committee. When we brought it to the House floor and because of the controversial nature of the administration of the program, we had to accept some Amendments reversing what we did in Committee. When it finally went out of here, and basically it was totally vetoed by the Governor, I felt that it was rather difficult to come back to the Membership, personally, and say that we made three changes in the legislation during the whole process and we still have people on both sides of the issue from two agencies of government, namely; the Fire Marshal's Office and the Department of Conservation, Division of Forestry. It was our intent, at that time, and included in the appropriation the funds of 175,000 for this program to be enacted if, in fact, the federal funds were not available. I was informed later that the federal funds will be available, and it will continue to operate under the Forestry Division as it pertains to equipment purchases. By and large, I guess the reason that I didn't file the Motion is I was tired of getting hassled on both sides. I'm being very honest with you. I'm tired of having the guys come to my office on one side of the issue and walk out and have a bunch of phone calls and other people hassling me on the other side. So, therefore, I declined to file the Motion. My Cosponsor did, Representative Tate, and I would hope that everyone would vote as they see fit. It basically, in this final form, authorizes the additional dollars from the insurance premium tax imposed upon the insurance companies for the

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use, in addition to training, the purchase of fire equipment, favorable to volunteer fire departments and not favorable to full-time paid forces. So, therefore, vote your own conscience and may the best side win."

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

Hallock: "I move the previous question."

Speaker Yourell: "Gentleman moves the previous question. All those in favor will say 'aye', opposed 'no'. The 'ayes' have it. The question has been moved. Representative Tate to close."

Tate: "Mr. Speaker and Ladies and Gentlemen of the House. Again, there's been a great deal of confusion on this, and I'd like to just respond to some of the remarks in opposition to the Bill. First of all, yes, indeed, the State Fire Marshal is opposed to the Bill. However, I have a letter in my hand right here that says that he would... he fully intends to cooperate with that and feels very confident that they... that Department of Conservation can administer the program. The Department of Conservation is presently administering the program. So, it's not a matter of something that they're going to be in a new field. It's not a matter of saving any kind of bureaucratic jobs or anything like that. Patronage or bureaucrats have nothing to do with this program. The fact of the matter is though is we collect the tax from the insurance premiums today; and, if we're going to collect those taxes, we should spend the money for the reason we collect the taxes. And the volunteer fire departments deserve the same type of equipment that the large municipalities deserve. And if they're going to qualify for the training programs at the U of I and whatever, they need that kind of equipment. And that's the difference between a life and death situation.

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For those of you that have small communities of less than 10,000 people in it, that's the difference right now, on whether we're going to have 171,000 dollars available to those communities. I'd just ask you to search your conscience and vote 'yes'. Thank you."

Speaker Yourell: "The question is, 'Shall Senate Bill 1156 pass, the veto of the Governor notwithstanding?' This is final action, requires 71 votes. All those in favor will signify by voting 'aye', those opposed will vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Motion there are 18 voting 'aye', 93 voting 'no', 1 voting 'present', and the Gentleman's Motion to override fails. On page four of your Calendar, under the item... under the Order of Item Veto Motions, appears Senate Bill 374, Motion #1. Representative Satterthwaite? On page five of your Calendar, under the Order of Reduction Item Veto Motions, appears Senate Bill 378, Motion #2, Representative Keane."

Keane: "Thank you, Mr. Speaker. I have Motion #2 which is a reduction Motion... reduction veto. The General Assembly, in the last Session, provided full funding for the Veterans' Scholarship Program, and we funded that to the tune of 6,575,000 dollars. The Governor cut approximately three million dollars out of the Program. If the veto stands, we will be in the situation for... where for the third year in a row, the Program has been underfunded. The shortfalls have been approximately three to four million dollars a year. Now what happens is is that the schools, the high... the institutions of higher education that provide the veterans with their education end up eating this. I think there's a grave danger that the Program is going to be dropped or the Program... there will be

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serious... If we continue to fund this or continue to half fund the Program that we say we want to give to the veterans of Illinois, I think higher education is not going to be able to carry the load. For that reason, I would ask that you... will vote with me to restore the funds that the Governor cut by his reduction veto in Senate Bill 378."

Speaker Yourell: "Is there discussion? The Gentleman from Cook, Representative DiPrima."

DiPrima: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, two weeks ago when we were here considering House Bills, overrides on the House Bills, I spoke on a Bill to give a little help to the veterans, and I was let down, much to my amazement, by two votes. Now I see we're here again trying to do some harm to the veterans. I don't know. I mentioned at that time that the... we had our boys over in Lebanon and right after that, on Sunday... Well, you heard what happened - that massacre over there. So, once again, I am imploring you to vote to override this reduction on behalf of the veterans and the hospital... the veterans' home."

Speaker Yourell: "The Gentleman from Adams, Representative Mays."

Mays: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Will the Gentleman yield for a question, please?"

Speaker Yourell: "Gentleman indicates he will."

Mays: "With this... If this appropriation is not overridden, will this in any way affect the delivery of this educational benefit to the veterans?"

Keane: "Yes, that was my point. We haven't been funding the veterans' scholarships, and the people... the schools, in effect... There's no such thing as a free lunch. So, what's happening is that when someone shows up at a school and says, 'Hey, I'm a veteran. I'm eligible for an

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Illinois veterans' scholarship. Give me the tuition pass that you give me,' the school turns around and then says to the state, 'Here's your Program. You give... You're giving away a scholarship to this veteran. You told us that you would reimburse us for our cost.' And what we're doing is we're saying, 'Well, we'll give you fifty cents on the dollar'. And the schools are getting the point where they're saying, 'You know, we can't do this'. There is a list of junior colleges throughout the state, and I think all of you have received a copy of it, where every junior college, for instance, in the State of Illinois is getting pretty well banded by the monies that we have... that they're not recovering."

Mays: "For the edification of the Members, will you explain exactly what ... You know, we've always been saying here for the last three years we've underfunded the scholarships fifty percent, forty-seven percent, whatever it is. Could you tell us how you arrive at that figure?"

Keane: "This is..."

Mays: "Is that based on full tuition costs for the veterans participating in that institution?"

Keane: "That's right. In other words, whatever the cost is, and they vary from school to school, as the veteran comes in... as the veteran comes in and signs up and the school gives him the free tuition with a waiver, and they come back to us... to the veterans to this Fund, and they say, 'Okay. We've got 23 veterans. Here's what we... Here's what you owe us for doing that.' It is not the schools that have put in this Veterans' Scholarship Program. It's us. And what we're doing now is we're saying, 'We want you to run the Program, but we don't want to fund it'. And what I'm saying is is that they've done it in the past, and it's very, very dangerous. I think many of the schools, many of

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the junior colleges are really getting banged and are beginning to say, 'Hey, we can live without this, because we're pretty tight right now'."

Mays: "So, you're saying that they'll be coming to us next year if we don't do this with a message to repeal the mandate for the veteran then. Is that what..."

Keane: "Yeah. It's ... We have told them that we would do it on a reimbursement basis, and we're not reimbursing them. So, that's why we need the money, and I think the schools, over the last four or five years, have been very, very... they've bent over backwards. But they are sustaining a loss from this."

Mays: "Thank you. To the Bill, Mr. Speaker."

Speaker Yourell: "Proceed, Sir."

Mays: "I have a great deal of respect for the Gentleman who is sponsoring this Motion. I do, however, have some reservations about voting for an appropriation that's three million dollars over what the Governor thinks we should be spending right now. As a matter of fact, in 1982, we served 27,000 veterans through this Program for 3.9 million dollars. Now, while the reduction veto over a two year period reduces that to 3.5 million dollars, the number of veterans to be served projected for 1984 is only 20,000, a drop of 7000 veterans. And eventually this Program will be eliminated, because this is only eligible for those people who participated during wartime... or were in the military prior to succession of the war in Vietnam. So, I think on this one it's just a question of priorities in each of our minds. We've got a Program that has helped the veteran. It's certainly helped the colleges that have served and benefitted the veterans by this Program, but the numbers of veterans enrolled in this Program has gone down substantially, the appropriation has not since 1982. And I

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would think that we would want to look very carefully as to whether we should restore this for the benefit of the colleges or look towards using those dollars for the direct service programs that our veterans so sorely need."

Speaker Yourell: "Representative McGann."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. The previous speaker has come up with some inaccuracies. The General Assembly set the tone for the Illinois Veterans' Scholarship Program, no one else - the General Assembly. And now the Governor's saying we're not going to pay it all. So, what happens here is that the veterans are enrolled in the community colleges of the State of Illinois. They are not turned away. As a result, the burden is on the colleges and is passed on to other students by tuition increases. I would like to have read into the record, Mr. Speaker, a letter from the Chancellor of the City Colleges of Chicago pertaining to overriding this amendatory veto. 'The result of this amendatory veto is that every state-supported college and university must bear nearly half the expense of educating veterans who attend school on scholarships awarded pursuant to the Illinois statute. Regardless of whether or not the state fully funds these scholarships, educational institutions do not have the option of refusing to accept veterans on scholarship and will, therefore, have single-handedly absorbed over 2,951,500 dollars this fiscal year. The city colleges of Chicago share of this shortfall, their share will be over 308,000 dollars, and there is no additional sources for funding except to increase the tuition of other students attending. Last year, under similar circumstances, the Governor reduced the veterans' scholarship appropriation which created a statewide shortfall of over four million dollars. To continually to

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require local districts to absorb such large sums is not only inequitable, but has the effect of shifting substantial state expenses to the local governments. It is extremely important to the city colleges and to all Illinois public institutions of higher education that full funding to the veterans' scholarship be restored.' And to that end we're all asking for us to return these monies the Governor vetoed out, return them. It's our obligation; and, as I've said before, we set the tone. Let's carry on our responsibility. Thank you."

Speaker Yourell: "Representative Pedersen."

Pedersen: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I'd like to ask the Sponsor if he would yield for a question."

Speaker Yourell: "Indicates he will."

Pedersen: "I'd like to inquire if a veteran is eligible for the State Scholarship Fund and can also be collecting G.I. benefits that reimburse him for his tuition at the same time?"

Keane: "Yes, he can. They're two separate programs."

Pedersen: "So, in other words, the Federal Government is giving him money for tuition, and we're giving him free tuition from the state."

Keane: "The Federal Government's stipend and the state tuition grant are separate and distinct."

Pedersen: "Okay. I understand that the majority of the people receiving the veterans' benefits are receiving federal benefits at that time. Is that true?"

Keane: "I have no idea."

Pedersen: "I'd also... To the... To the Bill, Mr. Speaker. I also would like to just make a statement that we did, in this General Assembly, pass many appropriation Bills for higher education that reimburse them for many expenses and

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increased expenses for the forthcoming year, and I think that should be taken into consideration when you cast your vote on this particular Bill. Thank you."

Speaker Yourell: "Representative Hastert."

Hastert: "Will the Sponsor yield? Mr. Speaker, would the Sponsor yield, please?"

Speaker Yourell: "Indicates he will."

Hastert: "Mr. Sponsor, I have the highest regard for you and most of the legislation that you bring before this Body. But you made a statement, and I just want to have you verify or not verify that statement. You said probably that if we did not increase or override the Governor's line item veto on this thing, that probably next year we'll have a program... or a piece of legislation come through to demandate that. Is that correct?"

Keane: "That would be... If I were an administrator of a uni... of a college, that would be my recommendation, and that may well be one of their recommendations. Let me give you the specifics for it. Last year we pay... we appropriated four million dollars, and the total claimed was seven million. So, we had a shortfall. The schools had a shortfall last year of 3,104,000 dollars which means that they are paying for our Program. You cannot... You cannot go into business, any kind of business and collect fifty cents on the dollar and stay in it. And I think the schools... This has happened for four years. In 19... I've got figures for four... for three years. 1982 was approximately four million shortfall. In '83, it was 3.1 million. And in '84, it was 3.0. Many of the junior colleges are the ones that are involved, and, you know, we're not giving them that much state money to begin with. They're basically... They've got a big hunk of their money coming from real estate taxes. So, we, in a way, are putting the... the

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state... The Program that we want is going back on the peoples' bac... on the real estate taxpayers, and that's wrong."

Hastert: "Thank you. Representative Keane, I also have respect for you. I think you're probably one of the finest fiscal minds, as you just have spewed out some numbers there, also in this General Assembly. Let me ask you one other question. Do you feel, with the fiscal hold and the overview that you have in the State of Illinois right now, do you feel that there will be a significant fiscal impact on the state budget at this time passing this piece of legislation with the caveat or the proviso that we don't increase or extend the income tax next year?"

Keane: "I don't know. I think we'll... we'll be discussing... when we get into the prison system and all of that, we'll be discussing stuff with major impacts. I'm very disappointed of some of the cuts we made in the last Session, and then somehow or other we're going to be coming back here to talk about 30 million dollars in prison construction. If we had 30 million, I could have thought of a lot better places to spend it, but what I'm saying is is that we have to look... we have to look to the fiscal impact on local governments. And the fiscal impact on a local government, on the school dist... on the junior college districts is immense, when you think that we're... we're cutting them in roughly 50 percent of what we owe them. If they had many customers like us, they'd go out of business real fast."

Hastert: "Thank you, Representative Keane. I think you're very candid of those answers. Just one... To the Bill, Mr. Speaker."

Speaker Yourell: "Proceed, Sir."

Hastert: "I'm not going to vote... or I'm not going to speak in

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favor or against that Bill, but with a caveat to you people that, again, here we are making a decision of whether we're going to spend an extra three million dollars here. And we are going to be making decisions whether we're going to expend an extra 30 million dollars for prisons. Look at what we have. Look at the decision that you're all going to have to make next June about whether you're going to vote for a tax increase or not vote for a tax increase on all those programs. And I think that ought to be a very illuminating piece of information when you make that decision in a few minutes on how to push that button. Thank you."

Speaker Yourell: "Further discussion? There being no further discussion, the question is, 'Shall the reduced item of appropriation on ...' Do you want to close, Represen... Proceed."

Keane: "Thank you, Mr. Speaker. I agree with many of things that previous speaker said, but I think we ought to pay our debts. If we've asked... we've asked the colleges in this state to provide this service on the... They provided it on the basis that we were going to reimburse them. That's totally different than us... us going out and appropriating money for new programs. We... This isn't three million new dollars that we're voting on. This is three million that we owe them. We... Our track record is very, very bad. We have gone... And we couldn't get away with this with anyone else that supplies services to the state, which is what's happening in this case, and we owe that three million. We are just not paying the debt. And that's why I think it's important. A previous speaker discussed the G.I. Bill. Well, most of you know the G.I. Bill is pretty well gone, except for some of the Vietnam veterans, and the G.I. Bill is no longer what it was ten, fifteen years ago.

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It's been emasculated substantially. So, it is important that we keep this Program, and it's important that we keep it funded. I'd ask for a favorable Roll Call."

Speaker Yourell: "The question is, 'Shall the reduced item of appropriations on page 56, lines 13 through 17 be restored to its original amount, notwithstanding the reduction of the Governor?' This is final action, requires 60 votes. All those in favor will signify by voting 'aye', those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this question there are 91 voting 'aye', 20 voting 'no', 1 voting 'present', and this Motion, having received a Constitutional Majority, prevails. And the House overrides the Governor's item reduction on page 56, lines 13 through 17 of Senate Bill 378. Appearing on the Order of Reduction Item Veto Motions is Senate Bill 378, Motion #3, Representative Hannig."

Hannig: "Thank you, Mr. Speaker. I would like to withdraw Motion #3 and proceed with 4 and 5, please."

Speaker Yourell: "Withdraw Motion #3. Motion #4."

Hannig: "Yes, thank you, Mr. Speaker, Members of the House. Motion #4 proposes to restore 47,200 dollars of personal services for the School for the Visually Impaired in Jacksonville, Illinois. The staff reports that I have indicate that if the Governor's veto stands, that the school in Jacksonville will simply have to exist at the same dollar amounts as in Fiscal Year 1983. It doesn't take any great degree in mathematics to know that if people are getting raises anywhere along the lines, in administration or what have you from the personal service line, that that means that there will have to be some cuts in number of people working in those positions. And,

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unfortunately, we've seen the trend be not cutting people who work in administrative levels, but, we've seen cuts among the teachers who try to teach these children who are visually impaired. What we're asking today is that the bipartisan budget, which was worked out and balanced and passed last June and early July, be upheld. What I'm asking for you today is to join me and the Senate in restoring this amount of money so those children from all over the state who attend this school in Jacksonville, Illinois can have a decent education. I would ask for your 'yes' vote."

Speaker Yourell: "Is there discussion? Gentleman from Morgan, Representative Ryder."

Ryder: "Mr. Speaker, Ladies and Gentlemen, I join in the support of the Motion by the Representative from Macoupin County and ask that a favorable action be taken on this. The positions, the money are extremely important to the fine folks of this facility but, more importantly, are vitally needed by the children that are served there."

Speaker Yourell: "Is there further discussion? Hearing none, the Gentleman to close. Representative Hannig? The question is, 'Shall the reduced item of appropriation on page 31, line 22 of Senate Bill 378 be restored to its original amount, notwithstanding the reduction of the Governor?' Final action, requires 60 votes. I'm sorry. Line 32... Page 32, line 32. All those in favor will signify by voting 'aye', those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Motion there are 72 voting 'aye', 38 voting 'no', 1 voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House overrides the Governor's item reduction on page 32, line 32 of Senate Bill 378.

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Appearing on the Order of Reduction Item Veto Motions is Senate Bill 378, Motion #5, Representative Hannig."

Hannig: "Thank you, Mr. Speaker and Members of the House. This Motion proposes to restore 107,000 dollars in personal services for the Illinois School for the Deaf. This amounts to approximately a two percent increase which, as I stated in my earlier discussion, was approved with the support of a bipartisan leadership operation which put together our state budget. Now, I think it's inappropriate for the Governor now to veto out this small amount of money. It's very unfortunately; but, at the School for the Deaf, they have been forced to close off a children's ward simply because they do not have adequate staff to continue. Now, these children who attend the School for the Deaf in Jacksonville, again, come from all parts of the State of Illinois. This is one of the outstanding schools in our state. It's a school that, in many cases, is used as an example of how to run a school nationwide. I think it's one of the best schools anywhere, and I'm a little bit prejudice because I have two first cousins who attend this school in Jacksonville. Again, we're simply asking that the money be put back in the budget. It is not a large amount of money, but it will go a long way in helping some deaf students cope with the problems and handicaps they have in this life. And I'd appreciate your 'yes' vote."

Speaker Yourell: "Gentleman from Morgan, Representative Ryder."

Ryder: "Thank you, Mr. Speaker, Ladies and Gentlemen. Again, I rise in support of the Motion and simply ask that the House keep the promise that's been made to the citizens of the Illinois School for the Deaf that serves the entire state. Thank you."

Speaker Yourell: "Mr. Hannig, do you wish to close? The question is, 'Shall the reduced item of appropriation on page 33,

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line 14 of Senate Bill 378 be restored to its original amount, notwithstanding the reduction of the Governor?' This is final action and requires 60 votes. All those in favor will vote 'aye', those opposed will vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Take the record, Mr. Clerk. On this Motion there are 75 voting 'aye', 37 voting 'no', 1 voting 'present', and this Motion, having received the Constitutional Majority, prevails. And the House overrides the Governor's item reduction on page 32, line 32 of Senate Bill 378. Line 13, I'm sorry. Line 14. Page 33, line 14. Representative Ryder, did you wish to withdraw Amendments #5... #6 and 7? They're identical to 4 and 5. Withdraw Amendment #6. Withdraw Amendment #7. On page four, under the Order of Item Veto Motions, appears Senate Bill 374, Motion #1, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I would ask for an override of the Governor's veto of the 500,000 dollars that was put into the balanced budget last spring to fund House Bill 1180. The Governor, while approving the substantive legislation for 1180 providing for engineering grants on a matching dollar basis, vetoed the money. I believe that we are justified in asking for the restoration of those funds if we are to be one of the leaders in high technology and to keep our preeminence in the field of edu... of engineering education. Then I think that it is incumbent upon us to provide for our higher education facilities the money to give them equipment to try to keep abreast of the changing times. The 500 million dollars would be only... 500,000 dollars, excuse me, would be only a very, very small amount of what is necessary to catch up but I believe would be a good first step although small in the direction of putting us back on the road to providing

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appropriate equipment. Other states are doing far more, and I would ask for your support for an override of this veto."

Speaker Yourell: "Is there discussion? The Lady from Cook, Representative Didrickson."

Didrickson: "Yes, Mr. Speaker, Members of the House, I rise in support of Representative Satterthwaite's Motion. As she mentioned, this is a small commitment of 500,000 dollars, where the actual determined need throughout the state is really 37,000,000. She also touched upon a key element in this highly technological era, where we're trying to remain competitively in an economic situation in this state. She talked about other states, and I'd like to refer to a few statistics from some of our humidity belt states. The Governor of Texas this summer just committed to a \$67,000,000 overall program in laboratory engineering equipment - \$20,000,000 the first year. I would like to also mention that North Carolina in '82 committed \$24,000,000 for a micro electronic center; and, in Florida in '82, allocated in that state 12.3 million dollars for science and technology equipment. This is a one-to-one match. In Texas, they do it a two-to-one match, private versus public. I rise in support of this measure, and I certainly hope you will strongly consider it."

Speaker Yourell: "Representative Marzuki."

Marzuki: "Thank you, Mr. Speaker. I think that the statistics that have just been recited are overwhelming. There can only be one vote on this measure and that is to override."

Speaker Yourell: "Is there further discussion? Being no further discussion is...the question is, 'Shall Senate Bill 374 pass, the veto of the Governor notwithstanding?' This is final action. All those in favor signify by voting 'aye', those opposed will vote 'no'. The voting is open. Have

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all voted who wish? Who? Representative Mautino, one minute to explain his vote."

Mautino: "Before I vote, I'd like to ask the Sponsor if I vote for this will I be able to buy a couple of tickets for the Rose Bowl Game at the U of I?"

Speaker Yourell: "Representative Satterthwaite."

Satterthwaite: "I think those are unrelated issues. I must remind the Body that this money does not go just to the U of I, but I will certainly entertain any request and try to intercede."

Speaker Yourell: "Representative Dwight Friedrich."

Friedrich: "Mr. Speaker, Members of the House. I don't think my explanation is going change any votes, but I would remind you that the cash balance of the state is now under 200,000,000 again. We still have not paid off the short term debt. The Governor is already making noises about extending the tax. I noticed that some of the people who are voting for this didn't vote for the tax in the first place. Now if we're going to be responsible, we better start now. Rig up right now to vote for a tax increase next year."

Speaker Yourell: "On this Motion there are 83 voting 'aye', 30 voting 'no', 1 voting 'present'. This Motion, having received a Three-Fifths Constitutional Majority prevails, and the item on page 25, line 17 through 22 is declared passed, notwithstanding the veto of the Governor. Representative Breslin in the Chair."

Speaker Breslin: "Ladies and Gentlemen, we will now go to the Special Order of Business listed on your Calendar on page six, Consumer Protection. Senate Bill 187, Representative Brummer."

