

STATE OF ILLINOIS
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HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

147th Legislative Day

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Speaker McPike: "House will come to order. The House will come to order. Members will be in their seats. We will be led in prayer today by a member of our House Democratic staff, Gary McCants. Gary is the Associate Pastor of St. John African Methodist Episcopal Church in Springfield. Will the guests in the balcony please rise and join us in the invocation?"

Reverend McCants: "Romans, Chapter XIII, verses 8 and 10 tell us, 'We should owe no many anything but to love one another, for he that loveth another hath fulfilled the law. Love worketh no ill to his neighbor; therefore, love is the fulfilling of the law.' May we bow our heads? Heavenly Father, we ask that You would bless this House this day. We pray that the business that is conducted here today be such that it might bring joy to someone's life, that it bring no pain. We ask that You bless each family that's represented in this General Assembly. Bless all those who work for this House and all of those who are touched by the things that go on here. These and other blessings we ask in the Name of Jesus. Amen."

Speaker McPike: "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. 105 Members answering the Roll Call, a quorum is present. Representative John Vitek."

Vitek: "Thank you, Mr. Speaker. I'd like to have the attention of the whole House, please. Please, can I have your attention? Last February you honored my wife and I with 53

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years of happy marriage. I want to thank all those that did find out, but Mary passed away July 23rd of a very ruptured stomach, and there was no chance to save her. But I want to thank all of you folks personally that did find out and sent cards. And the love that she had for all you fellows, and you shared the cake that we had on our 53rd anniversary will live in my memory forever. And I know she's looking down today, and she's happy that her husband is back here fulfilling his job with his friends. And I want to thank you again. God bless you all."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker, let the record show that Representatives Braun, Alexander, Markette, Rice and Huff are excused on official business. And my personal congratulations to the winners and sorry to see the losers not be with us. Thank you, Mr. Speaker."

Speaker McPike: "Representative Piel."

Piel: "Yes, Mr. Spea... Yes, Mr. Speaker, would the record show that at the present time we have no excused absences?"

Speaker McPike: "Thank you. Representative Pangle."

Pangle: "Thank you, Mr. Speaker. About 12:15 we had the Gordon Hubbard Fife and Drum and Bugle Color Guard from Watseka, Illinois present the colors in the rotunda. At this time, I'd like to introduce the Gordon Hubbard Fife and Drum Color Guard from Watseka, Illinois in the back of the House here."

Speaker McPike: "Representative Daniels."

Daniels: "Just to recognize former Senator Bill Carroll, former House Member and Member of the Senate. Senator Carroll is here with us today right over here on the Republican side, of course."

Speaker McPike: "Agreed Resolutions."

Clerk O'Brien: "House Resolution 1182, Johnson; 1183, Bullock;

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1184, Madigan; 1185, Madigan; 1186, Terzich; 1187, Keane; 1188, Virginia Frederick; 1189, Ralph Dunn; 1191, Younge; 1192, Ronan; 1193, Panayotovich; 1194, Curran; 1195, Brookins; 1197, Terzich; 1198, Topinka. House Resolution 1200, Brookins - Madigan; 1201, Topinka; 1202, Barnes - McCracken; 1203, McGann; 1204, Barnes; 1205, Topinka; 1206, Topinka; 1207, Topinka; 1212, Topinka; 1213, McGann; 1214, Brookins; 1215, Younge; 1216, McNamara; 1218, Shaw; 1219, Terzich; 1220, Terzich; 1221, McGann; 1222, Terzich; 1223, McCracken; 1224, McCracken; 1225, Topinka; 1226, Madigan; 1227, McNamara - Madigan; 1228, Madigan; 1229, Madigan; 1230, Madigan - McGann - Keane and Terzich; 1231, Panayotovich; 1232, Topinka; 1233, Wolf; 1235, Churchill; 1236, Churchill; 1237, McNamara; 1239, McGann; 1240, Madigan; 1241, Madigan; 1242, McGann; 1243, Didrickson; 1244, McNamara; 1245, Panayotovich; 1246, Cullerton; 1247, Van Duyne; 1248, Flinn; 1249, Panayotovich; 1250, Keane; 1251, Keane. House Joint Resolution 182, Madigan; and 183, Madigan."