Brummer: "Yes, thank you. 187 is the omnibus public utilities Bill that passed through the House and the Senate last year

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dealing with a variety of issues. Created the Citizen Utility Board. The Governor in the amendatory veto made three specific changes with regard to the Citizen Utility Board; provided that the CUB couldn't receive a \$100,000 loan which we had previously appropriated, excluded members or employees or agents of the utilities from serving on the Citizen Utility Board of Director and provided that the Citizen Utility Board annual report had to be provided to each member of the Citizen Utility Board. The Governor altered the changes regarding the Open Meetings Act. He altered the changes regarding the limitation on employment by employees of the Illinois Commerce Commission. The Bill as passed prohibited certain employees from going to work for public utilities for a period of, I think, it's one year after employment at the Illinois Commerce Commission. The Governor in his amendatory veto restricted that to the Commissioners. Made certain technical changes regarding the winter shutoffs on the construction work and progress which, I think, is really...the construction work and progress in the CUB were the real meat of that Bill. The construction work and progress he left in tact, basically, the language phasing out CWIP so that we will no longer have CWIP in this state after the phase out period has lapsed. Unfortunately, the Governor amendatorily struck the language regarding a rate moderation plan or negative CWIP plan, although he did direct that the Commission establish a rate moderation plan or at least consider plans... the adoption of a rate moderation plan on a case by case basis. Regarding ex parte communications, the Governor basically eliminated those... He eliminated the coal transportation cost, because it was included in another Bill, and I think that substantially covers the provisions in a very summary fashion in the Governor's

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amendatory veto. I would move to accept the Governor's amendatory veto."

Speaker Breslin: "The Gentleman has moved for the adoption of Senate Amend...The Governor's amendatory veto of Senate Bill 187. And on that question, Representative Levin."

Levin: "Mr. Speaker... Madam Speaker, Ladies and Gentlemen of the House, I rise in support of the Motion to accept the Governor's amendatory veto. With respect to the Citizen Utility Board, I think the Governor's changes are good ones and the strength in the legislation. And we're already seeing a tremendous amount of interest in the CUB, people who want to go in the Interim Board, people who want to join. There was just a press conference last week. There were ten thousand petition signatures presented of people interested in joining CUB. This is a very, very important piece of legislation. I'm not particularly happy with some of the other changes the Governor made which do not relate to CUB, but we have fought those issues out in other Bills, and hopefully we'll be able to come back next year on some of those issues. But I think it's important at this point that we pass this Bill, that we accept the Governor's amendatory veto so that we can begin to have the benefits of the CUB before the year is out. We have rather substantial rate increases pending, and I think that CUB can make a major difference in those rate increases and something we can go back to our constituents and say, 'We have done something for you by passing Senate Bill 187 into law'."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 187 by the adoption of the Amendment?' This is final action. All those in favor vote 'aye', all those opposed vote

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'no'. Have all voted who wish? The Clerk will take the record. On this Bill there are 109 voting 'aye', 5 voting 'no' and none voting 'present'. This Motion, having received the Constitutional Majority prevails, and the House accept the Governor's specific recommendations for change regarding Senate Bill 187 by the adoption of the Amendment. The next Bill appearing under Veto Motions, Subject Matter Call #1, Consumer Protection, is...appears Senate Bill 591, Representative Matijeovich. Representative Piel, for what reason do you rise?"

Piel: "Thank you, Madam Speaker. I ask leave of the House to waive Rule 65 (b) while the present Speaker is in the Chair."

Speaker Breslin: "The Gentleman asks permission to suspend the Rule 65 (b). All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Rule is suspended. Representative Matijeovich."

Matijeovich: "Just in time. Madam Speaker, I move to accept the specific recommendations of the Governor as to Senate Bill 591 by the adoption of the Amendment. Senate Bill 591 authorizes municipalities which operate electric utility systems to form joint municipal electric power agencies for the joint planning, financing, owning and operation of facilities relating to electrical energy. The Governor in his veto message indicated his wholehearted support for the legislation believing it would help contain some of the costs associated with construction of generating facilities. However, he stated that the Bill has a technical problem. Two provisions pertaining to property tax exemptions conflict into defining property to be held exempted from taxes and, thus, effects local revenues. And this conflict causes potential problems with the State

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Mandates Act. His amendatory veto clears that technicality and; therefore, I renew my Motion to accept his specific recommendations."

Speaker Breslin: "The Gentleman moves to accept the Governor's specific recommendations for change in Senate Bill 591. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 591 by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. This is final action. Have all voted who wish? The Clerk will take the record. On this Motion there are 115 voting 'aye', none voting 'no', and none voting 'present'. This Motion, having received the Constitutional Majority prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 591 by the adoption of the Amendment. On the Order of Veto Motions, Subject Matter Call #2 is Economic Development, there appear Senate Bill 133, Representative Panayotovich."

Panayotovich: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to accept the specific recommendations of the Governor's amendatory veto on Senate Bill 133. He has taken the basic Illinois Domestic Products Procurement Act and made it a Steel Act. It is a...part of the steel is part of the buy america package that we had before here in the House. The Governor has made it for steel products only. He left in some of the exceptions, and he has also reduced the amount from 15% to 10% in the over...on the over cost. And I move for a favorable vote."

Speaker Breslin: "The Gentleman has moved to accept the Governor's specific recommendations for change in Senate Bill 133. And on that question, Representative Ropp."

Ropp: "Thank you, Madam Speaker and Members of the House. Not to

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duplicate many of the items that we discussed previously, relative to the potential burial around Illinois and national trading situations involved in this kind of legislation, I'd like to deal more specifically today with this particular profession in this country. I don't know whether any of you have notice on TV the last several months, there's been some commentaries relative to the comparison of the United States business climate and the business climate in the country known as Japan. And the comments that had finally end up is that there should be and there must be, for international competition and even domestic use, a close working relationship between business and labor. Certainly, having been in Japan a couple of times, I've seen that evidence very clearly. And as we see foreign commodities wanting to come into this country, we see that they can do it better because of the kind of competitiveness and the working together of both business and industry that the people of Japan do possess. As this Bill deals specifically with the steel business, and let me say that I am not one that knows a lot about the steel business, but I have been able to read some facts and figures, and it seems to me that we are in a situation rather than to pass legislation that would provide some protection for this particular kind of an industry. We're seeing that we have two groups of people, apparently, that are not willing to understand some of the problems that management may have in the steel business. We have one of the top ten steel producing companies in this country is producing steel in Illinois, and they are being asked by labor to continue to borrow money to keep their doors open to operate so that they can continue to lose from 14 to \$19,000,000 a year as they have done for the past two years. Ladies and Gentlemen of the House, this is kind of

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a travesty to ask business to continue to produce American products and yet lose millions and millions of dollars. Well, why are they losing millions of dollars? Well, of course, they're not able to compete in the domestic market in some cases and certainly not in the world market. And why is that? We look to what people are getting paid, and I'm not opposed to people getting fair and adequate wages, nor am I against Legislators getting fair and adequate wages, but let me give you some comparisons. We have in this particular steel company, a company where employees are averaging from 40 to \$45,000 a year. That's only seven times the minimum wage. Those of us who are Legislators in this Body, we do work a little above the minimum wage too. We only work for four times the minimum wage. But people who are in the steel business feel that they ought to work and receive seven times the minimum wage, or as in this company, not work four over thirteen months. I say to all of us in this Body, certainly, if this Bill is going to pass, you are supporting the idea that people who do not want to work for America or for the best interest of our country, but they would prefer to see the steel industry and other similar kinds of industry be strangled by either their greed or unwillingness to want to cooperate. It seems a real tragedy that now we've got this Bill down to one particular industry, an industry that, I might admit, is very vital to America and really to the world but where we have people that are not willing in any, way, shape or form to want to cooperate both maybe on business and management. Let me point to management for a point here. If, in fact, we are wanting them to become more efficient, they will, in fact, change. They will, in fact, change their operation to become more efficient. And in this particular steel company, it is going to cause the loss of

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some one thousand plus jobs. I don't think you want this Bill passed that will eventually cause steel companies to become more efficient and then lose more than a thousand jobs. You're actually defeating yourself if you want to support this kind of legislation. I urge not only business but also labor to become involved in trying to work together so that we can produce more efficiently to effectively compete with world markets rather than to develop an isolationist within the State of Illinois which ultimately would affect not only Illinois, but all of this country. Ladies and Gentlemen, you ought to think very strongly about supporting this kind of legislation. It's a precedence beyond which we cannot recover."

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

Wolf: "Thank you, Madam Speaker and Members of the House. I rise in support of the Sponsor's Motion on this particular Bill. And I'm encouraged to find that the Governor recognizes that a certain industry in this state does have a problem. It's discouraging to me to listen to the remarks of the previous speaker, who has come before this General Assembly time and time again to propose legislation to subsidize the farming industry and the farming communities throughout this state, who has proposed legislation which has provided tax incentives, tax breaks for the farming communities and yet does not want to recognize that a basic industry, a basic industry so vital to this state as the steel industry does need and does require certain assistance. I rise in support of the Motion."

Speaker Breslin: "The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Madam Speaker, Members of the House, I rise in opposition to the Bill. There is a couple simple, realistic

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viewpoints to take into account on this Bill. First, it is a foot-in-the-door type of legislation which I fear is going to be bad policy for the State of Illinois. Secondly, we have to keep in mind the fact that even though the steel industry has had it's problem over the years relative to competing in world markets as well as domestic markets, the fact does remain that we export millions and millions of tons of American-made steel every year from this country. We export products which are made from American-made steel. I think that this Bill, in addition to be costly to local and State Government, will have an adverse effect on the free flow of trade from the United States and other countries. I would think that would have served to set up some protectionism barriers that won't be easy to overcome throughout the years to come. I would suggest that you vote 'no' on the issue."

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

Kulas: "I move the...move the previous question."

Speaker Breslin: "The Gentleman moves the previous question. All those in favor say 'aye', all those opposed say 'nay'. In the opinion...in the... The Gentleman asks for a Roll Call. All those in favor vote 'aye', all those opposed vote 'nay'. Have all voted who wish? This is to move the previous question. All those in favor vote 'aye', all those opposed vote 'nay'. The Clerk will take the record, and the Motion fails. The Motion fails. This Motion would require 78 votes in order to pass, and it has received only 74 votes and 39 'no' votes. As a consequence, the Gentleman from Kendall, Representative Hastert."

Hastert: "Thank you, Madam Speaker. Would the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield to a question."

Hastert: "I believe in the explanation of the amendatory veto of the Governor there was a statement... I thought I heard you

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say steel products. What will those be?"

Panayotovich: "As the steel products is defined is all products processed from steel made in the United States by any steel making process."

Hastert: "So, is there a percentage of how much has to be steel and so much not steel? Otherwise a light bulb, for instance, is a large percentage steel, a very...or a large percentage glass, small percentage steel."

Panayotovich: "There is an ambiguity in the..."

Hastert: "What was that?"

Panayotovich: "There is a problem with the Governor's amendatory veto. Trying to read faster. But anyway, it says, we...the Governor did not state in his veto message whether it is entirely steel products and that is one question mark in the amendatory veto."

Hastert: "So, otherwise, we don't know what kind of products those are. Right?"

Panayotovich: "As his says...As his amendatory veto says it is for just any and all products made of steel by steel making processes in the United States. That's what he said."

Hastert: "So, for instance, an automobile then, would you construe that automobile to be a steel product, or a rubber product, or a plastic product construction glass?"

Panayotovich: "An automobile would be all of those. I mean, it's steel. It's glass. It's rubber. Just what you said. Steel goes into the auto making. They would have to buy, I imagine, the steel."

Hastert: "So that's a steel product?"

Panayotovich: "Part."

Hastert: "Okay. How about things a product is in essence a product, toothpaste, for instance, that, you know, is a product...but it's encased in steel. What is that?"

Panayotovich: "Maybe tin, might be plastic. It's...I don't have

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toothpaste with steel holders."

Hastert: "But you understand what I'm saying. I used that as an example; otherwise, the product is one thing. The encasement baby powder, for instance, comes in a tin... or steel can. What is that? Is that...?"

Panayotovich: "It's a product. It's just a product. It's a nonsteel product."

Hastert: "Alright. So, what you're saying, there is, indeed, a great deal of ambiguity."

Panayotovich: "Good word."

Hastert: "And when the Governor did write this, he made some, maybe...perhaps, made some errors in judgment on this. Are you saying that?"

Panayotovich: "I think that the Governor made a wise decision in giving us steel."

Hastert: "Thank you. Madam Speaker, to the Bill. I just think that we do have a great deal of questions, and certainly, when we pass legislation in this General Assembly that leaves so many questions hanging, those questions ultimately come back on us. I might go back and explain about a few Bills that we passed on several years ago, maybe even a Session ago, that did come back to haunt us. But I don't want to bring up ghosts of the past. However, I do think we need to be very very cautious about this Bill. I think maybe the amendatory veto leaves some very grave questions and maybe a 'no' vote would be best. Thank you."

Speaker Breslin: "The Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Madam Speaker, will the Sponsor yield for a question?"

Speaker Breslin: "The Gentleman will yield for a question."

Vinson: "Representative, under the amendatory veto language, is

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the requirement that the steel be produced in Illinois?"

Panayotovich: "No. No."

Vinson: "So we may be just... We may...We may not...This may not result in any benefit to Illinois. Is that correct?"

Panayotovich: "I think with all the steel mills that we do have in Illinois and all the people that are out of work in the steel industry, it would benefit Illinois."

Vinson: "But the Bill could operate with no benefit to Illinois because there's no requirement in Illinois."

Panayotovich: "It cannot say Illinois in the Bill."

Vinson: "What is the estimated cost to the Bill?"

Panayotovich: "We don't have a cost factor on the Bill."

Vinson: "You don't know what the cost will be?"

Panayotovich: "What...I don't understand your question."

Vinson: "Won't this impose an additional cost on local government when it's compelled to buy a higher cost product than it would otherwise be?"

Panayotovich: "No."

Vinson: "Why not?"

Panayotovich: "Why would it?"

Vinson: "Well, I notice that you've got language at the end of the Bill that the Governor preserves which says that the costs to local government are not reimbursable."

Panayotovich: "I don't think American steel will be any more expensive than any other country steel."

Vinson: "Well, if that's the case, then why do we need the Bill? Can't they compete then?"

Panayotovich: "Because some people...We're just not... We're losing so many jobs. We have so many different products coming in from overseas, and I think that we've got to work to get these people back to work in the steel industries to start. And as the Governor says, he realizes in his message here, and I quote him that the steel industry is a

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very critical to our national defense. And that is one of the reasons that he is putting this amendatory veto on the Bill."

Vinson: "Are you telling me that they're not losing the business because their product has a higher cost? Is there some other reason?"

Panayotovich: "We're dumping steel. They're dumping steel on us because of what's happening overseas. The steel that we're getting from overseas is coming in. When they stock pile it there, they bring it in at any price, a lower price than we are having it here in the United States available to us for us to purchase."

Vinson: "So the municipal consumer would, in fact, have to pay a higher price as a result to this Bill. Is that correct?"

Panayotovich: "I don't think so."

Vinson: "Why not?"

Panayotovich: "We're looking to generate more jobs and to bring more tax dollars back in which will give us more money to spend."

Vinson: "But that might be the positive side of it, but doesn't...Isn't the higher cost composed on the municipal consumer as the result of this Bill?"

Panayotovich: "No."

Vinson: "Well, Mr. Speaker (sic - Madam Speaker), to the Bill. I would suggest to you that we have one of two situations as a result of this Bill. Either this Bill requires that you consume...that the municipal consumer purchase steel at a higher cost than he would otherwise have to. If that's the case, then there is a higher cost to the municipal consumer. If that's not the case and the steel that he would be buying under this Bill is not at a higher cost in American steel, then he can do it right now, because he could come... the domestic steel does compete in the

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municipal marketplace. This Bill either does something or it doesn't do something. If it does something, then the Sponsor is absolutely wrong and is misleading the chamber, and the result of what the Sponsor is doing and the result of concurring in this Bill can only be to impose higher taxes on the citizens of Illinois. For those reasons, I would urge a 'no' vote on the Bill."

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

Cowlshaw: "Madam Chairman, Members of the Assembly, when proposals such as this were originally introduced, I was inclined to oppose them. But now that I've had the opportunity to think back all the way through to its logical conclusion, I think that what we may be considering here today could, in fact, be the salvation of this nation. For example, if we begin by saying we will only purchase certain products if they are made in the United States, the next step is we will only purchase products if they are made in Illinois. Then, of course, Ohio will not purchase any products made in Illinois nor will any other state. Finally, we will come to the point where people who live in Champaign will not purchase anything made in Urbana and vice versa. Now, finally and at last we've reached the point where I am not going to purchase anything made by my neighbor or anyone else. Now, we finally reached that point when Americans are truly self-sufficient, and that is the basic of Americanism we can all emulate. Henry David Thoreau and go live it Walden Pond. Thank you very much."

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

Hoffman: "I was going to suggest, Madam Speaker, to the Assembly that the last speaker was making an analogy between the

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famous North African gooney bird which flies in every diminishing concentric circles. Thank you."

Speaker Breslin: "There being no further discussion, the Sponsor, Panayotovich, to close."

Panayotovich: "Thank you, Madam Speaker. As I said before, I move to accept the Governor's amendatory veto of this Bill. I believe that the Governor made a decision that we should all stick with. And I look for a favorable vote. Thank you."

Speaker Breslin: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 133 by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. This is final action. Have all voted who wish? This requires 60 votes for passage. Have all voted who wish? The Clerk will take the record. On this Motion there are 73 voting 'aye', 39 voting 'no', and 2 voting 'present'. This Motion, having received the Constitutional Majority prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 133 by the adoption of the Amendment. Under Veto Motions Subject Matter Calls #2, on Economic Development, appears Senate Bill 1001. Representative Rhem."

Rhem: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I move to override the Governor's amendatory veto of Senate Bill 1001. Senate Bill 1001 creates the Illinois Jobs Training Coordinating Council. Some of the changes that the Governor's message made in Senate Bill 1001 will eliminate some of the safeguards that the General Assembly felt were necessary to assure the smooth and nonpartisan of this Council. As you know this Council will oversee some hundred and fifty million dollars in Federal Jobs Training funds. In the Governor's message, he indicates the changes

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are necessary to bring the language into conformance of the Federal Jobs Training Partnership Act. This could be argued with the Governor on this, and I feel that we should vote 'yes' to override the Governor's veto on this Bill."

Speaker Breslin: "The Gentleman moves to override the Governor's veto on Senate Bill 1001. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Senate Bill 1001 pass the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Gentleman from DuPage, Representative Hoffman, to explain his vote. One minute."

Hoffman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would only point out to those people who may be voting 'aye' for this that the Governor's amendatory veto put this Bill in a way that it would conform with the Job Training Partnership Act, and his own Executive Order in creating the council. And it's for that reason that I'm voting 'no'."

Speaker Breslin: "This Bill requires 71 votes to pass. Have all voted who wish? The Clerk will take the record. Representative Nash, for what reason do you rise? Representative Nash asks leave to be voted 'aye'. On this Motion there are 76 voting 'aye', 45 voting 'no', and none voting 'present'. Rep... Excuse me, 66 voting 'aye', 45 voting 'no', and none voting 'present'. Representative Rhem asks for a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Brookins, Doyle, Ewing, Harris, Saltsman, Slape and Vitek."

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

Rhem: "I'd like to inform the Body that it has been brought to my attention by the staff that DCCA and the Governor's Office

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has agreed with this Billnow. So, there's no opposition. He withdrew his opposition."

Speaker Breslin: "Representative Johnson, for what reason do you rise? Representative Johnson requests leave to be voted 'no', from 'aye' to 'no'. Are there any further changes in the Roll Call? Representative Slape. Representative Slape asks leave to be voted 'aye'. Representative Vinson, for what reason do you rise?"

Vinson: "Is there something malfunctioning with the machine? Is that the reason it takes so long to get this one announced?"

Speaker Breslin: "No. We have the count. The count is 66 voting 'aye', 46 voting 'no', and none voting 'present'. On this Motion to override, the Motion fails. On the Subject Matter of Call, under Veto Motions #2 Economic Development, appears Senate Bill 1025. Representative Hicks. Representative Hicks."

Hicks: "Yes, Madam Speaker, Ladies and Gentlemen of the House, I would move to accept the Governor's veto on Senate Bill 1025."

Speaker Breslin: "The Gentleman moves to accept the Governor's amendatory veto of Senate Bill 1025. And on that question, the Gentleman from Champaign, Representative Johnson."

Johnson: "You think it'd be too much to tell us what the Bill does?"

Speaker Breslin: "Representative Hicks."

Hicks: "Yes, it simply the...amends the Civil Administrative Code, requires the Department of Commerce and Community Affairs to prepare a five year economic development plan for the state by various regions."

Speaker Breslin: "The Gentleman from DeWitt, Representative Vinson."

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

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

Vinson: "Representative, I haven't had a chance to read the amendatory veto. Does the amendatory veto still preserve a five year plan for Illinois?"

Hicks: "Yes, Sir, it does. It just makes minor technical changes. The Governor, basically, agreed with the Bill and the House, I think it voted 117 to 1 when we passed it in the first place. And it's simply technical changes that the Governor saw fit to make. We agreed with those technical changes, because they were needed to put the Bill back in the right fashion."

Vinson: "Would you estimate that the impact on Illinois agriculture by a five year plan in Illinois will be the same as the five year plans in the Soviet Union?"

Hicks: "Well, seeing that I have not reviewed the five year plan of the Soviet Union this year, so I really don't know what their five year plan goes into, and taking that into account, I can't answer that."

Vinson: "I appreciate your candor in this respect, but I'd still rise against any five year plan and urge a 'no' vote on the Motion."

Hicks: "Thank you, Sam. I wouldn't want... anyway."

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

Hicks: "Thank you, Madam Chairman. I would suggest to you that the Bill passed out of the Senate 58 to nothing. We passed it out of here with only one dissenting vote. The Governor saw fit to only make technical changes in the Bill. And I would ask for an affirmative vote to concur with the Governor with this."

Speaker Breslin: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 1025 by the adoption of the Amendment?'

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All those in favor vote 'aye', all those opposed vote 'nay'. This is final action. Have all voted who wish? The Clerk will take the record. On this Motion there are 82 voting 'aye', 25 voting 'no', and none voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 1025 by the adoption of the Amendment. Under Subject Matter Calls Economic Development, appears Senate Bill 1033. Representative Berrios."

Berrios: "I move to accept the Governor's amendatory veto on Senate Bill 1033. All he did was make one technical change in it with the funding, and I move to accept the Governor's veto."

Speaker Breslin: "The Gentleman moves to accept the Governor's specific recommendations for change in Senate Bill 1033. And on that question, the Gentleman from Champaign, Representative Johnson."

Johnson: "Well then, if only technical changes are made, why don't you tell us what the Bill, as it originally passed, did?"

Berrios: "It creates the Neighborhood Job Corps Act."

Johnson: "It does what?"

Berrios: "Creates the Illinois Neighborhood Corps Act of 1983, which is to..."

Johnson: "Neighborhood Corps Act?"

Berrios: "Yeah, Neighborhood Corps Act."

Johnson: "As opposed to Corpse?."

Berrios: "Yeah, why not. It's to create jobs in different Acts."

Johnson: "I think a lot of people want to know whether it's the 'Corpse' Act or the Corps Act."

Berrios: "Corps. You know."

Johnson: "Okay. Okay. Alright. I just wanted to make sure we

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were'n't talking about dead bodies or something."

Berrios: "No, not that."

Johnson: "What the economic cost to this Bill?"

Berrios: "Would you repeat that?"

Johnson: "What is the fiscal impact of this Bill?"

Berrios: "It's a fifty-fifty split with the...whoever...whichever municipality wants to go into the program, and the funding would supposedly come from federal grants and stuff."

Johnson: "This... Then what's the, I assume you don't know exactly what, because you don't know who'll take advantage of it, but what, based on some reasonable projection, what is this likely to cost the state?"

Berrios: "I...The... DCCA had done a money thing on it, and they said it...about... I think it, if I remember correctly, I think it was 800,000 or so. I don't remember the exact amount."

Johnson: "Somewhere around \$800,000 you say?"

Berrios: "I think that's what it was. I don't remember."

Speaker Breslin: "There being no further discussion, the Sponsor, Representative Berrios, to close."

Berrios: "Just ask for a favorable Roll Call."

Speaker Breslin: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 1033 by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'nay'. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 66 voting 'aye', and 44 voting 'no', none voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change... Representative Johnson, for what reason do you rise?"

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Johnson: "I had my light on long before you announced the Roll Call or the result. I was going to request a verification."

Speaker Breslin: "Very good. I have not completed the announcement of the Roll Call. The Gentleman has asked for a verification of the Roll Call. Representative Berrios asks for a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Ewing, Harris, Levin, Mulcahey, Rhem."

Speaker Breslin: "Representative Rhem requests leave to be voted 'aye'. Representative Nash asks leave to be verified, Representative Johnson. You are granted leave, Representative. Representative Alexander asks leave to be verified. She is granted. Representative Preston asks leave to be verified as does Representative Christensen. Are these all acceptable, Representative Johnson? Yes, these are acceptable. Representative Satterthwaite asks leave to be verified. Is that acceptable, Representative Johnson. That is acceptable. Proceed with the Poll of the Absentees."

Clerk O'Brien: "Wait, Winchester and Yourell."

Speaker Breslin: "Would the Clerk poll the affirmative?"

Clerk O'Brien: "Alexander, Berrios, Eowman, Braun, Breslin, Brookins, Brunsvold."

Speaker Breslin: "Excuse me, Mr. Clerk. Representative Yourell, for what reason do you rise?"

Yourell: "To record me as 'aye', please."

Speaker Breslin: "Yes, proceed with the poll of the affirmative, Mr. Clerk."

Clerk O'Brien: "Bullock, Capparelli, Christensen, Cullerton, Curran, Currie, DeJaegher, DiPrima, Domico, Doyle, John Dunn, Farley, Flinn, Giglio, Giorgi, Greiman, Hannig."

Speaker Breslin: "Excuse me, Mr. Clerk. Representative Vitek

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asks leave to be verified, Representative Johnson. Very good, thank you. Proceed, Mr. Clerk."

Clerk O'Brien: "Hicks, Homer, Huff, Jaffe, Keane, Krska, Kulas, Laurino, LeFlore, Leverenz, Markette, Marzuki, Matijevich, Mautino, McGann, McPike, Nash, Oblinger, Panayotovich, Pangle, Pierce, Preston, Bea, Rhem, Rice, Richmond, Bonan, Ropp, Saltsman, Satterthwaite, Shaw, Slape, Steczo, Stuffle, Taylor, Terzich, Turner, Van Dwyne, Vitek, White, Wolf, Younge, Yourell, Mr. Speaker."

Speaker Breslin: "Representative Johnson, do you have any questions of the Affirmative Roll Call?"

Johnson: "Yes, and if any of these have been verified, I don't...I'm not doing this trying to violate my word, I just...there were so many requests, I don't remember which they were. Representative Bowman."

Speaker Breslin: "Representative Homer."

Johnson: "Bowman. Bowman."

Speaker Breslin: "Representative Bowman is by his chair."

Johnson: "Okay. Braun."

Speaker Breslin: "Representative Braun. Representative Braun. Is the Lady in the chamber? She is not in the chamber. Remove her."

Johnson: "Erookins."

Speaker Breslin: "Representative Brookins. Is the Gentleman in the chamber? The Gentleman is in the chamber."

Johnson: "Domico."

Speaker Breslin: "Representative Domico. Representative Domico. Is the Gentleman in the chamber? The Gentleman is not in the chamber. Remove him."

Johnson: "Farley."

Speaker Breslin: "Representative Farley. Representative Farley. Is the Gentleman in the chamber? Remove him."

Johnson: "Did I say Giglio?"

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Speaker Breslin: "Representative Giglio is in his chair."

Johnson: "Representative Greiman."

Speaker Breslin: "Representative Greiman. Representative Greiman. Is the Gentleman in the chamber? Remove him."

Johnson: "Hannig."

Speaker Breslin: "Excuse me, Representative?"

Johnson: "Hannig. Hannig."

Speaker Breslin: "Representative Hannig. The Gentleman is in the center aisle."

Johnson: "Huff."

Speaker Breslin: "Representative Huff. Representative Huff. The Gentleman is at the side door."

Johnson: "Jaffe."

Speaker Breslin: "Representative Jaffe is in his chair."

Johnson: "LeFlore."

Speaker Breslin: "Representative LeFlore is in his chair."

Johnson: "Matijevich."

Speaker Breslin: "Representative Matijevich is in his chair."

Johnson: "Let's see. Nash."

Speaker Breslin: "Representative Nash is in his chair."

Johnson: "Saltsman."

Speaker Breslin: "Excuse me?"

Johnson: "He's here. Shaw."

Speaker Breslin: "Representative Shaw. Representative Shaw. Is the Gentleman in the chamber? The Gentleman is not in the chamber. Remove him. But Representative Greiman has returned to the floor. Add him to the Roll Call."

Johnson: "Representative Slape."

Speaker Breslin: "Representative Slape is in his chair."

Johnson: "What's...what's the count that we have now?"

Speaker Breslin: "Mr. Clerk, can you give us the count, please? Representative Mulcahey, for what reason do you rise?"

Mulcahey: "Madam Speaker, please record me as voting 'aye'."

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Speaker Breslin: "Representative Mulcahey asks leave to be voted 'aye'. Representative Domico has returned. Return him to the Roll Call. Mr. Clerk, what is the count at this time? There are 66 voting 'aye', and 44 voting 'no', and none voting 'present'. This Motion, having received the Constitutional Majority prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 1033 by the adoption of the Amendment. Under Subject Matter Calls under Election Reform, appears Senate Bill 1301. With permission of the chamber, we'd like to take that out of the record and come back to it at a later date. Is there any objection? Hearing no objection, we'll go to Senate Bill 1307. Representative Yourell."

Yourell: "Thank you, Mr... Madam Speaker, Ladies and Gentlemen of the House. House Bill 1307 came back from the Governor's Office with two changes. One was in respect-and I might preface my remarks to his veto by suggesting to you that most of you will recall, when we passed the consolidated election bill some years ago, that we put in a provision for an emergency referendum, and that emergency referendum could be determined to be placed on one of the non-scheduled, five non-scheduled election dates in a two year period by order of the Circuit Court. 1307 attempted to change that and suggested that if a referendum, emergency referendum, was defeated on a regular scheduled election date, that it could not be brought up again for two years on a not regular scheduled election date. And I agree with the Governor. I think that emergencies are exactly that, and a unit of government should be able to petition to court to have an emergency referendum in case of a catastrophe or fire or something like that to rebuild their buildings on any date that they feel that it was advantageous to them. The other provision of the Bill was

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a definition of a labor organization and really that doesn't have much consequence, but I would move to accept the Governor's specific recommendations for change regarding Senate Bill 1307."

Speaker Breslin: "The Gentleman asks to accept the Governor's specific recommendations for change in Senate Bill 1307. And on that question, the Gentleman from Lee, Representative Olson."

Olson: "Thank you, Madam Speaker, Ladies and Gentleman of the House. House Bill 1307...Senate Bill 1307 has a bipartisan flavor. It is, as Representative Yourell has explained, a comprehensive cleanup relative to State Board of Election suggestions, and I recommend a bipartisan support of the amendatory veto."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 1307 by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'nay'. This is final action. Have all voted who wish? Have all voted who wish. Representative Mulcahey asks leave to be voted 'aye'. So, add him to the Roll Call, Mr. Clerk. Yes. On this question there are 113 voting 'aye', none voting 'no', and none voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 1307 by the adoption of the Amendment. Under Subject Matter Calls Election Reform, appears Senate Bill 1301, Speaker Madigan. For what reason does the Gentleman from DeWitt, Representative Vinson, rise?"

Vinson: "Perhaps we can just stand at ease for a few minutes."

Speaker Breslin: "The Speaker will be with us in just a moment."

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Speaker Madigan. Excuse me, Speaker."

Madigan: "Sure."

Speaker Breslin: "The Gentleman from DeWitt, Mr. Vinson, for reason do you rise?"

Vinson: "Well, just a second ago, Representative Leverenz wanted to be recognized at Mr. Daniel's desk, but I think you could get him back at his desk now."

Speaker Breslin: "Speaker Madigan to present Senate Bill 1301."

Madigan: "Mr. Speaker, Ladies and Gentleman, Senate Bill 1301 deals with a liberalization of the registration requirements in Illinois. It provides for the empowerments of several new registrars most notably in the libraries of the state, and the colleges of the state and at various other locations. The Governor's Amendment would provide that civic organizations could also be empowered to serve as registrars after they had been defined and certified by the State Board of Elections. I am not pleased with the Governor's action in terms of his Amendment. However, having considered the desire to adopt the other provisions of the Bill, I am prepared to take the bad with the good and to recommend that we accept the Governor's Amendment and so move."

Speaker Breslin: "The Speaker moves to accept the Governor's specific recommendations for change in Senate Bill 1301. And on that question, the Gentleman from Lee, Representative Olson."

Olson: "Will the Speaker yield?"

Speaker Breslin: "The Speaker will yield to a question."

Olson: "Mr. Speaker, to put into context the legislative intent with regard to the amendatory message, we need, for the people on our side of the aisle, to define what we intend to do with the Governor's vague description of civic groups. I noticed over in the Senate, when Senator Rock

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offered the Bill, he made reference to civic groups in context of Kiwanis, Sons of Italy, Urban League and so forth. What I would like to establish is that either by the Election Laws Commission or by legislative intent next year, we set a number that is in thousands or hundreds as to how a civic group would be defined and to put in place a language that would include the League of Women Voters, perhaps the Farm Bureau, perhaps the Chamber of Commerce. Could you respond to that? What we need to do is define what will be...indeed be a civic group. The Governor has left that vague."

Madigan: "Mr. Olson, you just set out the reasons why I was opposed to the inclusion of this Amendment when the Bill was considered in the House. And of course, as I have said in other places, I was not invited to the privacy of the Governor's Office for the consideration of this particular Amendment. Others apparently were, and that's why he offered the Amendment. I'm not prepared now to contribute to the development of a legislative history that could be used to determine what is a civic organization. And I didn't know that you were interested in doing that. I would suggest that if you are interested in doing that, it would be better to hold this Bill until we can sit with you and develop some guidelines that we would want to put into the record right here in the House before the Bill was called."

Olson: "I've had an opportunity to discuss this with Representative Yourell earlier on in negotiations. And if that...if you would accept that, I would be pleased to hold this so that we could describe this in more detail."

Madigan: "Well, that would be fine with me. I think it's a good idea. Madam Speaker, could you take the Bill from the record?"

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Speaker Breslin: "Senate Bill 1301 will be taken from the record.

Under Veto Motions Subject Matter Call #4, State and Local Government, appears Senate Bill 69. Who's the Sponsor of Senate Bill 69? Representative Wolf."

Wolf: "Thank you, Madam Speaker and Members of the House. I move that the House accept the Governor's specific recommendations for change to Senate Bill 69 and that we concur on the amendatory veto. The Governor felt, and we concur, that there was a need to clarify that only the use of propellant fuels in vehicles other than the school buses is being deregulated under this Bill and that the storing transportation as cargo, etcetera, of liquefied petroleum is still to be regulated by the Office of the State Fire Marshal. On that basis, we move to accept the Governor's specific recommendations for change."

Speaker Breslin: "The Gentleman has moved to accept the Governor's specific recommendations for change in Senate Bill 69. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 69 by the adoption of the Amendment?' 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? The Clerk will take the record. On this Motion there are 113 voting 'aye', none voting 'no', and none voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 69 by the adoption of the Amendment. Under Subject Matter Call State and Local Government, appears Senate Bill 71. Representative Van Dwyne."

Van Dwyne: "Thank you, Madam Speaker. I move to override the

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Governor's amendatory veto on Senate Bill 71 and that Senate Bill 71 pass, the veto of the Governor notwithstanding. The context of the Bill originally was that we bring about the National Guard Fund for building new armories, and generally speaking, that means that they can sell old armories and put and establish a fund for building a new armory, the reason being that we have never had any money in these funds before, in order to build new armories. Consequently, we have no new armories. The Fund...the money that we use, we get from the old armory will be put into this Fund thereby garnering 75, a three to one match from the Federal Government. And the Governor has vetoed part of this. I will be glad to explain it if you'll like, but we feel that he made a mistake, and we would like to override his veto. And I think there's general agreement on this. So I don't think there is any further explanation needed really."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto of Senate Bill 71. And on that question, the Gentleman from Cook, Representative Bowman. Representative Bowman."

Bowman: "My light wasn't on."

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

Levin: "Would Gentleman yield for a question?"

Speaker Breslin: "The Gentleman will yield for a question."

Levin: "This Bill would have no affect on the Edge Water Armory?"

Van Duyne: "Yes, the North Avenue Armory would have to come back for General Assembly agreement in order to sell that one."

Levin: "Okay. Thank you."

Speaker Breslin: "The Gentleman from DeWitt, Representative Vinson."

Vinson: "Mr. Speaker (sic - Madam Speaker), Ladies and Gentlemen of the House, I rise in support of the Gentleman's Motion

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to override the veto on this particular Bill. I do so because the Senate has left us with no alternative but to do that. I would have preferred to have accepted the amendatory veto. However, in the absence of the Senate doing that, we're in a position where we must either override or lose the Bill entirely. I believe that we should preserve the Bill and override. And I believe we should do so, because I think in the long run the effects of this Bill will be to stimulate jobs, stimulate the development of the National Guard in Illinois. I think this Bill will permit the construction of new armories and the improvement of armories in the state. And I believe it will do so without imposing accessive costs on the state. For those reasons, I rise in support of the Gentleman's Motion and would urge everyone to vote 'yes' on it."

Speaker Breslin: "There being no further discussion, the Gentleman from Will, Representative Van Dwyne, to close. The question is, 'Shall Senate Bill 71 pass the veto of the Governor notwithstanding?' 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? The Clerk will take the record. On this Motion there are 110 voting 'aye', none voting 'no', and none voting 'present'. And the Motion to override prevails. Next appearing under Subject Matter Call State and Local Government, appears Senate Bill 151, Representative Tate. Senate Bill 151. Is that your Bill, Representative Tate?"

Tate: "I think that's Representative Johnson's Bill."

Speaker Breslin: "Representative Johnson is recognized on Senate Bill 151."

Johnson: "This is the Bill that we discussed yesterday as I understand. Is Representative Cullerton here? The substance of this Bill as it passed the House and Senate

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and went to the Governor had been incorporated in an Amendment. The Amendment has been introduced to another Bill; and, as I understand it with that objectionable material removed, is going be incorporated in the larger Bill sometime today or tomorrow. Is that right? And so, in light of that, I'd ask to take this Bill out of the record, this Motion...Bill out of the record."

Speaker Breslin: "Take Senate Bill 151 out of the record, please. The next Bill appearing on the Call is Senate Bill 288. Representative Vinson."

Vinson: "Thank you, Madam Speaker, Members of the Assembly. Senate Bill 288 amended the Pension Code to authorize the State Board of Investment to indemnify it's directors, officers, advisors and employees and to validate any such indemnification Resolution adopted by the Board with an immediate effective date. Under the amendatory veto, the Governor is in concurrence with the portion of the Bill which would authorize indemnification and vetoes other portions of the Bill. I would rise to urge the Assembly to accept the Governor's specific recommendations for change with regard to Senate Bill 288. Last year... Last year, this chamber adopted legislation which created, in effect, the Prudent Man Rule for public pension boards in Illinois, or at least for several of them and particularly with regard to those governed by the State Board of Investment. Under the Prudent Man Rule, unless we have some kind of indemnification procedure, it's unlikely that we could even get anybody to serve on the State Board of Investment. And for those reasons, I would urge that the General Assembly accept the Governor's specific recommendations for change in regard to Senate Bill 288."

Speaker Breslin: "The Gentleman moves to accept the Governor's specific recommendations for change in Senate Bill 288.

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And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 288 by the adoption of the Amendment?' This Bill requires 71 votes. All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? The Clerk will take the record. On this Motion there are 112 voting 'aye', none voting 'no', and none voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 288 by the adoption of the Amendment. On the Order... On the Subject Matter Call State and Local Government, appears Senate Bill 571. Representative Barger. Excuse me, Representative. The next Bill to be called is Representative Hoffman's Senate Bill 496. Is the Gentleman in the chamber? Representative Hoffman. Out of the record. Senate Bill 501, Representative Brummer."

Brummer: "Yes, Senate Bill 501 addresses the Illinois Probate Act. Several years ago, we passed in Illinois provisions authorizing independent administration of estates. That provision had a limitation making it applicable only to those estates which did not exceed \$150,000 in value. The independent administration of estates is an expedited method of probating estates. It can result in savings of money and speeding up of time, results in the filing of fewer documents in court. The reason for the limitation four or five years ago, I forget the exact time, of the \$150,000 was to determine whether there would be any problem with that. There did not appear to be any problem. The Chicago Bar Association and the Illinois Bar Association introduced then...there was introduced at their request Senate Bill 501 sponsored by Senate Rock. This is

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a high priority item with those two Bar Associations. That legislation very simply removed the \$150,000 cap. The Governor in his amendatory veto required that there be written consent from interested parties prior to they're being independent administration of estates in excess of a \$150,000. Quite frankly, that doesn't make any sense. The Senate understood that and overrode the Governor's amendatory veto unanimously. I feel that the Bar Associations are correct. I have talked to numerous of people on both sides of the aisle concerning this. I think there is general consensus that this amendatory veto should be overridden and; therefore, I move that Senate Bill 501 become law, the Governor's veto notwithstanding."

Speaker Breslin: "The Gentleman has moved to override the Governor's amendatory veto of Senate Bill 501. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Senate Bill 501 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. This Bill requires 71 votes to pass. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 115 voting 'aye', none voting 'no', and none voting 'present'. And the Motion to override prevails. Under Subject Matter Call State and Local Government next appears Senate Bill 571. Representative Barger."

Barger: "Thank you, Madam Speaker, Ladies and Gentlemen of the General Assembly. Senate Bill 571 was a Bill that was originally prepared to allow the County of DuPage to assemble and codify the ordinances and establish a law book containing all of the laws of the county. The Governor suggested that rather than confine it just to DuPage County that all counties be allowed to codify their laws. This is

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his recommendation, and I move acceptance of his position."

Speaker Breslin: "The Gentleman has moved to accept the Governor's amendatory veto of Senate Bill 571. And on that question, the Gentleman from Bureau, Representative Mautino."

Mautino: "Will the Gentleman yield?"

Speaker Breslin: "The Gentleman will yield for a question."

Mautino: "Is there some provision now that disallows counties to codify their own ordinances?"

Barger: "This is what's called an abling legislation."

Mautino: "No, that's not my question. Is there a provision now that disallows a county or a municipality from codifying their ordinances?"

Barger: "I do not know that there is one, but I do know that the County Board of DuPage County asked that one be passed."

Mautino: "Well, is...This question was raised about seven or eight years ago as it pertains to municipalities as well. At that time, I think it was presented that it was in the purview of the municipalities, villages or counties to, by ordinance, their own ordinance, pass and to fund the cost of codification of village, city, county ordinances, zoning, etcetera. Now, I'm not certain we need legislation to do that, because the counties have to pay for it themselves. It was also a part of the initial codification, I believe, of plat maps for counties as it pertains to reimbursement under the soil and water conservation districts. So, I just don't know what we need it for, because they have the authority to do it on their own, and they're going to pay for it on their own, I believe. Or are you asking for state funding to do it as well?"

Barger: "There will be no state funding involved. This is merely to clarify something that you apparently know is in the

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statutes that the State's Attorney from DuPage County did not find."

Mautino: "Well, I don't know. Representative Klemm was a Chairman of a County Board, maybe he could add in too. I'm sure that they... They have the authority now to do exactly what you want to do. I'm pretty... I'm...I'm...I'm sure."

Barger: "Home rule communities have these authorities. Non-home rule communities are required to get their authority from the State Legislature as I remember it. Mr. Klemm?"

Speaker Breslin: "The Gentleman from McHenry, Representative Klemm, to clarify the matter for us."

Klemm: "Well, thank you, Madam Speaker. My interpretation would be counties can do this now very honestly. I know I did it before. Kane County, as I understand, has done it, but I think it's a good Bill. It will encourage those to do it. So, I certainly would ask you to join us and vote for this good Bill."

Speaker Breslin: "There being no further discussion, Representative Barger to close. Excuse me, Representative McMaster."

McMaster: "Thank you, Madam Speaker. I agree with the previous speakers. I see nothing wrong with the... The counties already have the ability to codify. And...but this Bill, I guess, is like chicken soup. It doesn't hurt."

Speaker Breslin: "Representative Barger to close."

Barger: "Appreciate a favorable vote. It will make the Senator from my county very, very happy."

Speaker Breslin: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 571 by the adoption of the Amendment?' 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 Motion there are 110 voting

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'aye', none voting 'no', and none voting 'present'. This Motion, having received... The Gentleman from DeWitt, Representative Vinson. No. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 571 by the adoption of the Amendment. Now Representative Vinson, for what reason do you rise?"

Vinson: "Madam Speaker, Representative Hoffman has requested that I handle his Motion on Senate Bill 496 if that's acceptable to you."

Speaker Breslin: "Very good. With leave of the House, we will go back now to Senate Bill 496. Representative Vinson."

Vinson: "Madam Speaker and Members of the Assembly, Senate Bill 496 amended provisions of the enabling statute of the Department of Children and Family Services and the Juvenile Court Act relating to the payment of parent fees for the cost of treatment. It would allow the Department to set fees by rule, make collections, investigate financial status, deposit payments in a revolving fund, set penalty for nonpayment or refusal to provide information in regard thereto. The Governor cast an amendatory veto on the Bill for the purpose that he felt that a revolving fund was not necessary for the implementation of the Bill. His amendatory veto language removes reference to Children and Family Services Parental Payment Fund. The amended Bill would direct payments into the General Revenue Fund for retaining the 50% of such collected funds may be used for collection costs or for services used by the Department. The Governor also notes that the General Assembly would appropriate that necessary 50% funding. The Department has estimated that increased fee collection of a \$120,000 per year would result. \$60,000 would be available for

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collection costs. I would move at this time for acceptance of the Governor's specific recommendations for change in regard to Senate Bill 496."