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, House Resolution 1182, by Johnson, is congratulatory as well as 1183, by Bullock; 1184, by Madigan; 1185, by Madigan; 1186, by Terzich; 1187, by Keane; 1188, by Frederick, Virginia; 1189, by Ralph Dunn; 1191, by Younge; 1192, Ronan; 1193, Panayotovich; 1194, Curran; 1195, Brookins; 1196... No. Strike 1196. 1197, Terzich; 1198, Topinka. House Resolution 1200, Brookins - Madigan; 1201, also congratulatory. All these I've read so far are congratulatory. 1202, by Barnes; 1203, by McGann; 1204, by Barnes; 1205, by Topinka; 1206, by Topinka; 1207, by Topinka; 1212, by Topinka; 1213, by McGann; 1214, Brookins - et al; 1215, Younge; 1216, McNamara. Still continuing the congratulatory thing. 1218, by Shaw; 1219,

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by Terzich; 1220, by Terzich; 1221, by McGann; 1222, by Terzich; 1223, by McCracken; 1224, by McCracken; 1225, by Topinka; 1226, by Madigan; 1227, by McNamara - Madigan; 1228, by Madigan; 1229, Madigan; 1230, Madigan; 1231, Panayotovich; 1232, Topinka; 1233, Wolf; 1235, Churchill; 1236, Churchill; 1237, McNamara; 1239, McGann; 1240, Madigan; 1241, Madigan. House Joint Resolution 1... 12... rather, House Resolution 1242, by McGann, is congratulatory; 1243, by Didrickson, the same; 1244, by McNamara, also; 1245, by Panayotovich, ditto; 1246 also, by Cullerton; 1247, by Van Duyne; 1248, by Flinn; 1249, by Panayotovich; 1250, by Keane; 1251, by Keane. Those are all House Resolutions of congratulatory nature. And then House Joint Resolution 182 and 183, by Madigan, are also congratulatory Resolutions. And I move for the adoption of the Agreed Resolutions on congratulations."

Speaker McPike: "Gentleman has moved for the adoption of the Agreed Resolutions. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 1190, a memorial for Donald... for Donald R. Currie, Jr., by Representative Younge. House Resolution 1196, by Representative Shaw, a memorial to Dr. Lawrence R. Jackson. House Resolution 1199, by Representative Shaw, a memorial to Charles Lewis Harvey. House Resolution 1280 (sic - 1208), offered by Representative Shaw, a memorial to Mrs. LeAnne Tucker. House Resolution 1209, offered by Representative Shaw, a memorial to Mrs. Edriss M. Bolden. House Resolution 1210, offered by Representative Shaw, a memorial to Marshall Murray. House Resolution 1211, offered by Representative Shaw, a memorial to Scott Smith. House Resolution 1217, offered by Representative Shaw, a memorial to Marilyn L.

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Shakenford. House Resolution 1234, offered by Representative Brookins, a memorial to Reverend James L. Anderson. House Resolution 1238, offered by Representative Shaw, a memorial to Margaret Louis Lye."

Speaker McPike: "Representative Giorgi moves adoption of the Death Resolutions. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Death Resolutions are adopted. Representative Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House, I would ask leave of the House and use of the Attendance Roll Call for that purpose to suspend the rules to allow the Rules Committee to meet while the House is in Session and suspend the posting requirements to allow House Bill 3286 to be heard in Rules Committee immediately. The purpose for this is to pass out the revisionary Bill recommended by the Reference Bureau. This has been cleared by both the other side of the aisle. And the Rules Committee will meet immediately in the Speaker's Conference Room right in the Speaker's Corridor. Speaker, I'd ask leave for that purpose."

Speaker McPike: "The Gentleman asks leave to use the Attendance Roll Call so that Rules Committee can meet immediately in the back conference room and to suspend the posting requirements so that House Bill 3286 can be heard. Are there any objections? Hearing none, leave is granted. Attendance Roll Call will be used, and the Rules Committee will meet immediately in the corridor in the back conference room. Page 11 of the Calendar. Page 11 of the Calendar, Amendatory Veto Motions, appears House Bill 2040, Representative Younge. Do you wish to call your Bill?"

Younge: "Yes, I do."

Speaker McPike: "Mr. Clerk."

Clerk Leone: "House Bill 2040, amends the Environmental

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Protection Act."

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

Speaker McPike: "Representative Younge."

Younge: "... and Members of the House. I wish to accept the amendatory veto to House Bill 2040. There was an Amendment put on in the Senate which would give the Department of Energy the responsibility for doing research for the Pollution Board. The Governor vetoed this. I accept his veto."

Speaker McPike: "The Lady... The Lady from St. Clair has moved to accept the Governor's specific recommendations for change. And on that, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. If I could ask the Lady a question?"

Speaker McPike: "Proceed."

Cullerton: "Representative Younge, just as a procedure I think for the Veto Session it would be a good idea if you could... very briefly explain what the Bill did as it originally passed. And I think you explained that the Senate put on an Amendment."

Younge: "That's correct."

Cullerton: "And the Governor took that Amendment off. Is that correct?"

Younge: "That is correct."

Cullerton: "What... What did the Bill do originally, and what did the Amendment do? And why don't you like the Senate Amendment?"

Younge: "Okay..."

Speaker McPike: "Excuse me. I think the Gentleman's point is well taken. And if the House would pay attention, the Gentleman has asked Representative Younge if she would explain the Bill and explain the Governor's veto, because

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this is final action. I think it would be appropriate to follow those procedures for the Veto Session. Representative Younge."

Younge: "Thank you, Mr. Speaker. The Bill amends... I have a cold. Sorry about that. The Bill amends the Environmental Protection Act. Originally the Bill that was sent to the Senate required that an entity wishing to site a regional pollution control facility file a permit with the agency within a two year period after the local approval. If that permit request is not filed within two years, the original approval will lapse. In the Senate, the Senate put an Amendment on the Bill that would require the Department of Energy to do scientific research for the Pollution Board. And I checked with Senator Busby. He has no interest in the Amendment. So, I move to accept the Governor's amendatory veto."

Speaker McPike: "Representative Cullerton."

Cullerton: "No further questions."

Speaker McPike: "The Lady from Marshall, Representative Koehler."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Would the Sponsor please yield for a question?"

Speaker McPike: "She indicates she will."

Koehler: "Thank you. Representative Younge, I notice in going over the Governor's amendatory action that the Governor added a provision that local siting approval granted under this... under the Environmental Protection Act for a new regional pollution control facility shall expire two calendar years from the date it is granted, unless during that period the applicant has applied to the agency to... for a permit to develop the site. Now what this would result in, apparently, and you might tell me if this is correct, is that no... no longer would a permit be opened; that they had to develop the site within two

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years after the permit was granted. Is that correct?"

Younge: "No. They don't have to develop the site within two years. They only have to file for a permit within two years. In other words, the local approval would not be openended. The developer would have to file for a permit within a two year period, or they would have to go back and get another approval."

Koehler: "Well, now it says here that it would be a permit to develop the site. Is that correct? They would have to file for a permit to develop the site within two years after the permit was granted."

Younge: "That's correct."

Koehler: "Otherwise, the permit would be void. Is that correct?"

Younge: "The local approval would be void."

Koehler: "The local approval would be void. Okay. Well, thank you very much. I think that that is a good provision and would support your Motion."

Younge: "Thank you."

Speaker McPike: "Further discussion? No further discussion, Representative Younge, to close."