Speaker Breslin: "The Gentleman moves to accept the Governor's specific recommendations for change with respect to Senate Bill 496. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 496 by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'nay'. Voting is open. Have all voted who wish? The Clerk will take the record. On this Motion there are 114 voting 'aye', none voting 'no', and none voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 496 by the adoption of the Amendment. Appearing on the Special Order of Call now appears Senate Bill 776. Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. My Motion is to override the Governor's veto of Senate Bill 776. Senate Bill 776 creates the Senior Citizens' Real Estate Tax Deferral Act. What this concept embodies is something that Representative Oblinger and I have worked on in the past. It embodies the ideal of really a reverse mortgage. What a reverse mortgage is is basically recognizing the fact that many senior citizens have much equity in their home, but not much money to live on. And so we have passed legislation to expand what that reverse mortgage money could be used for. Unfortunately, banks for whatever reason have not really been advertising the availability of a reverse mortgage, and they have not availed themselves of it. I talked to the Governor about

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this Bill in the summer, and he didn't say he was going to veto it or sign it. He just said that he felt that many senior citizens may not avail themselves of this program. Well, I thought that would have indicated that he would have signed the Bill since there would be no...very little impact upon the State Treasury. In fact, that is the case. The way this Bill would work is that there would be in a one time appropriation, which has not been passed yet since we don't really need the money until next year, a one time appropriation to set up a revolving fund. And what would happen is that a senior citizen, and we are talking about a senior citizen now who owns their own home and has owned it for at least three years and whose household income is less than \$10,000. So we're talking about a senior citizen who's on a fixed income, and a low fixed income, who can, if this Bill passes, have the state pay their property tax and then, when that senior citizen either dies or if they sell the home, the money from the... realized from the sale of that home would go to pay back the tax plus a 6% interest. So the state would then get their money back plus 6%, so that what's needed is a one time appropriation. Then the fund itself would revolve. There are protections in the Bill, so that the state could never really be in jeopardy. We define equity as the fair market value that has been established by an assessor. You can only go up to 80% of the total equity. At that point, no more taxes could be deferred. And I think this is a very valid role that the state should be in. The private industry is not particularly...and the private bankers have not really advertised the availability of reverse mortgages, and this is what the purpose of the Bill is. There would be no loss at all of income to any local community. And there would be, in the overall long run,

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there would be very little loss to the state and certainly a tremendous savings to the senior citizens. Now the Governor in his amendatory veto talks about the Circuit Breaker Program. The Circuit Breaker Program is a direct cash assistance program. This is a tax deferral. And the Circuit Breaker Program, it's true, could result in some of these same people receiving a small cash grant to themselves. But, what we're talking about here is a deferral of the tax itself. This recognizes the situation where a senior citizen may have paid off their house over a thirty year period with the mortgage. Now they have equity in the home. Their children have moved away. They have raised their children in the home. The home, for one reason or another, has increased dramatically in value. The taxes have gone up dramatically. They want to hold on to their house. They can't even afford to pay the property taxes. This will allow them to hold on to their house, and the state would not lose any money. And I think that it really is a significant senior citizen Bill, and I would hope for your support in overriding the Governor's veto."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto on Senate Bill 776. And on that question, the Lady from Sangamon, Representative Oblinger."

Oblinger: "Thank you, Madam Speaker. I support the override Motion of Representative Cullerton, and I'm going to tell you some background on this that I'm not sure most of you know about. The Federal Government, through our Federal Council on Aging, are looking for options and alternatives to use for senior citizens to remain in their homes. One is a reverse annuitant mortgage, which we passed here last Session. Another one is a sale lease-back program. They are also looking at the deferred tax one. Yes, there won't be a lot of people immediately availing themselves of this,

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but it gives them an option on retaining their homes. The Governor says most senior citizens want to hold onto their homes in order to give them to their sons, daughters and grandchildren. If there's an option between whether they're going to be remaining in their homes or they're going to give it to their children, I can assure you they want to remain in their homes. This Bill is only one more option to allow the senior citizens to make some decision on their own independence. They will be paying six percent interest. It is a revolving fund. I think it's a good option for us to adopt."

Speaker Breslin: "The Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Madam Speaker. I wonder if the Sponsor of the Motion might yield for a question."

Speaker Breslin: "The Gentleman will yield for a question."

Vinson: "Representative, on page seven of the Bill, the language in lines 12 through 14, would you give us an estimate as to what the potential future fiscal impact of those lines might be?"

Cullerton: "Could you repeat that? I didn't hear the second part of your question."

Vinson: "On page seven of the Bill... "

Cullerton: "Right."

Vinson: "The language in lines 12 through 14. Could you give us an estimate of what that potential future fiscal impact might be?"

Cullerton: "It's whatever the General Assembly wishes to appropriate. We haven't appropriated anything yet, because this won't be necessary until... It only applies to '83 tax bills payable in '84. There is absolutely no way to tell exactly how much is going to be needed, because you don't know how many senior citizens are going to avail of

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it, make themselves... you don't know how many people are going to use the program. You don't know how long they're going to own the house before they die, before they sell it. So you don't know how long it's going to take for them to start repaying back into the fund. But the purpose of this legislation is only to set up a one time shot in the arm, if you will, of a revolving fund. Once that is there in place, then it will be... it will be supplemented by people either selling their home or by them dying and their estates paying off the loan."

Vinson: "I understand that the long... in the long term, that the structure of the Bill would, in essence, hold the state harmless. But it would appear to me that you have created an unlimited obligation of the state in certain potential near term years and that you're authorizing the General Assembly to appropriate for that purpose in the... "

Cullerton: "No. It's a good point that you raised. There's no obligation to defer the taxes if there's no money in the fund. If we don't appropriate any money, there's no obligation."

Vinson: "The taxes wouldn't be deferred, then?"

Cullerton: "That's right. And if there's no money in the fund, there... Let's say the fund was created but ran out of money. There could be no deferral of taxes until the fund was then supplemented again by, as I indicated, sale of homes or the death of the owner."

Vinson: "And as the father of this new program, I presume that you and... "

Cullerton: "The father is Representative Berman. I'm the son."

Vinson: "Representative Berman?"

Cullerton: "Senator Berman."

Vinson: "I know he would much more articulately be addressing this if he were Representative Berman. Would you and..."

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Would you and the father of this Bill be willing to make a commitment to us that you wouldn't think it would be necessary to come in with any future appropriations?"

Cullerton: "Three... Based on experience in other states, we don't think there's any need for anything more than what I indicated, an initial appropriation of, I believe, \$330,000, which we'll make in the spring."

Vinson: "I don't know if that's quite responsive. Is that... Does that mean you're undertaking the commitment that the... "

Cullerton: "If so many senior citizens are taking advantage of this program, senior citizens who make less than \$10,000 a year who want to defer the taxes that we need another... more money, the Legislature would make that determination. We have to wait and see how much money is coming back into the fund. It's a revolving fund, at six percent interest that is paid back on the... on the amount."

Vinson: "Six percent interest?"

Cullerton: "That was paid on the loss. That's right."

Vinson: "Why did you... Why did you select six percent as the interest rate?"

Cullerton: "It's a nice figure."

Vinson: "Didn't... Aren't you the Sponsor of the legislation that raised the interest rate that the Revenue has to pay on income tax refunds? What's that rate?"

Cullerton: "No."

Vinson: "Do you know what that rate is?"

Cullerton: "No."

Vinson: "You don't?"

Cullerton: "No. Let's assume that... Let's assume that the state... "

Vinson: "Shouldn't this be linked with the prime or something?"

Cullerton: "... could more than six percent on that money."

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There's no question. To that extent, it is a... somewhat of a... an incentive. You know, it's... six percent is to indicate in the hope that there still will be some money in the fund. It's not a giveaway program. The people do have to pay an interest at a low interest - a subsidized interest, if you will - for borrowing the money."

Vinson: "Do you think that in Fiscal Years 1985 and 1986 that this is going to impose an additional obligation on the state treasury?"

Cullerton: "No. None beyond the initial appropriation, as I indicated, of \$330,000, which we haven't passed yet. We will do in the spring."

Vinson: "You... You feel absolutely comfortable that we're not going to... we're not embarking on a new program here, an additional state obligation at a time when the state's treasury... "

Cullerton: "The point is that it's not triggered by the passage of this Bill. We would have to come in and to make that decision to appropriate that amount of money. And I'm sure that I'll have... If it's necessary, I'll have bipartisan support on that appropriation Bill just as I will on this override of this Motion."

Vinson: "Ah, now we've gotten to the real answer to the question, and for that reason, Madam Speaker, I would speak to the Bill. It's because of what the Gentleman said in his last sentence. Up until then, I was with him on this Bill. That last sentence, Madam Speaker, lost me, because I think what he said was that he was going to have bipartisan support for increasing the obligations of State Government at a time when the state just can't handle that. I would urge people to vote against that, because I don't suspect he'll provide bipartisan support for the income tax increase necessary. I would urge a 'no' vote on the

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Motion."

Speaker Breslin: "The Gentleman from Knox, Representative
Hawkinson."

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

Speaker Breslin: "The Gentleman will yield to a question."

Hawkinson: "Representative Cullerton, just trying to straighten
out a couple of things in my mind on this Bill, will the
State Revolving Fund totally reimburse the units of local
government for lost taxes on this, or only a percentage of
them?"

Cullerton: "Totally reimburse them, for those who are eligible."

Hawkinson: "And what determines eligibility?"

Cullerton: "Okay. They have to make less than \$10,000."

Hawkinson: "No, I'm speaking about the local governments now, not
the... not the senior citizens who are eligible."

Cullerton: "It's 100 percent reimbursement to the local
government for the taxes."

Hawkinson: "And that unless the state appropriates sufficient
funds, there's no mandate to defer by the local
governments. Is that correct?"

Cullerton: "That's correct."

Hawkinson: "Thank you."

Cullerton: "Because there'd be no fund to pay the money... pay
the taxes."

Hawkinson: "Thank you."

Speaker Breslin: "There being no further discussion, the Sponsor,
Representative Cullerton, to close."

Cullerton: "Yes, I think that people understand the importance of
this Bill to the senior citizens of the state. As
Representative Vinson understands it, as well, the only
obligations that we impose on the state are what we
initially have to appropriate to that fund. If any more
money might be needed, we will have to make that

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determination. So I would ask for a 'yes' vote in overriding the Governor's veto."

Speaker Breslin: "The question is, 'Shall Senate Bill 776 pass, the veto of the Governor notwithstanding?' This is final action requiring 71 votes. Voting is open. Representative Birkinbine to explain his vote."

Birkinbine: "Thank you, Madam Speaker. I had a question I wanted to ask the Sponsor relative to the \$10,000 threshold as to whether or not that was earned income or not, as... perhaps in explaining his vote, he could answer that question."

Speaker Breslin: "Representative Cullerton to explain his vote."

Cullerton: "I believe that the definition was... came from the Circuit Breaker definition. I'm not sure if that answers your question. I believe it... our analysis would indicate it's household income. I'm under the understanding that it's all income. It's total income. So it would be restricted to a very... to fewer people, under that definition."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 80 voting 'aye', 29 voting 'no', and 1 voting 'present', and the Motion to override prevails. Under Subject Matter Call next appears... State and Local Government appears Senate Bill 811, Representative Pedersen. Senate Bill 811, Representative Pedersen."

Pedersen: "Thank you, Mr... Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 811 was... is a Bill that transferred little pieces of property from the Department of Transportation and others back to buyers. It's just a cleanup of little pieces left after construction. I move to concur with the Governor's Amendment to the Bill, because all it really does is correct... make minor technical changes in regard to correcting legal

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descriptions. So, I move to concur with the Governor's amendatory veto."

Speaker Breslin: "The Gentleman moves to accept the Governor's specific recommendations for change in Senate Bill 811, and on that question, is there any discussion? There being no discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 811, by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. This is final action. 71 votes are required for passage. Have all voted who wish? The Clerk will take the record. On this Motion, there are 115 voting 'aye', none voting 'no', and none voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 811 by the adoption of the Amendment. Representative Friedrich, could we... could we go on one more moment to one more Bill, please? The next Bill appearing under State and Local Government Special Subject Matter is Senate Bill 864, Representative Tate."

Tate: "Mr. Speaker, Ladies and Gentlemen of the House, I'm rising to accept the Governor's veto on Senate Bill 864. Senate Bill 864 basically just amends the Local Library Act, provided that if a municipality ceases to be a home rule unit, the maximum tax rate for the local library shall be greater of the total of the maximum tax rates in effect when a municipality became a home rule unit, or the total amount appropriated for library purposes in the fiscal year prior to the one in which a municipality ceased to be a home rule unit. The Governor objected solely to the provisions contained in the above. He does not believe that libraries should be permitted to exceed statutory tax limits when other municipal services funded from local tax

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revenues are not able to do so. And he feels that when a municipality opts out of the home rule, tax rates for library purposes should be reduced to statutory limits such as tax rates for other municipal services. I think the majority of us would agree with that, and it's a good fiscal policy, and I would encourage an 'aye' vote. Thank you."

Speaker Breslin: "The Gentleman moves to accept the Governor's specific recommendations for change with respect to Senate Bill 864. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 864, by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. This is final action. Have all voted who wish? The Clerk will take the record. On this Motion, there are 115 voting 'aye', none voting 'no', and 1 voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 864 by the adoption of the Amendment. Next appearing on the Order of Call is Senate Bill 1123. Excuse me. Representative Vinson, for what reason do you rise?"

Vinson: "Would you recognize Representative Friedrich, please?"

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

Friedrich: "Madam Speaker, I'd like to ask for a one hour recess for the purpose of a Republican Caucus in room 118 immediately."

Speaker Breslin: "Excuse me, Representative. We had asked to wait a minute on that request. Representative Friedrich."

Friedrich: "I am told by my Leadership that we were to have done this at 4:00, and they're reluctant to postpone it any

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longer."

Speaker Breslin: "Very good. We will stand in recess for one moment, then. One moment. One moment. Just one moment. At ease for one moment. The Clerk needs to announce the Supplemental Calendar."

Clerk O'Brien: "Supplemental Calendar #1 is being distributed."

Speaker Breslin: "Ladies and Gentlemen, Representative Friedrich has asked for a Republican Caucus in room 118 immediately for one hour. Please return to this chamber at 5:10. We have many matters of very serious import to be considered at that time. It is imperative that all Members be on time and present at 5:10. Ladies and Gentlemen, under Veto Motions, Subject Matter Call State and Local Government, appears Senate Bill 1123. Who is the Sponsor of Senate Bill 1123? Representative Karpziel?"

Karpziel: "Thank you, Madam Speaker. I move to agree with the Motion to accept the amendatory... I mean, I move to accept the amendatory veto of Senate Bill 1123. The Governor amend... The Governor's amendatory veto of the provisions of this Bill, which created a Social Services Block Grant Fund in which the social services block grant federal funds will be distributed. Currently the federal social service monies are received by the state for reimbursement, and then they are reimbursed by the... you know, by the general revenue... I mean, rather or not they are expended by the state from the General Revenue Fund, and then they are reimbursed by the Federal Government. Under this Bill, the federal Title XX social service money block grant money will be deposited in the Social Service Block Grant Fund and then transferred to the Special Purposes Trust Fund and then appropriated by the General Assembly. And I move for the acceptance of the Governor's amendatory veto on this Senate Bill 1123."

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Speaker Breslin: "The Lady moves to accept the Governor's specific recommendations for change on Senate Bill 1123. And on that question, is there any discussion? The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Would the Sponsor yield to a question?"

Speaker Breslin: "Yield... The Lady will yield to a question."

Cowlshaw: "Representative Karpel, in my analysis of this measure, there are mentioned several different kinds of funds. There seems to be something called a Social Services Block Fund. Then there is a Special Purposes Trust Fund. Now, what is the difference between these two Funds, and is one a strictly federal fund? Is the other... Do any of them have both federal and state monies? Or just what are those funds, and what... "

Karpel: "Well, the seven funds that are mentioned in the Bill are seven different block grants. I mean, money that are going to be coming from seven different block grants from the Federal Government, and the monies for these specific block grants will be going into these funds. In the case of the Social Services Block Grant Fund, that's the Fund that the... all the social services Title XX money's going to come from, and then it will go into what we now have established in the state. There are three... There are three funds in public aid funds that we do now put our funds into. One of them is Local Initiative. One is a Special Purposes Trust Fund, and then the other is just the General Revenue Fund. So, this money is going to come from the Federal Government in the form of a block grant, and it is going to go right into the Social Service Block Grant Fund."

Cowlshaw: "Representative... I'm sorry. This isn't very clear to me, I guess. Is this Social Services Block Grant Fund newly created? It did not formerly exist?"

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Karpiel: "I'm sorry. The social... No, it did not. Not until...
under the provisions of 1123."

Cowlshaw: "Alright. What about the Special Purposes Trust Fund?
Did that exist prior to this time?"

Karpiel: "Yes. Yes. That is a trust fund that is now presently
being used to put in federal monies that go to... that are
going to be used by public aid for certain services."

Cowlshaw: "I see. Just one other question. I'm sorry to take
your time, Representative. The analysis also notes that
you, as the Sponsor, intended as one of the goals of this
legislation, to make the Department of Public Aid, and I
quote from the analysis, 'more accountable for the federal
dollars spent by creating this Social Services Block Grant
Fund'. Does that imply that the Department of Public Aid
has, in the past, not been particularly accountable for
federal monies?"

Karpiel: "Well, it's just... No, that's not correct. It's that
when the money comes from the Federal Government and just
goes into... if it goes into the General Revenue Fund, for
instance, there is no legislative control or input as to
how those particular monies are going to be allocated among
the different programs that Public Aid provides. The
purpose of the Bill is to have the monies go into the
Social Services Block Grant Fund and be appropriated by the
General Assembly. The Governor's veto, however, says that
we are going to put, instead of doing that, as we will with
the other six block grant funds, we are going to put the
money together with other state-raised revenues for public
aid, and then allocate... or appropriate the money with the
appropriation process."

Cowlshaw: "Alright. And finally now, your Motion is to accept
the amendatory... "

Karpiel: "Yes. I'm moving to accept the Governor's amendatory

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veto."

Cowlshaw: "Thank you very much."

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

Tate: "Will the Sponsor yield?"

Karpiel: "Yes, I will."

Tate: "Representative Karpiel, let me... this Bill, in effect, creates seven block grants for federal block grants. What are the... the seven block grant funds that are affected?"

Karpiel: "The seven block grant funds that are created by the... this Act... or, by this Act, is the Preventive Health and Health Services Block Grant; the Maternal and Child Health Services Block Grant Fund; Low Income Home Energy Assistance Block Grant Fund; Community Development Small Cities Block Grant Fund; Community Services Block Grant Fund; Alcohol, Drug Abuse and Mental Health Services Block Grant Fund and the Social Services Block Grant Fund. The only fund that is being affected by the Governor's amendatory veto is the Social Services Block Grant Fund."

Tate: "Representative Karpiel, there's been a little controversy. I... I... not controversy, really, in the Department of Public Aid. I think, recently, Director Miller has moved from the Department. I was just curious whether the Department of Public Aid still supports this legislation."

Karpiel: "Yes, it does."

Tate: "Okay. There were some hearings on this Bill this spring and summer. Is that correct? I think... "

Karpiel: "There were hearings in Committee. I don't know if there were any hearings during the summer. From what I understand, the Legislative Advisory Committee of Public Aid and the Block Grants Advisory Committee, of which I am a Member, are thinking of... or anticipating holding hearings on how to handle this Social Services Block Grant Fund in the future."

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Tate: "So, there are future hearings planned, then?"

Karpiel: "Yes, there are."

Tate: "Okay. Where do social service block grant funds come from?"

Karpiel: "Social services block grant funds come from the Federal Government. As you know, with the new federalism, a lot of federal funds that used to be... that used to come into the state - for instance, in the case of this particular block grant fund. It used to be that, you know, in Public Aid, roughly one-half of the funds come from the Federal Government and one-half from state funds. And it used to be that the Public Aid Department would put out the state funds and pay for services and contract with agencies for services, and then they were reimbursed by the Federal Government. Under new federalism, the... the Federal Government now has these block grants, and so, the Title XX money for this particular... these particular programs will come to the state, and then the state will put them together with the state funds, appropriate them for the different programs in Public Aid, and it's going to be operated in that manner from now on."

Tate: "The... Looking at the analysis, here, and... Does the... I was just curious whether Public Aid at... does it allocate all these social services?"

Karpiel: "I'm sorry. I didn't hear you."

Tate: "Does Public Aid allocate all the social services provided under these grants?"

Karpiel: "Yes, they do. Well, Public Aid allocates that the Legislature appropriates the money for different programs and different services."

Tate: "Well, why is the social service block grant the only grant that is not appropriated?"

Karpiel: "Well, it is appropriated, except that it's going to be

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appropriated in conjunction with the state money that's given instead of simply the federal money by itself. The reason for that is, is that in this particular block grant, a great deal of the money - almost half - are... is state money. And so, it is very difficult to break out federal money that's going to go to this particular program under this particular fund, and state money that's going to go to this particular program, and so it's going to be put together and then allocated and then appropriated. As I said, the Legislative Advisory Committee of Public Aid along with the Block Grant Advisory Committee will be holding hearings and is going to work on perhaps coming up with the method of breaking that out so that only... so that the federal funds can be appropriated by the Legis... you know, in a different manner so a better track can be kept of what the federal money is being spent on. But at this point... at this point, they feel that this is the best method to handle it until they have a better formula to work with."

Tate: "Yes. Madam Speaker, there is a lot of noise on the floor, and we're trying to get some questions answered, and I know a lot the Members are trying to sleep at the same time. So if we can have some peace and quiet so everyone can sleep that wants to sleep through this, I'd appreciate it. Representative Karpel, what monies make up the Special Purposes Trust Fund, then?"

Karpel: "Representative Tate, the money that comes into the... oh, into the Special Purposes Trust Fund? Oh, I'm sorry. That Special Purposes Trust Fund is made up of both federal and state money that Public Aid... There are several programs within Public Aid. Some of them are funded from the Special Purposes Trust Fund, some of them are funded with the Local Initiative Trust Fund, and some just come

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out of the General Revenue Fund, but it's a mix of both federal and state money in the Special Purposes Trust Fund."

Tate: "Well, Representative Karpziel, why was the Public Aid Trust Fund abolished in this Bill, then?"

Karpziel: "The Public Aid Trust Fund was abolished in this Bill, because originally, that Fund was set up before there was an Office of the Comptroller, and at that time, there was no depository or repository for this federal money to come into. And rather than just do whatever with it, I don't know, they made... they made this particular Fund so that that federal money could be set aside and you could say, 'This is the federal money that's coming in for Public Aid and can't be mixed with other money'. Since the Office of the Comptroller has been initiated, the Office of the Comptroller, of course, keeps those records."

Tate: "Well, Representative Karpziel, reading the Republican analysis, it says that one of the - thank you, Representative Leverenz. I appreciate your assistance. It says, 'under the following seven block grants created under the State Finance Act, the Alcohol, Drug Abuse and Mental Health Services Block Grant Fund... ' That doesn't... This doesn't in any way affect that other issue of the consolidation with the Dangerous... you know, the Dangerous Drugs Commission and Mental Health... "

Karpziel: "No, Sir."

Tate: "Well, so, if you, one time, could just very, very briefly give me another five minute summary of what the Governor amendatorily vetoed this Bill for, I would appreciate."

Karpziel: "Representative, in the original Bill, all of the seven block grants were to be... the federal money was to go into these funds, and all of these funds were to be appropriated by the General Assembly. In the case of the social

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services block grant, that is a different type of a block grant as the other six. The other six use predominantly federal money, and there's very little state money involved, and it's usually a direct service type of program. The social services block grant, on the other hand, uses a great deal - almost 50 percent of state money - and it has a... and they... and in those... in that block grant, there's a great deal of contracting with outside agencies. So it is very difficult to take... Okay, this federal money, this money we're going to use to fund this day care center, and this state money we'll use to fund this day care center, and it's just too overwhelming to put into... you know, to apply at this time. To put both the federal money and the state money together and then have it appropriated by the General Assembly, and then make the contracts with the agencies and go about normal business, is a much more easily administered way of doing it at this point. As I said, they are going to be looking at new ways, through the Legislative Advisory Committee of Public Aid and the public... the Block Grants Advisory Committee, they are going to be looking at new ways to maybe come up with a formula so that we can, in fact, track this federal money better."