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

Speaker McPike: "The Lady 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 House Bill 2040 by the adoption of the Amendment?' This is final action. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 100 'ayes', 1 'nay', 4 voting 'present'. This Motion, having received the Constitutional Majority... having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change

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regarding House Bill 2040 by the adoption of the Amendment.
House Bill 2345, Representative Matijevich. Read the Bill,
Mr. Clerk."

Clerk Leone: "House Bill 2345, amends the Illinois Insurance...
the Illinois Income Tax Act. Motion to accept."

Speaker McPike: "Representative Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House, I move
to accept the specific recommendations of the Governor as
to House Bill 3178... House Bill 2345, rather. House Bill
2345 excludes from taxation those Social Security and
retirement... railroad retirement benefits subject to
federal taxation. We all know that part of the Bill is
very familiar to us. The other part of the Bill exempted
the pension benefits of retired partners of partnerships.
The first part of the Bill the Governor did not change at
all. The Governor did change that part of the Bill
regarding excluding the pension benefits of retired
partners of partnerships. He believes the language in the
Bill referring to Section 736(a) of the Internal Revenue
Code is too broad and may lead to inadvertent exemption for
income earned by a partner. He substitutes, rather than
736(a), the replacement tax based upon Section 1402 of the
Internal Revenue Code, the Section headed Retirement
Payments to Retire Partners. I agree with the Governor
that the other Section could be interpreted in being too
broad and; therefore, I move to accept his amendatory veto
and ask for your support."

Speaker McPike: "Gentleman moves to accept the Governor's
amendatory veto. The Gentleman from DeWitt, Representative
Vinson."

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

Speaker McPike: "Representative Vinson, from Representative
Daniels' desk."

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Vinson: "I rise in support of the Gentleman's Motion. He, I think, has accurately stated the situation. And just so that every Member clearly understands - by accepting the Gentleman's Motion, we will be providing an exemption from the Illinois income tax for certain amounts of railroad retirement and Social Security income. I believe it's entirely appropriate. It is a proper priority, and I support the Gentleman's Motion."

Speaker McPike: "Further discussion? There being none, the Gentleman has moved to accept the Governor's amendatory veto. The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 2345 by the adoption of the Amendment?' This is final action. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 102 'ayes', no 'nays', 1 voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding House Bill 2345 by the adoption of the Amendment. House Bill 2423, Representative Rea. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2423, amends the Illinois Income Tax Act. Motion to accept."

Speaker McPike: "Gentleman from Franklin, Representative Rea."

Rea: "Thank you, Mr. Speaker, Members of the House. I move to accept the Governor's recommendations to House Bill 2423. This is a narrowing of the credit on the tax credit for the utilization of high sulfur coal, and there is a change also regarding the five percent credit. The Governor believes that a further definition for the amount of the credit is necessary and adds the tax which correctly makes this credit consistent with existing investment credits provided

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under the Income Tax Act. And one other change offered by the Governor which is absolutely necessary, the message adds tax which specifies that the credits are to be taken against a state corporate income tax and not against a personal property replacement income tax, a local revenue source."

Speaker McPike: "Gentleman moves for the... 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 House Bill 2423 by the adoption of the Amendment?' This is final action. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 103 'ayes', no 'nays', none voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding House Bill 2423 by the adoption of the Amendment. House Bill 2428, Representative Oblinger. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2428, amends the Illinois Public Aid Code. Motion to accept."

Speaker McPike: "Lady from Sangamon, Representative Oblinger."

Oblinger: "I move to accept the Governor's specific recommendations for change for House Bill 2428. This has to do with capitation of pharmaceuticals. The Bill originally has a recommendation that there be an ad hoc committee that will refer to the pharmaceuticals when there is over a 30 percent use of them. This is a way of trying to change capitation, which has failed in Iowa and Missouri, Arizona and a number of other states. We're doing it by one step at a time. The Governor's recommendation is that if the ad hoc committee does not

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act, then the recommendations of the Department of Public Aid for Medicaid patients will go into effect, and I accept his recommendation."

Speaker McPike: "The Lady moves to accept the Governor's amendatory veto. And on that, the Lady from Cook, Representative Pullen."

Pullen: "Thank you, Mr. Speaker. I would just like to state for the record that I hope that the ad hoc committee does actually meet and act, because this is a very important situation that's being attempted in the State of Illinois after, as the Lady said, having failed in several other states. I don't know how many states it takes to show that an idea isn't a good one, but apparently our state is going to have to go through its own baptism of fire despite the example shown before us by other states. So, the amendatory veto takes some of the teeth out of what this Legislature tried to do in preventing this from having to be experimented on in Illinois. But there is still an opportunity, if people do act in good faith and with full knowledge, to do something to stop this program, and I hope that that happens after this Bill goes into effect. Thank you."

Speaker McPike: "Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker McPike: "She will."

Cullerton: "Representative Oblinger, I believe when the Bill was first passed the Department of Public Aid opposed the Bill. Is that correct?"

Oblinger: "Yes."

Cullerton: "And what is their position now after the Governor's amendatory veto?"

Oblinger: "They support it now that the Governor's veto... amendatory veto has been proposed."

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Cullerton: "Well, why did they oppose it originally?"

Oblinger: "They opposed it originally, as I understand it, because they thought capitation was the way to go. And a lot of people misunderstood it and thought they meant cap; that they were going to cap the amount of money spent. Capitation, as you know, means that, for any service that is rendered, a certain amount of money is due on that whether the amount of service comes up to that amount, goes over that amount or hits it right on the head. They thought that this was one way of controlling medical costs. I think we've been able to persuade them to look at the Iowa, Missouri, Minnesota, Arizona and all these other states and take a second look at it. And so they are willing to go along with the 30 percent to see if it works."

Cullerton: "Now, in other words, there's nothing in the amendatory veto itself that made them change their position. It's just that they have..."

Oblinger: "No."

Cullerton: "... have just changed their position."

Oblinger: "Yes. I think they've begun to realize it has to have further study before we can effect it. If you're familiar with Medicare and the DRGs, which is a Diagnostic Related Groups, which is a capitation program and is causing our people to go home too soon too sick, you'll know why we've called their attention to capitation as not a solution."

Cullerton: "And it's also my understanding that the pharmaceutical manufacturers have always supported this Bill. Is that correct?"

Oblinger: "Yes, because of the pre... Well, I think the reason we all supported it is because of the preventive aspect. If they get the medicines that they need, whether it's a brand name or a generic one, maybe we're going to be able

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to keep some of the people out of nursing homes and hospitals."

Cullerton: "Okay, thank you."

Speaker McPike: "Further discussion? No further discussion. The Lady from Sangamon, to close."

Oblinger: "I would appreciate your support on the amendatory veto. It's a first step in controlling capitation, and I think it's a good step."

Speaker McPike: "Lady 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 House Bill 2428 by the adoption of the Amendment?' This is final action. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 104 'ayes', no 'nay's, none voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding House Bill 2428 by the adoption of the Amendment. House Bill 2502, Representative Flinn. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2502, amends an Act in relationship to fire protection districts. Motion to accept."

Speaker McPike: "Gentleman from St. Clair, Representative Flinn."

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, I move to accept the specific recommendations of the Governor as to House Bill 2502 in the manner for which is follows. Amend House Bill 2502 on page two by inserting after line 21 the following: quote mark, 'Section 2 - this amendatory act shall take effect on December 1, 1984', end of quote. All this does, Mr. Speaker and Ladies and Gentlemen of the House, is change the effective date so the three fire departments involved

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in my district can put on the April '85 ballot, and the January 1 date was too late to get on that ballot. It would save them the expense of having a special election. I would ask for your favorable vote."

Speaker McPike: "Gentleman moves 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 House Bill 2502 by the adoption of the Amendment?' This is final action. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 106 'ayes', no 'nays', none voting 'present'. This Motion, having received a Three-Fifths Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding House Bill 2502 by the adoption of the Amendment. Speaker of the House, Representative Madigan."