Speaker Breslin: "Ladies and Gentlemen, give the speakers your attention. Representative Tate, your 10 minutes are up. Representative Oblinger."

Oblinger: "Madam Speaker, I have one quick question to ask of the Sponsor."

Speaker Breslin: "The Lady will yield to a question."

Oblinger: "We're talking about social service block grants. Under the Older Americans' Act, the funds for nutrition, supportive services and so forth are still categorical."

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Will this... "

Karpiel: "I'm sorry. What funds? I didn't hear what you said."

Oblinger: "Under the funds of the Older Americans' Act, they are still granted as categorical funds. They directly come into the State Agency on Aging for nutrition, let's say the 38 million."

Karpiel: "Yeah."

Oblinger: "Will this have an impact on that?"

Karpiel: "None that I know of."

Oblinger: "Well, because it says, 'all social service grants'. That's a social service. It comes from HHS."

Karpiel: "Is it under Public Aid?"

Oblinger: "But if you're saying Public Aid is going to allocate, or we're going to appropriate all those funds... this aid is... "

Karpiel: "No. Public Aid is... Public Aid is not going to appropriate it or allocate it. The Legislature will allocate... will appropriate it, and it's just a depository for the those funds, those federal funds."

Oblinger: "You can't do this. If 38 million come into the state for nutrition program, you can't just... you can't do anything about those. This is a real problem if this is going to try to override what the Federal Government, the Older Americans' Act and the Department of HHS is now doing."

Karpiel: "From what I understand, Representative, this is not going to change in any way at all how we are operating at this time."

Oblinger: "Thank you."

Speaker Breslin: "There being no further questions, the Lady from DuPage to close."

Karpiel: "Well, I think there's been a great deal of debate on this and there's, you know, no need to go into it any...

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any longer. I would just appreciate a 'yes' vote on accepting the amendatory veto on Senate Bill 1123."

Speaker Breslin: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 1123, by the adoption of the Amendment?' 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 Motion, there are 110 voting 'aye', none voting 'no', and none voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 1123 by the adoption of the Amendment. On the Special Subject Matter Call State and Local Government, appears Senate Bill 1127, Representative Rea."

Rea: "Thank you, Madam Speaker, Members of the House. The amendatory veto on Senate Bill 1127, the Illinois Coal Technology Development Assistance Act is the product of many negotiations with the administration, and the Governor's recommendations correct the language felt to be unconstitutional in the administration of the Act. It tightens the qualifications to discourage poor applications for assistance, and it cuts the amount of... set aside from the public utility taxes in half for Illinois coal research and commercial demonstration projects from 1/32 to 1/64, and it also lowers the cap on the amount of reserve in any month in the Coal Technology Development Assistance Fund from 20 million to five million. The Motion also makes it clear the Act goes into effect immediately upon certification by the Governor. It... This Bill had passed the House 93 to 21. It came back with the recommendations of the Governor out of the Senate with a heavy vote, and

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this certainly provides new dimensions for the use of Illinois coal, and I move that we accept the Governor's recommendations."

Speaker Breslin: "The Gentleman moves to accept the Governor's amendatory veto on Senate Bill 1127. And on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Madam Speaker, Members of the House. Just briefly, it's been my unfortunate occasion on a number of times in the Veto Session to have to oppose Mr. Rea's efforts in behalf of Illinois coal. This time I can strongly support it. This Bill has been very carefully negotiated out. The costs fall within the budget. It is not an open-ended cost proposal, and I would rise in support of his Motion to accept the amendatory veto."

Speaker Breslin: "The Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Just as a matter of... pardon, Madam Speaker. I was corrected by Representative Piel. Representative Rea, as a matter of information, I would just like to know what the total composite of all the coal benefit Bills that we've had this year might be. We have had legislation for a national coal museum in Southern Illinois. We have had several Bills that would, in all probability, give special benefits to Illinois coal and the producers of Illinois coal. Is there any composite of the total amount of benefits that they are receiving this year?"

Speaker Breslin: "With leave of Representative Rea, Representative McPike will answer that question."

McPike: "I believe it was 349 trillion."

Speaker Breslin: "Are there any further questions, Representative?"

Koehler: "No. Thank you."

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Speaker Breslin: "There being no further discussion, the Sponsor, Representative Bea, to close."

Rea: "I would ask for a favorable Roll Call."

Speaker Breslin: "The question is, 'Shall the House accept the Governor's specific recommendations for change in Senate Bill 1127, by the adoption of the Amendment?' 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 Motion, there are 105 voting 'aye', 1 voting 'no', and 1 voting 'present'. Representative Slape asks leave to be voted 'aye'. In that case, there are 106 voting 'aye', 1 voting 'no', and 1 voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 1127 by the adoption of the Amendment. Under the Special Order of Business, Workers' Rights, appears... appears Senate Bill 228, Representative Panayotovich."

Panayotovich: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I move to accept the specific recommendation of the Governor in Senate Bill 228. The Governor amended the first part of the Bill out, because it was taken place... it was taken care of in Senate Bill 1070. It's a Workmen's Compensation Act Bill that was to speed up the process for injured workers to have their cases heard. It was addressed in Senate Bill 1070. So the Governor amendatory vetoed that part out. The rest remains the same, and I ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman moves to accept the Governor's amendatory veto of Senate Bill 228. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House accept'... The Gentleman from

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DeWitt, Representative Vinson."

Vinson: "Yes, will the Gentleman yield for a question?"

Speaker Breslin: "The Gentleman will yield for a question."

Vinson: "What does... How does this deal with the expedited hearing process?"

Panayotovich: "Pardon?"

Vinson: "How does the amendatory veto deal with the expedited hearing process?"

Panayotovich: "It's out of the Bill completely."

Vinson: "And what does that leave in the Bill?"

Panayotovich: "It leaves in the Bill to protect employers that might have been charged excess premiums in their... an error in rate of classifications for insurance that they will be paid back as a result of the error, and it also has a provision to continuation of unem... employment base, group hospital, surgical and medical coverage after termination of employment."

Vinson: "And what's the cost?"

Panayotovich: "I do not have any cost figures. There should be no cost."

Vinson: "There's no cost?"

Panayotovich: "As far as I could see."

Vinson: "You're giving away a benefit with no cost?"

Panayotovich: "Great Country, America. Just correcting classification, Sir."

Vinson: "What is... Mr. Speaker... Madam Speaker, I apologize. Members of the House, I would rise with skepticism, at least, in regard to the possibility that we've got a benefit here with no cost. Despite the fact that a couple of older, senior Members to me earlier today that they had received a free lunch, I have doubts about that, and I would urge a 'no' vote on the Motion to accept the amendatory veto."

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

Pullen: "I think I have a couple of questions first."

Speaker Breslin: "The Gentleman will yield to a question."

Pullen: "According to the synopsis I have before me, in the Bill it required that an employee's group health insurance policy shall covered the injured worker's accident and medical bill pending the appeal of his workers' comp claim. Is that still in the Bill?"

Panayotovich: "No, I believe that's taken out of the Bill."

Pullen: "I had heard you say before that it... that the Governor took out the provisions on expedited hearing process, but is this considered one of those provisions? Are you sure that's out of the Bill? That seems a very important point to me."

Panayotovich: "The Governor's veto, as far as I have it here, all substantive matters on the Workmen's Comp Act is out of the Bill."

Pullen: "All matters of the Workmen's Comp Act are out of the Bill?"

Panayotovich: "Substantive, yes."

Pullen: "What is left? I thought the whole Bill was a Workmen's Comp Bill."

Panayotovich: "The... The Bill deals with the insurance, as far as, if I may read to you, 'relates to a situation in which an insurance company selling Workmen's Compensation Insurance charges excessive premiums as a result of an error in the application of rate classifications. Provides that such an employer is entitled to a refund equal to the full amount of the excess premium paid as a result of an error in the rate classification.'"

Pullen: "So the Bill is now limited to the situation of a mistaken overcharge and a refund for that purpose?"

Panayotovich: "Yes, Ma'am."

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Pullen: "Are there any mechanisms set up in it to accomplish that right?"

Panayotovich: "I believe the Department of Insurance would have the enforcement Act."

Pullen: "Is that where the employer that is overcharged would go, or would they go to the Industrial Commission for relief?"

Panayotovich: "I imagine it would be the Insurance... Department of Insurance they would go to."

Pullen: "Thank you."

Panayotovich: "You're welcome."

Speaker Breslin: "The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Well, Madam Speaker, would the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield to a question."

Tuerk: "There... There seems to be some confusion on the Bill. The expedited hearing provisions of the Bill have been eliminated with the Amendatory Veto. Is that correct?"

Panayotovich: "Correct."

Tuerk: "There are two things left in the Bill. Is that correct?"

Panayotovich: "Correct."

Tuerk: "One is that if employers are overcharged, they'd be refunded their premium. Is that correct?"

Panayotovich: "Correct."

Tuerk: "The other part of the Bill is that employees would have a six months extension on their group insurance. Is that correct?"

Panayotovich: "It's an extension if it's... if you say six months, I'll agree with you."

Tuerk: "Who pays the premium?"

Panayotovich: "The employee."

Tuerk: "Thank you."

Speaker Breslin: "There being no further discussion, the Sponsor, Representative Panayotovich, to close."

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Panayotovich: "I'd just ask for a favorable vote."

Speaker Breslin: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 228, by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'nay'. Voting is open. This Bill requires... requires 71 votes for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 103 voting... 104 voting 'aye', 7 voting 'no', and none voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding Senate Bill 228 by the adoption of the Amendment. On the Special Order of Call Subject Matter Workers' Rights, appears House Bill... Senate Bill 536, Representative Greiman."

Greiman: "Thank you. Thank you, Madam Speaker. Ladies and Gentlemen of the 83rd General Assembly, I have in my hand a copy of an ancient document which is House Bill 940 of the 50th General Assembly, a Bill filed by a Republican from Carlinville on May 8, 1917. It is the Bill that tried to first establish the rights of public employees in the State of Illinois and recognition of those employees' rights. It is 66 years... By the way, it was tabled on the next day. It is 66 years in the coming. And so, perhaps for then Representative Sonneman of Carlinville, we will pass this Bill this very day. The Governor has amendatorily vetoed this Bill and has made some 14 or 15 changes. They are changes which I accept. Some of them he has made narrower. Mostly, he has provided us with even more balance to a Bill that was already balanced. Basically, he has narrowed the scope of confidential... who shall be determined as confidential employees by suggesting that they are

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authorized employees, and so that merely someone who reviews... who walks by a file room and is without actual authorization to review files, is not enough to be a confidential employee. He has defined 'fair share agreement' so that it's clear that the organization's efforts for wage and hour in the legislative arena as well as across the table may be the subject of fair share, while the political contributions will clearly not be the subject of fair share. He has made it specific that sworn police officers and sworn firefighters are to be excluded and that supervisors in the public sector are different than supervisors in the private sector so that a substantial number of employees in the public sector are given titles to reward them without giving them any real authority to... over other employees' wages, hours and working conditions, so that merely the name of that is not enough. It is suggested that fair share agreements cannot be negotiated with anybody except exclusive representatives. It should be made clear that a unit of local government as described as a unit under the Constitution and is not merely a department of a county. This Bill, like the 36 or 37 other states that have collective bargaining for public employees, is long in coming, fifty years after private sector employees have been guaranteed these rights. It is an even-handed Bill that provides a process for Illinois, and I move that we accept the Governor's amendatory veto for change."

Speaker Breslin: "The Gentleman has moved to accept the Governor's amendatory veto of Senate Bill 536. And on that question, the Gentleman from Cook, Representative Keane. Is there any other discussion? Does anyone... The Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, a parliamentary inquiry, Madam Speaker."

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Speaker Breslin: "Repeat your question, please, Representative."

Vinson: "In regard to the exercise of the amendatory veto, I would call your attention to item #3 and 4 in the letter, which deal with specific parts that are included in the amendatory veto Motion and which would incorporate and disincorporate employees in what... in the Bill that originally passed. And I would ask the Chair if that particular... if those particular changes were, in fact, germane in the amendatory veto and whether the amendatory veto, therefore, is appropriate."

Speaker Breslin: "We will research that matter and get back to you, Representative. In the meantime, the Gentleman from Peoria, Representative Tuerk, on the Motion."

Tuerk: "Would the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield to a question."

Tuerk: "As I recall, Senate Bill 536 excludes certain groups in the public sector from this collective bargaining agreement. Is that correct? I didn't hear you."

Speaker Breslin: "Representative Tuerk, repeat your question, please."

Tuerk: "Well, I think he heard the question alright. I just didn't hear the answer."

Speaker Breslin: "Oh, I see. Okay. Very good."

Greiman: "The answer is, that's correct."

Tuerk: "Which groups are those?"

Greiman: "Excluded from the Bill initially were sworn firemen, sworn policemen. The Governor has amendatorily vetoed it to take out educational employees as well."

Tuerk: "Could you tell this Body why those certain groups were excluded from the Bill at the outset? I... I don't recall why they were excluded, and I'm sure some of the other people in the chamber would like to know that."

Greiman: "Well, of course, those were issues that were decided

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initially when the Bill passed last June, so that in this situation, we're looking at the scope of the... of collective bargaining Bill as amendatorily vetoed. So, I think your question should deal with the amendatory veto. As to why the educational employees were removed, which is the subject matter of the amendatory veto, they were put into 1530, which passed this House handsomely, and the Senate, and has become law."

Tuerk: "Well, in other words, your feeling is, you don't feel it's germane to the discussion on this issue to explain to us why policemen and firemen were excluded from the Bill. Is that your attitude?"

Greiman: "I don't understand your line of questioning. I suppose that they were excluded for whatever reasons they were at that time. You know, we're doing this. Sometimes things get done in stages. It takes 66 years. We'll get them all in, eventually."

Tuerk: "Does Senate Bill 536 as amendatorily vetoed - I haven't had a chance to study the thing completely - require compulsory binding arbitration on contract issues?"

Greiman: "It does not require that at all. There is... It does not require compulsory binding arbitration on issues in the negotiation of the contract. It has, instead, a hybrid method of legis... advisory arbitration with a legislative veto so that we can provide a legislative... so that no one will be forced, no Legislative Body, no school board, no county board, no city board, will be required to accept any opinion of an arbitrator. That's on contract issues."

Tuerk: "There's no provision for a referendum on that, of course. Right?"

Greiman: "For referendum? You mean for a referendum for every contract?"

Tuerk: "On... No, on the decision of the arbitrator."

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Greiman: "A referendum? No, it's representative government. We're relying on representative government, Mr. Tuerk."

Tuerk: "How does this Bill relate to the Bi-State Authority? I just... "

Greiman: "Apparently, the answer to that is that there was a Bill that provided for collective bargaining for Bi-State Authority employees. In order for that to be effective, the other Legislators... there's... must adopt the same kind of law, and in order not to have a proliferation of collective bargaining laws and so there would be a uniformity of administration as well as a thoughtful combination of the issues, this was merged into this Bill, and germane to the Bill."

Tuerk: "Well, Madam Speaker, to the Bill. As we debated Senate Bill 536 in total with the remainder of the collective bargaining Bills for public employees as indicated by a series of numbers of which I won't go into, the concept of collective bargaining for public employees being mandated by the State of Illinois is bad public policy. It has been over the years. It continues to be, and I would presume it will continue to be ad infinitum. I suggest to you the status of Senate Bill 536 is no better today than it was four to five months ago when we debated in Committee and we debated on the floor of the House. I would suggest to you that a 'no' vote is still a good vote. I would suggest that this not become public law. It's not good policy for us to be doing this. It's going to increase the costs throughout the state of local government and; therefore, it's going to increase the costs, among other things, to the taxpayers of the State of Illinois. I suggest a 'no' vote."

Speaker Breslin: "The Gentleman from Adams, Representative Mays."

Mays: "Thank you, Madam Speaker, Ladies and Gentlemen of the

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House. Will the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield for a question."

Greiman: "Yes."

Mays: "Representative, I note, in the Governor's veto message, that he altered the agency shop fee provisions to specifically exclude any fees for contributions relating to the election or support of any candidate for political office. Is that correct?"

Greiman: "That's correct."

Mays: "My question is twofold. Number one, do we have any procedures for finding out whether a given group may be in violation of this provision or not? As I recall, last spring we had an Amendment that we had proposed providing for an audit, and I was wondering if there was any mechanism for that."

Greiman: "I think the Board that's empowered, probably, to enforce this Act, could make those inquiries. I think it would be appropriate."

Mays: "There... Is there any specific authority for the Board to go into this area?"

Greiman: "The board has authority to enforce the Act. That's one of the provisions and limitations of the Act. I don't think there's any question about that."

Mays: "Okay. As far as on this same provision, any fees for contributions relating to the election or support, do we have sufficient backing on something like that, to define what relating to the election or support would be?"

Greiman: "I'm sorry. I didn't get your question. Could you..."

Mays: "Sure. I'd be glad to."

Greiman: "Maybe do it succinctly."

Mays: "I'll... I'll do my best, Al. Regarding fees for contributions relating to the election or support of any candidate, do we have sufficient backlog to determine what

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comprises support of a candidate? Could it be newsletters put out by a given organization that has a given viewpoint, or what? You know, what's the background?"

Greiman: "Well, the issue is not that the... that the labor organization can't do those, it's that they can't take the fair share money and do that. And absolutely, I think that they have to... they would have a right to audit those things, to see precisely where the money for fair share is used. I think that's clear."

Mays: "Okay."

Greiman: "Whether something is being used to support a candidate is a question of fact, and this Board will be well able to determine facts."

Mays: "So, it is your belief that there is adequate backing to determine... for the Board to determine whether a given piece of literature distributed by the organization and paid for by fair share fees are indeed supportive of a given candidate in a given election or not. The Board can go ahead and determine that."

Greiman: "I think... I think the Board is charged with enforcing the Act. That's a provision of the limitation of the Act. I think, yes, that's exactly right."

Mays: "Okay. Now, we're talking about two Boards in this Act, are we not?"

Greiman: "Well, we're talking about a... sort of a Board with a sing with two legs. The Board does some things sort of en banc - that's e-n b-n-q (sic - banc) in determining regulations and rules and things like that, but it makes very specific decisions in a different way, but as... they both have a common Chairman."

Mays: "Okay. And did the Governor expand the membership on this Board... on these Boards? In his... "

Greiman: "No. No. No."

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Mays: "Okay. What's the appropriation, or the anticipated appropriation for the local Board as well as the state Board?"

Greiman: "My recollection is that there's a supplemental request of \$600,000 someplace around, but I'm not certain of that. There was a fiscal note, and that's shown in the book, of course. On the other hand, that fiscal note applied to educational employees as well. Now that's been divided so that the fiscal note is probably... would be much less for 536 than it would have been before."

Mays: "No. The Education and Labor Relations Board goes into effect on January 1. We're not talking about that with this Bill. We're talking about the local Board and the state Board."

Greiman: "Well, that's right. I was merely pointing out that the fiscal note that's indicated in your synopsis would now be less, because the educational activities will no longer be done by this Board."

Mays: "Why would there be a... This Board goes into effect on July 1 of 1984. Is that not correct?"

Greiman: "That's correct."

Mays: "Why would we have a supplemental in Fiscal '84 then for this Board?"

Greiman: "I think you're right. I think maybe that's for 1530 and not for this Board. Right. This will have no fiscal impact on this current year."

Mays: "Well, thank you, thank you very much. To the Bill, Madam Speaker. There's just two areas that I've addressed on this... the changes that the Governor has made, and I've specifically stuck with the changes that the Governor has made, and I think there is adequate grounds to be a little bit skeptical as to both the Boards of power... well, as to where the appropriation is going. It's my understanding

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that we do have dollars in the supplemental for the education... for the Education Relations Board, which is in another Bill, but we also have dollars appropriated for this Board, which, in this fiscal year when the Board indeed doesn't even come into line until July 1 of '84, which would be in the next fiscal year. For the above reasons, vagueness on what support of a candidate could be and what form that could be, the audit authority of the given Board as well as the fiscal impact of this measure, I would urge the Members on this side of the aisle to oppose."

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

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

Speaker Breslin: "The Gentleman moves the previous question. All those in favor say 'aye'. Yes, Mr. Vinson. For what reason do you rise?"

Vinson: "To request a Roll Call on the Motion."

Speaker Breslin: "Very good. All those in favor vote 'aye', all those opposed vote 'no'. This is a Motion to move the previous question. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On the Motion, there are 64 voting 'aye' and 43 voting 'no' and 1 voting 'present', and the Motion fails. Representative Stuffle on the Bill."

Stuffle: "Madam Speaker and Members of the House, all the issues raised tonight are issues that have been raised before that Representative Greiman's dealt with in great detail. I think he probably has done his homework as well as anyone possibly could. In looking at the case law with regard, particularly, to the issue of fair share and with regard to some of the other issues that are raised, sometimes we hear red herrings raised. Sometimes the real issues and the real arguments that people would want to make on this

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aren't made. The fact of the matter is that this Bill, as drafted with the amendatory veto, speaks to and considers the basic case law, the Abood case and a couple of other cases that have defined what fair share is or ought to be. There is, even in the absence of collective bargaining in this state and the public sector, a great body of case law, and that case law not only exists in Illinois but in the Federal Courts all the way to the Supreme Court with regard to fair share, with regard to what is arbitrable, with regard to the matters of public policy at hand that have been discussed here. Representative Greiman, in attempting to accept the amendatory veto, has, as I said, carefully crafted, structured the Bill and looked at that case law. The Board necessarily must make... The Boards must make decisions with regard to what's in the Bill. There is absolutely no way that any collective bargaining law in this country, or any collective bargaining agreement, public or private sector-wise, could possibly address every issue. That's why you have to have the body of case law. That's why you've got to have a grievance procedure. That's why you've got to deal with those issues one by one across all the elements he's talked about, the bargaining unit and who's in it and who's out of it, what fair share constitutes, what can be taken in the fair share provisions. The case law's there, as I said. It's been considered. Representative Greiman probably has as well structured a Bill as possible. And I remind you, in accepting the amendatory veto, that I think that organized labor has bent over backwards to a great extent to accept the changes in the Bill. As you know, some people wanted out of the Bill, because they thought they had a better situation without it. The fact of the matter is that the people that it brings in are brought in in such a manner

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that I think this is a most even-handed Bill. Management rights were put in it. Provisions were put in it for definition to protect people that probably ought not to be in the units, and the Bill's very even-handed. Representative Greiman deserves to be commended for his efforts, and the amendatory veto ought to be accepted for all the reasons that he's cited."

Speaker Breslin: "The Gentleman from Marion, Representative Friedrich."

Friedrich: "Madam Speaker... "

Speaker Breslin: "Please give the Gentleman your attention. There are many other people seeking recognition. Please give them your attention."

Friedrich: "Would the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield to a question."

Friedrich: "According to my analysis, Representative Greiman, this provides a special provision for one taxing body. Is that true?"

Greiman: "For one taxing body?"

Friedrich: "Yeah, the Bi-State Development. Does it have different provisions than the... "

Greiman: "It has... It has provisions for that, apparently. Under a intra... interstate compact, both states must pass it, and this has provisions similar to the Bill that passed the House and the Senate and was put in here with the limitations and restrictions of our collective bargaining Bill placed upon these Bi-State employees."

Friedrich: "Well, does it also provide for that special, that one district, even the terms of the contract where it says you have to take back the employees laid off first? I didn't know we were in the business of writing union contracts. Now, isn't that... Wouldn't that be part of a union contract?"

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Greiman: "Well, I wouldn't probably be for that provision, but that's part of the Urban Mass Transit Act. So we have no... we have no choice as to putting that in. That's dictated by the Congress."

Friedrich: "Well, if it's dictated, then it doesn't need to be in the law, does it?"

Greiman: "No. Under the Urban Mass Transit Act, apparently states must adopt collective bargaining legislation in order to be effective, but it's within certain parameters."

Friedrich: "Does that also provide for compulsory binding arbitration?"

Greiman: "No, it's advisory arbitration."

Friedrich: "Under the Bi-State Development, it doesn't? I believe it does."

Greiman: "Yes, and there's also a prohibition against striking under that, as well."

Friedrich: "Okay. Now, I see one of the things they've done here is expand the definition of a security employee, so it includes not only prison guards, but all the staff in the prison and everything else. Is that right?"

Greiman: "If it's predominantly composed of security employees, that's correct."

Friedrich: "Well, in other words, if we pass... if we go along with your Motion, we will be setting it up where prison guards can strike and walk off."

Greiman: "I doubt that. I doubt that very much."

Friedrich: "Well, I'm not saying. I'm not saying what they will do, I'm saying... "

Greiman: "You asked me a question and I'll answer it, Mr. Friedrich."

Friedrich: "You're making it legal for them to walk off the job."

Greiman: "No, I'm... Mr. Friedrich, you've asked the question whether they will be allowed to strike, and the answer to

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that is this. Under this Bill, essential employees are not allowed to strike. That is determined on a case-by-case basis so that if they are essential employees, they will not be allowed to strike. My guess would be that prison guards would be probably essential employees."

Friedrich: "Who's going to determine whether a prison guard... "

Greiman: "That would be determined by the Board, and then, subsequently, a court, if that were the... "

Friedrich: "And does that throw them into a binding arbitration... ?"

Greiman: "Nope. It does not. It throws them... They would not... They are in a precarious situation in the sense that they are not allowed to strike, and there is no binding arbitration. There is instead advisory arbitration with a legislative veto, so that, in no event, could they be thrown in binding arbitration and in no event, probably, could they strike."

Friedrich: "Yeah. I've been approached by most of the cities and villages in my area, because they're opposed to this Bill, but one of their reasons is the cost. Have you estimated the cost you're foisting on units of local government?"

Greiman: "I beg your pardon?"

Friedrich: "Have you estimated the cost that you're foisting on the units of local government with this Bill?"

Greiman: "Well, of course, I don't believe we're foisting any costs on it. I think that the... it will be a minimal cost. I understand what the people in cities and villages believe. I think we have provided a process. Most communities are... of any size are now collectively bargaining in any event. There is a... This will give them a process. I think in the end it may be cheaper for them."

Friedrich: "So you're saying that, really, there's nothing this Bill will do they can't do already. Is that what you're

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saying?"

Greiman: "Now, you know that's not what I said. You know that."

Friedrich: "Well, let... let's put it together. What can they do with this Bill they couldn't do before?"

Greiman: "Well, there's a process. Let me give you an example, Sir. We had a strike in the city in which I represent a part of. We have no process for that, and three weeks into the strike, the people were talking about, well, maybe we ought to have a mediator and maybe we shouldn't have one. And they were talking about whether they should. But the fact is, under these collective bargaining Bills that this Legislature is passing, there will be a process that will bring those people to the table so that the public will be well served and so that our society will not have work stoppages."

Friedrich: "Okay. Now, this also provides for a fair share for those people who don't want to belong to the union, right?"

Greiman: "Yes."

Friedrich: "Alright, to the Bill, Madam Speaker. I can't believe that all the attorneys and city managers and mayors in my district are stupid. They've gone through this and tell me up... right up front that this is going to really, really cost them a lot of money. I happen to believe them, because I think that we are getting into something that we shouldn't be getting into. You know, I have... really believe that the unions have done a lot for this country, because they've raised the standard of living for the working people. I think that's good. On the other hand, I have always been led to believe this... Well, I think my record of providing jobs for union labor is probably is a good as anybody on the other side of the aisle. Now, Madam Speaker, if you can control the Democrats, we'll go on. I do say that when you make a guy pay union dues who doesn't

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want to belong to the union, it's like an indentured servant. You're making him do something against his will, and I think that's completely contrary to everything that I've been taught in this country. So I just hope... I can see what's going on here. I think the other side is already committed. I think they ought to think twice. I hope that, in the finality, if they foist this on us, that they will realize later on that they made a mistake. I believe it's a mistake to force these little towns to go into these contracts when they are not wanting to, when they are getting along fine. The employees, up to this point, have not indicated any desire to belong to a union. And then, we finally get around to where you have to pay the union whether you belong to it or not. That's contrary to everything I believe in."

Speaker Breslin: "The Gentleman from McLean, Representative Bopp."

Bopp: "Thank you, Madam Speaker. Would the Sponsor yield, please?"

Speaker Breslin: "The Gentleman will yield to a question."

Bopp: "Representative, in your previous debate with the previous speaker, you mentioned something about those employees that you did not think would be allowed to strike, and you called them essential employees. At what point are they determined essential employees in the Bill - before they strike or after they strike?"

Speaker Breslin: "Representative Greiman, the question regards essential employees."

Greiman: "Yes."

Speaker Breslin: "At what point are they considered essential employees, under the Bill?"

Greiman: "Well, that would be essentially a question of fact. In other words, there is an impasse in the negotiation. They

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give notice that they're going to strike. At that point, the Board has a hearing and the hearings determine whether they are, in fact, essential employees. And the... I think the beauty of this Bill is that we... we, here in this Body, don't make the decision about who's an essential employee. Let me give you an example. In the City of Highland Park, garbage is collected by private scavengers. So they're not even public employees. In my town of Skokie, we have 60,000 people. We have a Department of Public Works. If they went on strike, chances are we could probably - I say probably - substitute that with private scavengers, because we're a small community. Clearly, Lincolnwood, that I represent, could do that. The City of Chicago might not be able to do that, so that some kind of garbage program for 3,000,000 people would be required. In that way, the court... the Board could make the distinction as to - these people are essential employees in one situation, these people are not. Cook County Hospital - some doctors, some wards might be essential. Some might not be essential. And so, it's that kind of... it's that kind of flexibility that we have given the Board to make these decisions and always, of course, with the supervision of the courts above them. It is, I think, in that sense, a very thoughtful framework for collective bargaining."

Ropp: "Well, let's suppose one step farther - that it is determined that the essential employees are not allowed to strike and suppose they do anyway, as we have seen in the past some situations where they did just totally noncomply with that law or maybe even in this provision. Does this law deal, or this Bill deal with that situation, if they still strike anyway?"

Grieman: "I think... I think that they are against... they are violating the law, that they should be disciplined, in

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every way to the limits of the law. I have... You know, one of the problems, Representative Ropp, is that we have no process in Illinois, so that when the unions go on strike, and the public unions go on strike, and there is a hue and cry raised, 'Oh, my gosh. They don't have a right to.' The courts are... All of us understand about strikes, and we say, 'Well, there's no process for those people'. But now we have a process. I don't have any sympathy for those people if they go on strike anyhow. This law provides it with a process, and I hope that they... that a labor leader that calls his people out contrary to the rulings of a court, I hope he will be disciplined appropriately."

Ropp: "Okay. If, in fact, they would strike, then, would the manager of a municipality be in a like situation as the President was with the air traffic controllers and could be immediately fired and replaced with new employees?"

Greiman: "I think probably that's correct. I think so. I think probably you're right."

Ropp: "Okay, thank you. What... Now, to the Bill, briefly. I guess, not to reiterate what previous speakers have mentioned, I do think this Bill has a lot of concern that deal Mayors and local units of government that I think we need to give some severe consideration to. It is probably extremely difficult to even determine how much added cost this might be, but the mere fact that municipal units of government, their hands are totally tied when it comes to dealing with budgets as to the amount of money that is available for certain salaries. I really don't think this Bill takes that into consideration. In the total overall picture, we're really tying the hands of local units of government, local municipalities, which in fact are the ones that have to respond to the constituents that pay the

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local taxes. And to force this particular Bill on them at this time, I think, is not necessary, and I urge all of you to give severe and strong consideration for this major fact on this Bill."

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

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

Speaker Breslin: "He indicates he will yield."

Karpziel: "Representative, could you answer... Is there a Section in this Bill on management rights?"

Greiman: "What?"

Karpziel: "Is there any management rights in this... "

Greiman: "Absolutely. Absolutely."

Karpziel: "Could you tell me what they include?"

Greiman: "Pardon?"

Karpziel: "Could you tell me what they include?"

Greiman: "Sure. Section... I think it's Section IV, but we'll look precisely at it. Okay. Section IV is two paragraphs, and it precisely sets out the rights of the management."

Karpziel: "I don't have the Bill in front of me, Representative. Could you tell me what some of those are?"

Greiman: "Oh, I think.. "

Karpziel: "Some of the issues that have to be arbitrated... "

Greiman: "I think you should ask your staff people. They'll be glad to give you the Bill."

Karpziel: "Well, Representative, the staff people are not the Sponsor of the Bill. I'm asking you."

Greiman: "I have... Let me say this, Ma'am... Mrs. Karpziel. I have no intention of reading this Bill on the floor of the House. I will give you a synopsis of it. 'Employers shall not be required to bargain over matters of inherent managerial policy'. And then it suggests a number of items which are discretionary as to that policy and deal with the function of the employers and the standards of service. It

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is quite clear. It covers some 25 lines in the Bill, and I suggest that you take a look at it."

Karpiel: "Well, instead of, you know, reading the specifics, that statement you just made is fairly vague. And it would seem to me that it could cover any number of things. In the rest of the Bill, is it very specific as to exactly which items must be arbitrated and, you know, is that in there?"

Greiman: "That is, Ma'am, what we call a speaking denial. I will answer questions, but that's not really a question. The management rights are quite clear. They are explicit. They are based on a history of the National Labor Relations Act. They are based on a history of labor relations in this state, and they are some 25 lines in this Bill. And they are quite clear as to what the rights of management, and they are quite awesome."

Karpiel: "Well, Representative, I am not a labor lawyer, and most of my local government districts in my Legislative District are very concerned about this particular issue. They feel that there are going to be a lot of issues that they would perhaps feel are administrative rights, administrative and would not have to arbitrated, and that perhaps could be construed under the vague wording in this Bill to... to, that too... to be... you know, to have to be arbitrated. Alright. Since you don't seem to like that question, Representative, could you tell me about the Labor Relations Board? I realize there's two. How many members, again, are on this Labor Relations Board?"

Greiman: "We'll cover the ground as quickly as possible. It's a single Board with two legs. There is one Chairman and two members for each of the legs. That would be two and two and one is five."

Karpiel: "Are they all appointed by the Governor?"

Greiman: "No."

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Karpiel: "Who else does the appointing?"

Greiman: "The... As to the local, so-called local Board, the President of the County Board appoints one and the Mayor of Chicago appoints the other."

Karpiel: "The appoint... The local Board would be appointed by the Chairman of the Cook County Board and the Mayor of Chicago?"

Greiman: "It only... That Board only applies to the Cook County and to Chicago. The Board that would apply to cities, for example, in your district, is all appointed by the Governor."

Karpiel: "Alright. That's what I was interested in. Thank you. Alright, could you tell me why the Farm Bureau is opposed to this Bill?"

Greiman: "Ma'am, you... I suppose you probably wouldn't be surprised at this, but I don't go into these objective recesses of the minds of the Farm Bureau or most other lobbyists. You'd have to ask them."

Karpiel: "Well, it just surprised me when I saw that they were, because I wouldn't know... seem that, you know, maybe they would be that involved. Alright, to the Bill, Madam Speaker. It seems like some people are getting very testy. Senate Bill 536, by the admission of its Sponsor, has been 66 years in coming, and it would seem to me he would be willing to answer questions without getting testy. I am standing in opposition to this Bill. I think that there are Sections of this Bill that are horrendous. I think fair share is a very... is taking away freedom of choice of the employees of the State of Illinois. I think that if we're going to mandate programs on the local governments, we all stand up here and cry about the poor local governments and; yet, we keep mandating one program after another at them and do not fund or do not pay for what they

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are going to have to incur. We just saw, in the City of Chicago, a long strike which resulted in a settlement which, I understand, as of this morning, the statistics or the figure is \$96,000,000 it's going to cost the City of Chicago, the school board which, you know, they seemingly don't have. And I think this is going to be a great burden on the local governments in our state. I don't know why we have local governments and why we elect public officials if they're not allowed to run their own business in their own local areas. Why the state has to... Why don't we just run everything in this state, since we think we know everything?"

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

Kulas: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I don't know what game is being played here tonight, but it's obvious that the questioning on this Bill has been blatantly dilatory. Now, we're wasting our time. We're wasting the taxpayers' money, and I move the previous question."

Speaker Breslin: "I'm sorry, Representative, but you are not allowed to make a statement in debate and then move the previous question. Rep... Representative Flinn."

Flinn: "Madam Speaker - that's not a speech - I move the previous question."

Speaker Breslin: "The Gentleman moves the previous question, and Representative Vinson asks for a Roll Call. All those in favor vote 'aye', all those opposed vote 'no'. This Motion requires two-thirds of all of those voting affirmatively in order to pass. Have all voted who wish? The Clerk will take the record. On this Motion, there are 69... Representative Matijevecich, for what reason do you rise?"

Matijevecich: "Madam Speaker and Ladies and Gentlemen of the House, we know that the Republicans have been out in Caucus. We

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know, and everybody knows, that this is a process, a democratic process and that you are intently and purposely trying to delay, through this process, a vote on this issue. There are... There are some other important issues, and you've just about got my dauder up where the Governor can go to hell on some other important issues that are coming before us. We've got to vote on the prison situation, which is very crucial. We have other issues that are coming forth, and we've got tomorrow as a deadline. Some of you have come to me and said that you want us to vote on the consolidation of alcoholism and drug abuse tonight. In fact, your... one of your assistants came to my desk and said... I said, 'We have a commitment to vote on that issue'. Yet, he is leading the charge in trying to keep this issue from coming to a vote right now. Now, how can we do both? Do you want to work all night and never get to that issue? Yet, you're coming to my desk, telling me you want to proceed on the vote on the consolidation of drug abuse and alcoholism. We must first get through with this issue and this agenda. Now, let's be responsible. All through this Session we've worked together, Democrats and Republicans, responsible. Don't you want everybody to vote their vote on this issue? You all know how each of us are going to vote. What are you afraid of? Are you afraid of each Member getting their democratic right to put their vote on that board? Be responsible. Let's work together as we have all the Regular Session, all through this Veto Session, compromise when we must, but let us finally get together and get this issue resolved."

Speaker Breslin: "The Clerk will take the record. On this Motion, there are 69 voting 'aye', 43 voting 'no', and 1 voting 'present', and the Motion fails. On the Bill, the Gentleman from DeWitt, Representative Vinson."

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Vinson: "Yes, Madam Speaker, I rise on a parliamentary inquiry."

Speaker Breslin: "State your inquiry."

Vinson: "Under the Bill, under the amendatory veto, new language inserted on page 37 of the Bill would preempt the right of home rule units to deny to negotiate in regard to political contributions by the unions. It would, through the fair share process, abridge that right, their power to negotiate. And yet, the entire scheme of the Bill provides for a concurrent exercise of power by state and local government. It does not preempt for an exclusive exercise by state and local government, and for that reason, I would ask the Chair to rule that the Bill is subject to Article VII, Section (C), subparagraph (g) of the Constitution of 1970, which would require that the amendatory veto be approved by a Three-Fifths Majority."

Speaker Breslin: "Repeat the page number, please. Did you say page 37?"

Vinson: "It is the new language inserted on page 37. I'll give you the language specifically so that it will be easy for the Parliamentarian. If you'll note, in the message, it says... in the message, it says 'on page 37 after line 15, insert the following'. And then there's several pages inserted. Now, the specific language that I would call the Parliamentarian's attention to is the language that would be Subsection 6, 'notwithstanding any other provision of this law to make deductions from wages and salaries', etcetera. Does that sufficiently identify the language, Madam Speaker?"

Speaker Breslin: "We will research your question, Representative Vinson, and get back to you. The Lady from Cook, Representative Pullen."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I don't think that the Members on this side of the

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aisle or anywhere else in the House are served well by being told that by asking questions about the details of a very lengthy, detailed, important Bill, those Members are being dilatory. We were asked whether we are afraid of Members being able to put up their votes. I would ask whether someone else is afraid of Members being allowed to speak their own minds and, even more importantly, to ask questions about a Bill when this is final passage on a piece of legislation that is going to be truly revolutionary in Illinois. I think it is important that we understand what it is we're doing here, because it is a very drastic action. What we are being asked to do, Ladies and Gentlemen, is to enact one of the most stringent, comprehensive, terrible public employee collective bargaining Bills in the United States. And it's not even a Bill that is for the public employees. It is a Bill only for their union leaders, because the public employees who do not wish to belong to unions are forced, dragged kicking and screaming anyway into supporting the unions that they do not wish to belong to. I don't think that's fair. I don't think that that is whatsoever the American way. There is another body of people in this state that have not been heard from, haven't been mentioned much on this floor in connection with this legislation ever, and that is the taxpayers - those people who elect the local government officials that are supposed to make the decisions about running the local governments, the decisions not only about whether there will be a fire truck or whether there will be a library book, but also the decisions about budgetary matters that affect the public employees. Those decisions affect, also, the taxpayers who vote those people in. But we are stripping those local officials of a good deal of their authority, and in so doing, we are stripping the

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authority of the voters, of the taxpayers. 1975 was considered a year that organized labor got rather greedy on private sector legislation around here. It was what might be called a benchmark year in Illinois. It was when we began to be more proud of exporting jobs than any other Illinois product. And organized labor came into this Session in total control, and a lot of people quaked and shook and thought, 'Oh, no. It's going to happen to us again.' But actually, they had already bitten off so much that they had done so much destruction to the Illinois economy that they couldn't do much more to the private sector. So, they went after the public sector instead. Those people who think they came out of this Session not as bad as they expected ought to realize what they're going to paying in increased taxes if this Bill passes. And it will be property taxes, because this Bill cynically exempts itself from the State Mandates Act, which has become absolutely impotent. As a matter of fact, the labor unions in this country are finding now that they have had to go to the public sector to force employees in by their folks in the Legislature that they elect as delegates to this Assembly and other places through their own control, because they cannot, anymore, recruit people in the private sector where a little bit of freedom here and there still exists. So they do it in a cynical way through political manipulation through the passage of laws that are coercive and that are absolutely binding. This is one of the worst of such laws, and I would hope that the Members of this House who do, after all, represent, supposedly, taxpayers and voters, and are at least elected by those people, will recognize that they are serving the public interest by putting the private interest second in this situation. They are serving their constituents back home best by

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allowing local government to continue to control its own affairs. There are a lot of people on this floor who stand up all the time as champions of local government. They certainly don't want anything to happen that would affect local government's revenue or expenses. Ah, but when it comes to organized labor coming and pulling them by the collar, that's a different matter. Then local government can go jump. Those local officials back home should have nothing to say about anything that happens, nor should the taxpayers or voters. That is what they are saying with this Bill, and I'd certainly urge everyone in this House to wake up to what they are doing before it is too late. Vote 'no' on this dumb amendatory veto on this rotten Bill. Thank you."

Speaker Breslin: "There being no further discussion, the Gentleman from Cook, Representative Greiman, to close."

Greiman: "Well, very briefly, Madam Chairman (sic - Speaker). The last speaker suggested that this was a revolutionary idea. It's hard for me to imagine that a concept adopted by 36 states of the union, as well as the private sector, is a revolutionary idea. Their public has apparently stood for 50 years with private collective bargaining in the private sector. Those 36 states have not gone out of business and neither will this state. But instead, it will give us a respect for public employees, for people who have dedicated their lives to public service. I began, a few hours ago, it seems like, mentioning a Republican named Representative Sonneman who filed the first Bill dealing with public employee rights in May 8, 1917, 66 years ago. As Knute Rockne said, 'Win this for the Gipper'. Let's do this one for Mr. Sonneman of Carlinville, for 66 years of this battle for collective bargaining and public employee rights."

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Speaker Breslin: "For what reason do you rise, Representative Piel?"

Piel: "Thank you, Madam Speaker. I know this is, you know, this is not the easiest vote for some people. It's a... "

Speaker Breslin: "For what reason do you rise, Representative Piel?"

Piel: "Madam Speaker, I was standing right here without my light on. I wasn't going to talk, but I was looking at Representative Tate. You said that nobody else had their light on. I'm sitting here looking at his light flashing, and you still haven't answered. You know, he wanted to speak on the issue, Madam Speaker, you know, and you said that nobody else had their light on.... We're still... "

Speaker Breslin: "You are not recognized for that purpose, Representative Piel. Ladies and Gentlemen, there has been a parliamentary inquiry raised by Representative Vinson on two occasions. The first one deals with germaneness regarding the addition and subtraction of certain members of bargaining units. The Chair rules that the Amendment of the Governor in that respect is germane. In addition to that, there has been an inquiry as to whether or not the constitutional home rule powers require a vote, an Extraordinary Majority vote of three-fifths because of the Section cited, Section 22. The Chair rules that that Section deals only with the Bi-State Development Agency. That is not a home rule unit, and thus, the home rule provisions of the Constitution do not apply. Representative Vinson, for what reason do you rise?"

Vinson: "Madam Speaker, I would ask you why Representative Tate has not been recognized to speak in debate."

Speaker Breslin: "Representative Tate was not recognized, because he did not seek recognition properly by having his light on. This Bill has been debated a long time. The Gentleman

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has never, at any time, had his light on. The Gentleman has closed on his Bill. The Gentleman from Macon will be recognized to explain his vote, once we go to that question. The question is, 'Shall the House accept the Governor's specific...' Representative Vinson, for what reason do you rise?"

Vinson: "Madam Speaker, twice in the discussion of this Bill, Members of the House attempted to cut off debate by moving the previous question. Twice, that Motion was defeated on Roll Call votes. Now, Representative Tate, as everybody around him saw, had his light on far before you went to Mr. Greiman to close. He has the right to speak on this Bill his full 10 minutes. You are abridging his right to do that, and you ought not do that. That's wrong, and you shouldn't do it."

Speaker Breslin: "Representative Vinson, I have watched the lights very carefully. The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 536 by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Gentleman from Macon, Representative Tate, to explain his vote. One minute."

Tate: "Mr. (sic - Madam) Speaker and Ladies and Gentlemen of the House, I hope you allow me more than one minute, at least. I mean, granted. Speaker, may I have some order in this chamber?"

Speaker Breslin: "Representative Tate, you are allowed one minute, by the rules, to explain your vote. Your minute has already begun."

Tate: "Madam Speaker, I assume I was allowed 10 minutes in debate. Is that not correct?"

Speaker Breslin: "That is correct."

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Tate: "Well, Madam Speaker, to the Bill. There's no question...

"

Speaker Breslin: "Give the Gentleman some order. Please explain your vote, Representative Tate."

Tate: "Madam Speaker, Ladies and Gentlemen of the chamber, you know, this issue is one that has definitely stirred a great deal of controversy throughout the entire state, and a few issues that I think that will enlighten many of us are, if all of you will just bear with me just for my 60 seconds, if you will. There's no question that laws such as collective bargaining have an impact upon unions and have an impact upon the entire State of Illinois. A few aspects about the Bill that I'm certain that my colleagues on the other side of the aisle may feel very good about. It... There's no question that this will increase union membership in the entire State of Illinois. If you look at membership statistics in 1976, the AFSCME union in the State of Illinois had only 50,000 members. Since that point, that level has been stagnant. There have... We have not seen any growth in that union. And may I ask you why we haven't seen any growth in that? Maybe people were concerned about not paying union dues. Union dues also translate into political donations, many times. We've seen the peak level in public employees, and we talk about limiting the size of government. We always like to go back to our districts and talk about getting rid of the bureaucrats and making government more responsive to people; but, if you think this is a way to do that, if you think a collective bargaining agreement that virtually assures everyone their jobs forever and ever and ever, which virtually assures government to grow and grow and grow, then I would encourage you to throw up the 72 votes that are on this Bill, but I would also encourage you to go

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back home to your districts and be honest with the people in your district and tell them that this is going to cause government to grow. Thank you."

Speaker Breslin: "The Clerk will take the record. On this Motion, there are 72 voting 'aye', 42 voting 'no', and 1 voting 'present'. Representative Vinson, for what reason do you rise?"

Vinson: "Let's verify it."

Speaker Breslin: "The Gentleman has asked for a verification of the Roll Call. Representative Greiman asks for a Poll of the Absentees. Representative Jaffe asks leave to be verified, Representative Vinson. That is acceptable, Representative Jaffe. Representative Preston asks leave to be verified. Representative Berrios asks leave to be verified. Representative Marzuki asks leave to be verified. Representative Turner asks leave to be verified. Representative Van Dwyne asks leave to be verified. Representative Bonan... Representative Vinson, for what reason do you rise?"

Vinson: "I object to all of the... all the leaves to be verified."

Speaker Breslin: "What about Representative Jaffe, who has already left the... Oh, he is still in the chamber."

Vinson: "Yes, I recognize Representative Jaffe. He's still here, and that's all."

Speaker Breslin: "And Representative Preston, who has already left the chamber Do you agree to that, Representative Vinson?"

Vinson: "Yes, I'll agree to Preston and Jaffe. That's it. They have a special purpose."

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

McPike: "Well, if Representative Vinson would... Representative

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Vinson would withdraw his request for a verification, I think we'd allow Representative Tate to speak for another minute."

Speaker Breslin: "Would you consider that, Representative Vinson? Poll the absentees, Mr. Clerk."

Clerk O'Brien: "Poll of the Absentees. Ewing. Harris and McAuliffe."

Speaker Breslin: "Poll the affirmative vote, Mr. Clerk."

Clerk O'Brien: "Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brummer. Brunsvold. Bullock. Capparelli. Christensen. Cullerton. Curran. Currie. DeJaegher. DiPrima. Domico. John Dunn. Ralph Dunn. Farley. Flinn. Giglio. Giorgi. Greiman. Hannig. Hicks. Homer. Huff. Jaffe. Keane. Kirkland. Krska. Kulas. Laurino. LeFlore. Leverenz. Levin. Markette. Marzuki. Matijevich. Mautino. McGann. McPike. Mulcabe. Nash. Oblinger. O'Connell. Panayotovich. Pangle. Pierce. Preston. Rea. Rhem. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Slape. Steczo. Stuffle. Taylor. Terzich. Turner. Van Duyne. Vitek. White. Wolf. Young. Yourell. Mr. Speaker."

Speaker Breslin: "Do you have any questions of the Affirmative Roll Call, Representative Vinson? Representative McAuliffe, for what reason do you rise? The Gentleman asks to be voted 'aye'. There are 73 voting 'aye' and 42 voting 'no' and 1 voting 'present', Representative Vinson. Do you have any questions of the Affirmative Roll Call?"

Vinson: "Mr. Hicks?"

Speaker Breslin: "Representative Hicks. The Gentleman is at the side door."

Vinson: "Mr. Huff?"

Speaker Breslin: "Representative Huff. Is the Gentleman in the chamber? He is in his seat."

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Vinson: "Mr. Mulcahey?"

Speaker Breslin: "Representative Mulcahey is in the center."

Vinson: "Mr. Shaw?"

Speaker Breslin: "Representative Shaw? Representative Shaw is in
the center aisle."

Vinson: "Representative Alexander?"

Speaker Breslin: "Representative Alexander is in her seat."

Vinson: "Representative Bowman?"

Speaker Breslin: "Representative who?"

Vinson: "Bowman."

Speaker Breslin: "Representative Bowman is in his seat."

Vinson: "Representative Capparelli?"

Speaker Breslin: "Representative Capparelli is in his seat."

Vinson: "Representative Farley?"

Speaker Breslin: "Representative Farley is in his...
Representative Farley. Is the Gentleman in the chamber?
The Gentleman is not in the chamber. Remove him."

Vinson: "Representative White?"

Speaker Breslin: "Representative White. Representative White is
in the back."

Vinson: "Representative Berrios?"

Speaker Breslin: "Representative Berrios is by his seat."

Vinson: "Representative Bullock?"

Speaker Breslin: "Representative Bullock is in his chair."

Vinson: "Representative Hannig?"

Speaker Breslin: "Representative Hannig is in his chair."

Vinson: "Representative DeJaegher?"

Speaker Breslin: "Representative DeJaegher is in his seat."

Vinson: "Representative Pangle?"

Speaker Breslin: "Representative Pangle is in his seat."

Vinson: "Representative Breslin?"

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

Vinson: "Representative Brunsvold?"

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Speaker Breslin: "Representative Brunsvold is at the side."

Vinson: "Representative Mautino?"

Speaker Breslin: "Representative Mautino is in his chair."

Vinson: "Representative Hanahan."

Speaker Breslin: "Representative Hanahan is not a Member of this House."

Vinson: "Representative Leverenz."

Speaker Breslin: "Representative Leverenz is by his seat."

Vinson: "Representative Terzich."

Speaker Breslin: "Representative Terzich is in his seat."

Vinson: "Mr. Slape?"

Speaker Breslin: "Representative Slape is in the center aisle."

Vinson: "No further questions."

Speaker Breslin: "Mr. Clerk, would you give me the count? Return Representative Farley to the Roll Call. On this Motion, there are 73 voting 'aye', 42 voting 'no', 1 voting 'present'. This Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding Senate Bill 536 by the adoption of the Amendment. Ladies and Gentlemen, we still have a number of items of business to attend to. Representative McPike, for what reason do you rise?"

McPike: "Most of the Members on this side of the aisle want to thank Representative Vinson. They really didn't want to listen to Representative Tate."

Speaker Breslin: "On the Special Order of Business, Subject Matter Workers' Rights, appears Senate Bill 1070, Representative Matijevich."

Matijevich: "Yes, Madam Speaker and Ladies and Gentlemen of the House, Senate Bill 1070 is a Bill which increased the limitation period for claims for asbestos poisoning from three to 25 years. It provided for an expedited hearing

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process that we heard something about in the other Bill here just lately. It expands the membership of the Industrial Commission from five to six members, permits Commissioners in the expanded Commission to hear cases on oral arguments in panels of three members, creates the position of Chief Arbitrator and increases the rate of interest on awards from six percent per annum to one percent above the prime rate. The Governor's revised the portion of the Bill establishing an emergency hearing procedure for employees denied temporary total medical or vocational rehabilitation benefits. For those hearings, he establishes two alt... alternative hearing procedures, and the Industrial Commission has discretion to adopt one of the two hearing procedures by a majority vote. Actually, one of those procedures is what we had in the original Bill. In the other alternative procedure, the Governor set out specific guidelines and specific deadlines that must be followed. Under the second hearing procedure, a claimant could be guaranteed that a final decision would be issued by the Commission in a 19(b) case within 215 days after the initial filing of a petition. This compares to a maximum of 120 days under the first hearing procedure. The amendatory veto also amends the provision relating to interest on awards. New language provides that interest shall not accrue on an award if an appeal is made by a petitioner, and the appeal results in no change in the award. In the version of Senate Bill 1070 sent the Governor, interest accrues on all awards from the date of issuance by an arbitrator by the Commission. I am not altogether happy with that part of the Bill where the Governor has made those changes. However, the Bill is so important, both as an expediting hearing... expedited hearing process and for those who suffer from asbestosis,

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that I feel that the best course is to accept the Governor's amendatory veto, and then, in the next Session, we can make some minor changes that should be done. I, therefore, now move, Madam Speaker, that we accept the Governor's specific recommendations for change to Senate Bill 1070 by the adoption of the Amendment and appreciate the support of the Membership."

Speaker Breslin: "The Gentleman moves to accept the Governor's amendatory veto of Senate Bill 1070. And on that question, the Gentleman from Cook, Speaker Madigan."

Madigan: "Madam Speaker, Ladies and Gentlemen, I rise in support of the Gentleman's Motion to accept the Amendments to Senate Bill 1070. This Bill is concerned with the question of workers' compensation. Early in the Session we attempted to formulate negotiations between representatives of organized labor and representatives of the business community on this question. Those negotiations were not successful. There is a certain amount of opposition to the acceptance of these Amendments today because of the failure of the earlier negotiations to resolve some management questions at the Industrial Commission. I think that it's pretty well recognized by everyone privy to the issue that the management problems at the Industrial Commission continue to plague the efficient operation of that agency. In light of this continuing problem, at the same time that I will vote to accept these Amendments, I wish to announce that shortly after the first of the year, I will convene representatives of organized labor and business to, once again, open those negotiations on the question of resolving these management problems at the Commission, and, hopefully, the negotiations that will occur next year will lead to a settlement in this area. Thank you, Madam Speaker."

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Speaker Breslin: "The Gentleman from Peoria, Representative Tuerk."

Tuerk: "Well, Madam... Madam Speaker and Members of the House, having heard the speaker just enunciate what his plan is relative to after the first of the year, then I would suggest that this Body just bypass this Bill. We then could sit down after the first of the year and negotiate some of the changes that are necessary. Since this Bill doesn't become effective until next summer anyway, then there's no harm in just letting the Bill die a nice death, and then we go on with next year's negotiation. I would like to hear, somewhere along the debate process, a response to that suggestion; but, in the meantime, I would give you a number of reasons why it's not a good idea to approve this Bill, even though it has been amendatorily vetoed. As stated, there are a number of reasons why Senate Bill 1070 should not become law. First of all, you take the expedited hearing procedure set forth in this legislation, and frankly, it's unworkable. It is clear to those familiar with the operation, the Industrial Commission, that this provision will not alleviate the delays and actually add to the confusion and further delay. Members of the Industrial Commission themselves have testified to that fact and expressed these same concerns that I am raising this evening. In brief, what the expedited hearing procedure would require, that the petitioners not currently receiving temporary total benefits or having medical expenses paid be allowed to bypass the arbitrators and file a petition directly with one of the five Commissioners. The provisions indicate that the hearing must then be held within 30 days of that filing, while requiring only 10 days notice to the employer. I think this minimal notice clearly diminishes

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the employer's due process rights. As stated earlier on, I think since this does not take effect until July 1, 1984, rejection of the Bill at this time will not cause harm to those affected by this legislation. Adding another member of the Industrial Commission is not going to solve any of the problems that the people on the other side of the aisle indicate that it will solve. The language in the amendatory veto is quite unclear - to me, at least - relative to the expedited hearing process. There exists with the Governor's language regarding the negation of interest on the one percent above prime, for example, accruing on the appealed cases. It is clear to me that no interest accrues if the Commission makes no change on the appeal award. However, it is not clear in this situation, if it applies to appeals made by either or both the injured worker or the employer, that is; the definition of the petitioner, in this instance, is not clear whether it means the injured worker, the employer, or either party. I would suggest that we reject the Bill, take the Speaker's suggestion that we convene interested parties after the first of the year and attempt to work out some of the problems existing in this current legislation. Add to that the fact that this Bill, in and of itself, is going to raise the premium costs for employers throughout the state. I've tried to be as succinct as possible in enumerating some of the pitfalls of Senate Bill 1070. I suggest that a 'no' vote is the proper vote on this acceptance Motion."

Speaker Breslin: "The Gentleman from Madison, Representative McPike."

McPike: "Will the Sponsor yield?"

Speaker Breslin: "The Gentleman will yield to a question."

McPike: "I understand that one of the Governor's changes would provide that if a petitioner files an appeal, and his or

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her award is affirmed, then no interest will accrue. What does 'petitioner' mean in the Governor's amendatory veto?"

Matijevich: "I have... Madam Speaker, I have a letter from the Governor's Office to George Sangmeister, the Senate Sponsor, which will clarify that issue. The Governor writes, 'Dear Senator Sangmeister, it has come to my attention that a provision included in the amendatory action on your Bill, Senate Bill 1070, is somewhat ambiguous and, therefore, could result in a misinterpretation of the change - in question, the action I took which would restrict, under certain circumstances, the application of interest payable on Workers' Compensation settlements. Prior to the amendatory change, if either party appealed the decision of an arbitrator or the Industrial Commission, interest would automatically become effective and would remain in effect until the conclusion of the appeal process. Under the amendatory change, if a worker files an appeal of the decision of an arbitrator or the Industrial Commission, and the decision is upheld, the interest provision would not apply. I took this action so as to prevent possible abuse by workers simply seeking to increase their final settlement, but because the amendatory message uses the term 'petitioner' as a reference to the injured worker, a definition commonly used by the Industrial Commission, some parties have expressed concern that such usage could not be interpreted to refer to either party when a case is placed on appeal. Therefore, the intent of the term 'petitioner' is meant to apply to workers who appealed the decision of the arbitrator or the Commission and should, in no way be construed to apply to either... to any other party. Sincerely, Governor Thompson.'"

McPike: "John, does the provision affect injured workers' appeals

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whether filed originally by the injured worker or as a cross appeal to a respondent's appeal?"

Matijevich: "As I understand the Governor's amendatory veto, this interest limitation would only apply in cases where the injured worker files an original appeal of an award or a Commission decision. Even with that limitation, I believe, as I said in my introductory remarks that this provision is unnecessary and probably even ridiculous, it presumes that an injured worker would frivolously file an appeal of an award solely to collect interest on the award while the appeal is pending. I think that that is not a... that is probably why I say ridiculous, a ridiculous presumption to make and hope that this change is corrected in the future legislation that Speaker Madigan has alluded to."

McPike: "A final question. This Bill extends the statute of limitation for workers injured by asbestos exposure from three years to 25 years after the last date of exposure. I assume this is applicable to all asbestos related injuries and diseases. Is that correct?"

Matijevich: "Yes. This would apply to all asbestos caused injuries and diseases."

McPike: "Thank you."

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

Birkinbine: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I found... I find the comments by the real Speaker to be very interesting. He said he's going to convene a meeting of business and labor to meet early next year to discuss this problem. We heard similar words early during this past Session. Well frankly, talk is cheap. He can make all the nice sounding phrases he wants and say he's going to convene this meeting or that meeting, but frankly, if his Party, if the Democratic Party, if people

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anywhere, either in this state or around the country, when organize labor yells 'jump', simply ask 'how high?', and comes through with Bills like this, we're not going to get anywhere. The Sponsor of this Bill comes from Waukegan, which used to be quite an industrial town, but it's hardly a bustling one, now. Those of you who have read the papers recently noticed that the Schwinn Bicycle Company, which used to be a considerable manufacturer in the Chicago area, recently decided to close up its manufacturing operations; and, if they're going to have any manufacturing left, they'll probably do it in Tennessee or elsewhere, a state that is more conducive to business and manufacturing operations than here. The strength of organized labor in the past has always come from its manufacturing type organizations. It's hard industry, and that's where the jobs have also been, especially for those people who don't have many other skills but can work their way up the trade ladder. Talk all you want about holding meetings and getting industry and business together and go ahead and push Bills like this through, but rather than come to a meeting of the minds, Bills like this are simply going to punch a hole in an already sinking ship, rather than try and patch the holes that are there now. Chicago is probably going to end up virtually a wasteland, as is a city like Waukegan, as may very well Rockford or Elgin, if we keep hammering away at workmen's compensation problems like this, rather than really solving them. It's a mess, and maybe you can look to AFSCME, because you're more than willing to increase the size of government, but aside from AFSCME, the unions are going down the tubes here, and you're jumping to a continuously diminishing drummer. I think you're making a big mistake, but go ahead, and you're going to have to live with the results."

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

Flinn: "I move the previous question."

Speaker Breslin: "The Gentleman has moved the previous question. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the previous question is moved. Representative Matijevich to close."

Matijevich: "Madam Speaker and Ladies and Gentlemen of the House, I remember when we brought this Bill up in the Regular Session of the Legislature, that many business groups at that time said that there was no problem with the delay in hearings that was causing a hardship to injured workers. Now that we have legislation that's going to be passed, they... they do recognize - and I have the same letter as all of you do from the State Chamber of Commerce, for example - that now they recognize that there has been a problem, and they do want to work toward a workable solution. If it weren't for the fact that we passed this Bill, I don't think we'd have been getting that far in these negotiations. I have stood on the floor of the House and said that this Bill needs some work, and we are going to do some work after we get the votes to approve the Governor's amendatory veto. There is still some work to be done to finalize it; however, at this time, I would appreciate, and do now move again, Madam Speaker, that we accept the Governor's specific recommendations with regard to Senate Bill 1070, by the adoption of the Amendment and appreciate your support."

Speaker Breslin: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 1070, by the adoption of the Amendment?'

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All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 75 voting 'aye', 41 voting 'no', and none voting 'present'. This Motion, having received the Constitutional Majority, prevails. And the House accepts the Governor's specific recommendations for change regarding Senate Bill 1070 by the adoption of the Amendment. The last Bill on this Order of Call under Workers' Rights is Senate Bill 1256, Representative Curran."

Curran: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1256 simply states that the health insurance benefit levels not be reduced below state... below current levels for state employees. The Legislature has already appropriated the money needed to maintain this level, so the Bill has no cost. Under the present law, the Department of Central Management Services has complete authority to cut health insurance benefits, and in 1981, the Department made devastating cuts in employee benefits. All we're trying to do now is make sure that we provide a floor below which state health insurance benefits cannot go. Because health insurance is a form of employee compensation, the state refuses to bargain with employees over this issue; thus, the Central Management Service is not accountable to anybody regarding this issue. Unilateral cuts in benefits are no different than pay cuts. I move to override the Governor's veto, and I ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto of Senate Bill 1256. And on that question, the Gentleman from McLean, Representative Ropp."

Ropp: "Thank you, Madam Speaker and Members of the House. I,

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too, support the override of the Governor's veto on Senate Bill 1256. I think it deals with a question that, in my particular area, which is a college community, we have professors who, for a number of years, have not been able to keep up with the cost of living in terms of their salaries that we have passed out of this Body. Should this Bill not be supported, you are, in fact, causing an increased cost to them, should their insurance rates go up because of the state not maintaining the current level. I think it's important to take a real hard look at this issue; because, in terms of saving money for the state and even for the citizens of the State of Illinois, I think the real culprit in this is the fact that hospital costs throughout this state have increased. You cannot continue to expect even local citizens, as well as state employees, to spend 100 or 200 dollars per day just to lie in a bed and attempt to get well. I think there's a real concern, here, and I stand in support of this override, because I think people need the care for their health benefits that this Bill would provide. It may be considered a fringe benefit. If this Bill does not pass, certainly it is anything but a... saying to people a job well done. You're telling them that we don't think you're doing a good job, and we're going to cut your salary, but keep on doing a good job for us. I think there has to be a two way street, here. We've got to provide some fringe benefits as we are doing here, and I urge an override on the Governor's veto."

Speaker Breslin: "The Lady from Sangamon, Representative Oblinger."

Oblinger: "Madam Speaker and Members of the House, I, too, stand in support of the override Motion. Having a number of state employees not only in the state departments, but in the university, mental health center, SIU Medical School, I

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know I've talked to a number of them. They were willing to accept a very low increase in their salaries this year because of their health benefits, because of their pension benefits and because of their vacation and sick leave. If we take one of those rights away, one of those promises away, you are saying to them, 'Well, you gave up your increase in your salary for this good program we have, but now we're going to take it away from you, and you'll just have to suffer'. I don't think we should go back on our promises in that fashion."

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

Pullen: "I'd like to ask a question, please."

Speaker Breslin: "The Gentleman will yield for a question."

Pullen: "Shouldn't this be a matter for collective bargaining instead of being put into law by the Legislature, here, the elected officials of Illinois?"

Speaker Breslin: "Representative Curran."

Curran: "All we're doing here is making sure that the benefit levels do not drop below an already disastrous level. The state employees have terrible benefits at this point. We're just making sure they don't go any worse. It's very simple."

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

Flinn: "Madam Speaker, due to the lateness of the hour, I move the previous question."

Speaker Breslin: "The Gentleman has moved the previous question. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the previous question is moved. Representative Curran is recognized to close."

Curran: "Remember that these benefits are already very inadequate. We've underfunded the various state pension

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systems for years. We've promised state employees raises for years. All we're trying to do here is make sure that one important benefit, their health insurance benefit, doesn't get any worse. I move for a positive Roll Call. Thank you."

Speaker Breslin: "The question is, 'Shall Senate Bill 1256 pass, the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. This Bill requires 71 votes for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion, there are 87 voting 'aye', 25 voting 'no', and 2 voting 'present', and the Motion to override prevails. Ladies and Gentlemen, we are now going, on your Calendar, to page two, Senate Bills Third Reading. The first Bill on that call is Senate Bill 44, Representative Wolf."

Clerk O'Brien: "Senate Bill 44, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Wolf."

Wolf: "Thank you, Madam Speaker and Members of the House. Senate Bill 44, as amended by Amendments #1 and 2, is the direct result of a coordinated effort between the Governor's Office, the Illinois Department of Transportation, the State Police legislative staffs, both the interstate and intrastate motor carrier industry, and the Motor Vehicle Laws Commission. It was necessary because of some inadvertent negative impact from House Bill 1305, which we passed in June of this year. As you know, that Bill increased the gas tax registration fees and certain overweight penalties. Unintentionally, we placed some unreasonable demands on certain segments of our motor carrier industry, and all parties concerned, as indicated

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above, agreed that the magnitude of these demands dictated some emergency remedial legislation. Therefore, the substantive recommendations in Senate Bill #44 as amended, are; number one, because of the ambiguous wording, our auto carriers were prohibited from using highways which have been available to them since the year 1977. That was never the intent of House Bill 1305. So it's being corrected in this amended Bill. The original provisions of Senate Bill #44 are still in the Bill and in the form as passed by the Senate by a vote of some 46 to 5. That Bill also passed out of the House Transportation Committee by a vote of 14 to nothing, and it was placed on Short Debate, but unfortunately was never called for final passage. That part of the Bill is a permissive Bill which permits local authorities to adopt special weight classifications for garbage and refuse haulers if they want to, on strictly a permissive basis. There was also a grandfather clause in 1305 which addressed the short wheel-based aggregate haulers. Inadvertently, July the 1st, 1983 was used instead of July the 1st, 1984. However, in this Bill, it was recommended that we use the date of January the 1st, 1985 just in case this proposal would fail to receive a three-fifths vote in both Houses. Also, vehicle manufacturers are now attempting to take advantage of the federal bridge formula and are designing single vehicles with multiple axles in order to obtain additional weight. Because of the present condition of bridges throughout the State of Illinois, this could be extremely dangerous. The Illinois Department of Transportation indicates that they would have to probably sign over 50 percent of the bridges throughout the state to keep these particular types of units from using them. This Amendment, as contained in House Bill... or Senate Bill, rather, 44, would limit a

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single vehicle to no more than four axles. Prior to House Bill 1305, the short-based aggregate haulers were limited to 42 feet. Under 1305, due to an error in computing the federal bridge formula, this was reduced to 38 feet and resulted in most of these units losing as much as 3500 pounds per load, even though, under the provisions of that Bill, they're required to pay all of the increased costs for fuel and registration. There are a number of other editorial and technical provisions in the Bill which carry no substantive effect. As I've indicated before, this is an agreed Bill on both sides of the aisle, by the Governor's Office, the Illinois Department of Transportation, the motor carriers and the Motor Vehicle Laws Commission. And I would ask your support, and I would also ask Representative Leverenz to detail the provisions of Amendment #2."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 44, and on that question, the Gentleman from Henderson, Representative Neff."

Neff: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I speak in support of this legislation. Representative Wolf has pretty well explained it in details, and it is agreed, all departments... there was an error made in the original Bill, and the Governor caught it afterwards. He's very much in agreement with this, Secretary of State, the trucking association and the state police, the traffic station department. So, it is one of those Bills that we can vote on and feel that we're voting for what they all want at this time. Thank you."

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

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

Speaker Breslin: "The Gentleman will yield for a question."

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Mautino: "Representative Wolf, for legislative intent, is it the intention of the legislation to allow 18,000 pounds on the rear axle, for example, with those grain trucks where the load shifts and now can only buy plates that would allow them 16,000 pound weight on the rear axle?"

Wolf: "That is correct."

Mautino: "You're increasing it 2,000?"

Wolf: "That's... That's correct."

Mautino: "That would be for any vehicle in the 'K' or 'L' classification, I'm assuming. Would that, as well... Would that, as well address vehicles that buy the 'K' and 'L' license plates?"

Wolf: "That is correct."

Mautino: "Alright, then. It does not only address the roll-off garbage trucks. It addresses all those other classifications as well. I'm supportive of your legislation in your Amendment, but we've had a lot of problems in the rural areas where individuals could only buy a 'K' plate and found themselves to be 2 or 3,000 pounds over on the rear axle. This would solve the problem, even though they're buying the highest plate that is available."

Wolf: "I'm getting your answer for you, Representative. Just one second."

Mautino: "Okay."

Speaker Breslin: "The Gentleman from Lee, Representative Olson."

Olson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I, too, rise in support of this corrective legislation. Within the last 10 days, I've had extensive correspondence with a major trucking constituent in my district, and this should alleviate his concerns and make 1305 the good piece of legislation which we thought it was in June."

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

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

Speaker Breslin: "The Gentleman has moved the previous question. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the question... previous question is put. The Gentleman from Madison... or St. Clair, Representative Wolf to close... Madison."

Wolf: "Madison. Thank you, Madam Speaker and Members of the House. As I indicated before, this is an agreed Bill on both sides of the aisle, and it's a piece of legislation that was put together by the Illinois Department of Transportation, the Governor's Office, the legislative staffs of both sides, and it's meant to address the problems created by House Bill 1305 that we passed back in June. It was my understanding that there was a Bill that was supposed to have been introduced back at the same time to address those problems, but due to the rush of adjourning, that never happened. I would ask your support to correct this serious problem at this time."

Speaker Breslin: "The question is, 'Shall Senate Bill 44 pass?' All those in favor vote 'aye', all those opposed vote 'nay'. The Gentleman from Cook, Representative Leverenz, to explain his vote."

Leverenz: "I don't think that's necessary. Thank you."

Speaker Breslin: "This Bill requires 71 votes for passage. Have all voted who wish? The Clerk will take the record. On this Bill, there are 101 voting 'aye', 1 voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Senate Bill 143, Representative Hannig."

Hannig: "Yes. Thank you, Madam Speaker and Members of the House."

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I would ask leave of the Body to bring this Bill back to Second Reading for purposes of an Amendment."

Speaker Breslin: "Does the Gentleman have leave? Hearing no objection, the Gentleman has leave."

Clerk O'Brien: "Amendment #1, Hannig, amends Senate Bill 143 by deleting the title and inserting in lieu thereof the following and so forth."

Hannig: "Yes. Thank you, Madam Speaker, Members of the House. Senate Bill 143 is now being offered to correct a technical error that arose when House Bill 1247 was inadvertently lost. That Motion was passed by the House to accept the Governor's amendatory veto but was incorrectly drafted. This Bill is now being offered, and this Amendment to this Bill is now being offered to try to correct that problem. Basically, this is what the Amendment does. It strikes everything after the enacting clause and does several things. Number one, it imposes a hazardous waste disposal fee increase which was similar to the one that was adopted in 1257. It increases from one cent to three cents per gallon and from 202 to 606 per cubic yard for off-site disposal fees. It goes from three cents per gallon or 6.06 per yard for disposal fees for on-site. It imposes a treatment fee of one cent per gallon or \$2.02 per cubic yard. It imposes from two to 9,000 dollars per year, depending on the site for deep well injection sites. Under the area of hazardous waste cleanup sites, it provides in monies from the Hazardous Waste Fund may be used to take removal or remedial action wherever there is a release or threatened release. Requires the Pollution Control Board to adopt... to adopt hazardous waste substance plan which shall establish procedures and standards substantially identical to federal regulations. Authorizes the Director of the Illinois EPA to provide notice to companies that are

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potentially liable for cleanup. Under cleanup liability, it establishes the liability for costs, provides that any person who is liable for release of hazardous substance who fails without sufficient cause to take remedial action, may be liable for treble damages. Provides for permanent inspection fees to be determined by the Pollution Control Board, and it also establishes the Hazardous Waste Advisory Council. All these provisions were basically in House Bill 1257, and I would now move for the adoption of this Amendment."

Speaker Breslin: "Representative Hannig, do you have anything further? The Gentleman asks that the Bill be taken out of the record. The Bill is out of the record. Next Bill, Senate Bill 1309, Representative Satterthwaite."

Satterthwaite: "Mr. (sic - Madam) Speaker and Members of the House, Senate Bill 1309 is introduced on behalf of the Commission on Mental Health and Developmental Disabilities to take care of a problem in whether, in our community living facilities, we have people who are only ambulatory, which is what the current law requires, or whether we change that to include people who are mobile. We want to keep a very restrictive clientele within these community living facilities but realize that the problem of using the term 'ambulatory' means only those clients who are able to move unassisted by crutches or other kinds of devices that help them to walk. The Department of Public Health and the Department of Mental Health have worked with the Commission to come to this solution of a definition for a mobile client, and I believe that there is no opposition to this Bill at this point. I'd be happy to answer questions, if there are any."

Speaker Breslin: "Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 1309, a Bill for an Act to amend

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Sections of the Community Living Facilities Licensing Act.
Third Reading of the Bill."

Speaker Breslin: "The Gentle... The Lady has moved for the passage of Senate Bill 1309. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Senate Bill 1309 pass?' All those in favor vote 'aye', all those opposed vote 'no'. This Bill requires 71 votes for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 114 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, on page three of your Calendar, under Conference Committee Reports appears House Bill 963, Representative Matijevich."

Matijevich: "Yes, Madam Speaker, because of the time, I'm going to try to zip through this if I can, and the bipartisan and, I feel, overwhelming support that we've had as we've gone along with this issue. The Conference Committee Report on House Bill 963 incorporates the recommendations of the Joint Committee on the Consolidation of Alcoholism and Drug Abuse Programs as directed by Public Act 83-131 and HJR 22. The legislation consolidates alcoholism and drug abuse programs into the Department of Alcoholism and Substance Abuse. We provide a solid framework for the new agency while maintaining the current system of service delivery. Both in the Preamble and through the Act, prevention assumes an important prominence. Special needs of minorities, rural and other specific populations are referenced in the public policy statement and as a component of the Department's annual comprehensive plan. We provide for regional... for regions in the Bill combining the advantages of regional breakdowns, yet

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allowing certain functions to be centralized to assure efficiency and consistency in management. Advisory bodies combine much of the memberships... memberships of the present Advisory Council on Alcoholism and the Dangerous Drugs Commission with 32 members. With regards to funding, we have written in a hold harmless requirement that, depending on the level of appropriations approved by the General Assembly, we continue the level of effort of funding of alcohol and drug abuse programs consistent with FY '84 expenditures. With regards to licensing, we feel we've taken the most prudent course to leave the licensing functions as presently conducted until a thorough review can be completed and a more concerted effort directed at the questions of which licensing standards and procedures offer the greatest client protections and quality... service quality. In confidentiality, we extend the current statutory provisions to both alcoholism and drug abuse programs, incorporating the safeguards generated under... guaranteed under federal law. We extend to the present Commission on Mental Health and Developmental Disabilities its review and oversight functions. We provide for interagency coordination, language added allowing the Department of Mental Health and Developmental Disabilities and Corrections to screen their clients for alcohol and drug problems. I feel, Madam Speaker and Ladies and Gentlemen of the House, after six hearings of our special Committee, that we finally should come to the day where we consolidate both alcoholism and drug abuse. I stand here as a person who introduced the first Bill to establish the Division of Alcoholism and now stand before you and feel that these two agencies must be consolidated so that we provide a better service to the clients. And I ask for your favorable support and move for the adoption of the

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Conference Committee Report on House Bill 963."

Speaker Breslin: "The Gentleman has moved to adopt Conference Committee Report #1 to House Bill 963. And on that question, the Gentleman from DuPage, Representative Daniels."

Daniels: "Mr... or, Madam Speaker, Ladies and Gentlemen of the House, at a recent White House meeting, Bud 'Moulin', who is the head of the U.S. Drug Enforcement Administration, and President Reagan agreed that law enforcement efforts alone cannot solve the drug problem in this country. The solution is to be found in prevention, education, treatment and rehabilitation. This Conference Committee Report and the Conference Committee, as a result of long and hard efforts on the part of the Members of the Committee, to present us with a legislative measure comprehensive enough to deal with alcohol and drug problems on a statewide basis, and in a thorough and cost-effective way. To reject this report, which I do not feel that you will, would be to reject a tremendous amount of work, wisdom and compromise. The Department of Alcoholism and Substance Abuse will serve all of us well, and we must let it begin to work for us and for those we represent. We will demand performance and accountability, but first we must take the decisive action that will make the Department a reality. Under this comprehensive agency, treatment and prevention of alcoholism and drug abuse will receive more attention and a higher level of visibility than they have before, and coordinated efforts can begin and begin immediately. Give Illinois the chance to work for that solution with this new agency. I urge your favorable vote in adoption of this report on House Bill 963. Thank you."

Speaker Breslin: "The Lady from Champaign, Representative Satterthwaite."

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Satterthwaite: "Madam Speaker and Members of the House, I reluctantly rise in opposition to the Bill. I realize that there has been a great amount of effort put into this Conference Committee Report in an attempt to provide a better delivery system; however, I disagree with the conclusion that it is better provided by setting up a separate state department to take care of these functions. I have no problem and, in fact, encourage the consolidation of the Alcoholism and Drug Abuse Programs; however, I think that the consolidation could have been done more efficiently and at less cost by simply bringing those functions together under the Division of Alcoholism within the Department. And so, I am reluctantly casting a 'no' vote, because I feel that this is not going to provide the best delivery system. It will, in fact, not address the mental health problems that many of the victims of alcoholism and drug abuse have unless they are then under two separate departments and two separate funding mechanisms within the State of Illinois. I do not believe that that is the best way to go, and I will vote 'no'."

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

Hoffman: "Thank you, Madam Speaker. Thank you, Madam Speaker. As a Member of the Joint Committee on the Consolidation of Alcoholism and Drug Abuse Programs, it was a pleasure for me to have an opportunity to, for the first time, have an opportunity to work with and see the tremendous cooperation received by professionals in the field of treatment and prevention. We have on the floor with us right now Counselor Reilly, who has, as you know, has either moved up or down, depending on how you want to look at it, into the Governor's Office. And Representative Reilly, along with Representative Matijevich, were very instrumental in moving

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this program forward. So I'm pleased that Representative Reilly is with us tonight to see what I believe to be the successful fruition of the program which he was early on involved in. I think the Bill has been adequately explained. I rise as a Member of that Commission who had an opportunity to watch it work and to suggest that although every...may not be completely tied as solidly as some people might like, there are very few loose ends, and these, of course, can be worked out as they always are through the process. And so, I rise and ask for your favorable vote on House Bill 963."

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

Yourell: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'm going to be very brief. I... I do complement the Members of the Committee and the Sponsor and all those involved in the creation of this wonderful, wonderful program. But I have to tell you, and I can tell you with some degree of authority, that our present national administration has been a total failure in combating the drug... entry of drugs into this country. In 1980, there were 1,943 DEA agents in 40 countries spread around the world. Today, there are less than one-third of that number of agents that have anything to do with combating the entry of drugs into this country. The record clearly shows, and you don't have to take my word for it. A report came out of the Select Committee on Narcotics just 10 days ago that there are more drugs into this country this year than there were in 1980, 1981 and 1982 combined. Until you stop the flow of drugs into the country, you're not going to do anything about drug abuse. You've got to stop the source. You've got to get at the source. You've got to prevent the drugs from coming into the country if you are going to do

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anything about drug abuse. This reminds me of the remedial programs that we take great faith in that are being taught in our colleges and junior colleges in the country today, because we failed to teach in the elementary and secondary level of education reading. Now, we have to take the college students and spend taxpayers money and teach them how to read. This is a total failure, the National Administration on Drug Abuse and the lack of enforcement, and I can tell you, all you have to do is go to Florida - I just got back from the Bahamas - and the problem there is worse now than it ever was. The fact of the matter is Prime Minister 'Pinling', who is the Prime Minister of the Bahamas, has now been labeled by the Federal Government, finally, as being the one who participates in reaping huge profits from the drug trade. I told them that in 1980. I told the National Administration that. I told the DEA. I told the Select Committee on Narcotics. I told the State Department that he was involved, and they laughed at me. You can do all you want with drug abuse, but you are not going to do a damn thing about curtailing the entry of drugs into this country till it's done on a national scale with dollars, manpower and equipment."

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

Didrickson: "Thank you, Madam Speaker, Members of the House. I, too, rise in support of this enabling legislation. From personal experience in the southern suburbs back in 1978, I worked on one of the original drug awareness programs, substance abuse awareness programs in the State of Illinois. I know what it was like personally to set that up and have to go to separate agencies, whether it was in the suburban area or in the City of Chicago, and I will not complete my total speech that I really wanted to make tonight, but I will give you a few points. The incidence

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of substance abuse in America in higher than in any other developed country in the world. Thirty-four percent of high school seniors regularly abuse drugs. Forty-one percent regularly abuse alcohol, and most of these youths begin chemical use between the ages of 11 and 14. Tonight, on national TV, media is responding to this crisis by presenting the first of a two part broadcast called the 'Chemical People'. I urge you all to watch this because... which is designed to mobilize public action against substance abuse and spur the formation of community task forces to deal with drug and alcohol problems at the local level. That's why I rise before you tonight, because I was there in '78 at the local level. I ask each Member in this House to very carefully consider this piece of enabling legislation and all the work that has gone in over the last year and a half to two years on this. Thank you."

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

Piel: "Move the previous question, Madam Speaker."

Speaker Breslin: "Okay, the Gentleman has moved the previous question. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the question... previous question is put. Representative Matijevich to close."

Matijevich: "Madam Speaker, I'm so happy that Representative Hoffman gave due credit to Jim Reilly on this particular Bill, because he did work so hard. And I also am so happy to see Jim in the Governor's Office, because we all have a very close friend there. Also, I want to give credit to Mike Getty, Judge Getty, who helped on the House Bill 670, the Bill that led us to this implementing language. With that, Madam Speaker, I feel that all of us here are concerned about this issue, this problem that is not only here in Illinois, but in the whole country, and we have

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here the consolidation of the programs that will give us a better service delivery system. I urge that you support me as I now renew my Motion to accept... to adopt the Conference Committee Report on House Bill 963."

Speaker Breslin: "The question is, 'Shall the House adopt Conference Committee Report #1 to House Bill 963?' All those in favor vote 'aye', all those opposed vote 'no'. Representative Mautino to explain his vote. One minute."

Mautino: "Thank you, Madam Speaker. I did have some questions on a 200... or 147 page Conference Committee that hits our desk today. My concern was whether or not community action agencies and those program directors now that are operating our program had input into this Conference Committee, because there are a couple of things that concerns me. I understand the diligent work that's been placed on this Bill; but, at the same time, we're giving the Department... the new Department total control as pertained on 137 and 138 of the Conference Committee of the functions and developments, administer, exercise and enforce all the duties and powers of the Cannabis Act, the Controlled Substance Act, the Community Mental Health Act and the Community Services Act. My concern is whether or not those of us in the rural areas will have access to those same services. It seems to me that we are setting forth, within this agency, all of the community action programs under a new director. The concerns are for those agencies in my area that are providing those services now, as it pertains to the financial continuation, the DUI program, and, of course, how much authority we are actually putting into the agency as it pertains to the programs now administered by the community action people. I recommend most highly that you look at it, because there are provisions that disallow any municipality from enacting any ordinance or statute

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concerning alcoholism in this state embodied in this Conference Committee Report."

Speaker Breslin: "This report requires 71 votes for adoption. Representative..."

Mautino: "So, therefore, with that thought in mind, I cannot support the new Department consolidation."

Speaker Breslin: "Representative Dunn, do you still want to explain your vote? Yes, Representative Dunn wants to explain his vote. One minute."

Dunn: "I think someone should just say a few words on behalf of the community-based alcohol programs which feel very sincerely that they had no input into this process to set up a separate department, and so they are terrified about the prospects for their survival in... as a result of this implementation of legislation. They have heard all the guarantees. I hope their fears are groundless, but they sure are concerned, and we should... those of us who are... particularly those of us who are downstate should be aware that our community based alcoholism programs back home almost - and probably unanimously - don't want this legislation."

Speaker Breslin: "The Clerk will take the record. On this Report there are 89 voting 'aye', 25 voting 'no', and none voting 'present', and the Report is adopted. We're going back now to Senate Bill 143 that was taken out of the record after we had had a complete explanation. Representative Hannig, would you present your... your Amendment for a vote at this time?"

Hannig: "Yes, thank you, Madam Speaker, Members of the House. I think that I have adequately presented the details of the Amendment already. Let me just close by saying that it's agreed to by business. It's agreed to by the environmentalists. It's agreed to by the Democratic and

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Republican Leadership, and I would move for the adoption of this Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption Amendment #1 to Senate Bill 143, and on that question, the Lady from Marshall, Representative Koehler."

Koehler: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. I join with Representative Hannig in supporting his Motion. Representative... the Representative did explain it very carefully a few moments ago, and even though there were some changes made in the legislation, I would support his Motion at this time. Thank you."

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

Klemm: "Thank you, Madam Speaker. Will the Sponsor yield for a question, please?"

Speaker Breslin: "The Gentleman will yield for a question."

Klemm: "Just a couple of questions. I saw in here a couple of limitations as far as what the fees would be at a particular site, like \$10,000 per year is a maximum, regardless of the amount taken in. I mean why would there be a limitation of how much you would take in if this is supposed to be a Fund created to clean up or to protect an area, particularly if they are taking in so much volume, whether it be gallons or cubic yards?"

Hannig: "It's my understanding that that only applies to sites where the hazardous waste is produced and stored. Let me point out that all that is in this Bill has been worked out in negotiations between the industry and the environmental groups, and sometimes there's give and sometimes there's take, but I think a good compromise has been struck."

Klemm: "So, in other words, if the hazardous waste has been generated at that site and disposed of at that site, it

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takes less to clean up that site?"

Hannig: "It's my understanding that that is correct, but there are only about eight or nine sites like that in the state."

Klemm: "I would think hazardous waste would be hazardous waste whether it's on your site or on my site, and that the danger would be there regardless of who owns it. But maybe who owns it is the reason why they're not paying their fair share. I wouldn't know that, but certainly it becomes suspicious, doesn't it? Alright. Thank you. That just answers my question."

Speaker Breslin: "The question is, 'Shall the House adopt Amendment #1 to Senate Bill 143?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Hannig asks that the Bill be heard on Third Reading immediately. With leave of the House, read the Bill."

Clerk O'Brien: "Senate Bill 143, a Bill for an Act to amend Sections of the Environmental Protection Act. Third Reading of the Bill."

Speaker Breslin: "Representative Hannig."

Hannig: "Yes, thank you, Madam Chairman, Members of the House. The Amendment is now the Bill. As I stated, it's agreed to, and I would ask for a 'yes' vote."

Speaker Breslin: "The question is, 'Shall the House adopt Senate Bill 143?' All those in favor vote 'aye', all those opposed vote 'no'. This Bill requires 71 votes for passage. Have all voted who wish? The Clerk will take the record. On this Bill there are 110 voting 'aye', none voting 'no', and 1 voting 'present'. And this Bill, having received the necessary Constitutional Majority, is hereby declared

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passed. And now, Ladies and Gentlemen, we would like to have a very special Resolution read. Mr. Clerk."

Clerk O'Brien: "House Resolution 567, by Speaker Madigan and all Democrats. Whereas, Doris Laucik, to whom many Illinois Democrat elected officials have owed the smooth functioning and pleasant atmosphere of their offices, is retiring after a quarter century of devoted service and; whereas, stepping down as secretary and office manager of the Democrat Leadership Office in the State of Illinois Building in Chicago, Doris Laucik has served Speaker Michael Madigan and former Speakers William Redmond and John Touhy and; whereas, a manager who knows the value of the personal touch, whose skills range from catering office parties to rearranging office furniture, Mrs. Laucik began her career in 1958 in the Quincy, Illinois district office of former U. S. Representative George Shipley and served... and, since then, she has aided in the operation of the offices of former Governors Kerner and Shapiro and former U. S. Representative Sidney Yates and; whereas, a loyal Democrat, Doris Laucik has always done her best to support the Party, whether it be collecting campaign memorabilia or, with her husband, Ivan, adding two daughters and three grandchildren to the list of registered Democrat voters. Therefore, be it resolved by the House of Representatives of the 83rd General Assembly of the State of Illinois, that we commend Doris Laucik upon the occasion of her retirement as manager of the Democrat Leadership Office, expressing our appreciation for her invaluable contributions to the efficient and orderly performance of the offices of many state officials which, in turn, enhanced the service of those officials to the people of Illinois and that we extend our best wishes for her happiness and success in all future endeavors and for her continued involvement in State

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Government and Party politics. And be it further resolved that a suitable copy of this Resolution be presented to Doris Laucik and her family."

Speaker Breslin: "Speaker Madigan on the Resclution."

Madigan: "Madam Speaker, Ladies and Gentlemen, Doris is seated next to me on the floor. This is a very momentous occasion for her. All I would like to do would be to simply express to her, on behalf of all House Democrats and I am sure all House Republicans, our appreciation for all of these many years of service. Doris, your work, your enthusiasm, your dedication is truly appreciated by all of us, and we simply want to say thank you very much."

Doris Laucik: "I'm really overwhelmed. For once, I really don't know what to say, except I'm just overwhelmed, and I want to thank you. And I promise you I'll be a Democrat for as long as I live."

Speaker Breslin: "All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Resolution is adopted. And now, Representative McPike for the Adjournment Resolution."

McPike: "Thank you, Madam Speaker. I move the House stand adjourned until tomorrow at the hour of 9:00 a. m."

Speaker Breslin: "This House is adjourned until the hour of 9:00 a. m."

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