Madigan: "Mr. Speaker, I request one hour for a Democratic Caucus, and I would encourage all Democratic Members to attend, because it will be... the subject matter of the Caucus will be something that I think they'll be very interested in."

Speaker McPike: "Representative Daniels."

Daniels: "Mr. Speaker, I would request a Republic Conference for one hour, and I'd request all Republicans to attend because I'm going to tell you what the Democrats are talking about and what's of interest to them so we know how to react to their actions."

Speaker McPike: "The Democrats will have a Caucus immediately in Room 114, Republicans in Room 118. The House will stand in recess until the hour of 2:35. ... come to order. Continuing on page 11 of the Calendar, Amendatory Veto

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Motions, appears House Bill 2509, Representative Levin. Out of the record. House Bill 2556, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2556, a Bill for an Act to amend the Juvenile Court Act. A Motion to accept."

Speaker McPike: "Representative Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I move to accept the specific recommendations of the Governor as to House Bill 2556. This Bill dealt with the Juvenile Court Act, and it did basically two things. It established guidelines for use in station adjustments, and the second important provision of the Bill dealt with the minors' right to a speedy trial. And we inadvertently forgot to put into the Bill a provision that basically says that if the minor is the one that causes the delay, that he or she should not benefit from that delay in calculating the period of time that they are entitled to a speedy trial. We have this in the adult Criminal Code, a similar provision wherein if a defendant asks for a continuance, the speedy trial provisions provide that that time he asks... that he or she delayed should not be... go towards the speedy trial provisions. Same thing should be in this Bill. It was not in it when we passed it. The Governor has added it, and I agree with his recommendations. And I would, therefore, move to accept the specific recommendations of the Governor. Be happy to answer any questions."

Speaker McPike: "Gentleman has moved to accept the Governor's amendatory veto. Is there any discussion? The Gentleman from Morgan, Mr. Ryder."

Ryder: "Would the Sponsor yield for a question?"

Speaker McPike: "Yes, he indicates he will."

Ryder: "It's my understanding that the intent of the Bill is to

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allow a speedy trial for juveniles similar to the speedy trial that is now part of the law for adults. Is that correct?"

Cullerton: "That's correct."

Ryder: "What reason is there, what abuses have been a part of the system in the past that would require a speedy trial? We obviously don't give the same rights to juveniles as we give to adults in all other cases."

Cullerton: "Well, to give you a little background. This Bill has been proposed by the Illinois State Bar Association, and the Criminal Justice Section is the one that developed it. And, in fact, the Bill was delayed two years ago, because not all of the groups agreed to the provisions. Now, the one agency that was specifically concerned about the speedy trial was the Cook County State's Attorneys' Office; and, as a result, over the course of negotiations, we kept on moving up this time period where there had to be a speedy trial. In other words, we started, I think, at 30 days and we ended up with 120 days. The reason why we did that was that the Cook County system was so overloaded that they just simply didn't think that they could get these cases adjudicated within that period of time. The concept though of a person not having a trial, even though it's only a juvenile, was agreed to by everybody that there should be a specific time put in the statute. Now I don't have any specific instances to tell you of how long it may have gone, but 120 days is still a long time, and we just are standing for the proposition that there should be a time period in the statute. And what this... what this recommendation says is that that time period can be extended even further if the defendant is the one or the minor is the one who asks for the continuance."

Ryder: "Is that not the same with the speedy trial requirement

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for adults?"

Cullerton: "Yes, and I think it should be in here, and we didn't put it in when we passed the law. And that's why I agree with the Governor's recommendations."

Ryder: "Are we speaking... It's my understanding that the juvenile proceedings are bifurcated hearings. You have an adjudicatory and a dispositional hearing. Is that correct?"

Cullerton: "Right."

Ryder: "Is it necessary to institute the first hearing, or is it necessary to complete the hearings in the 129 days?"

Cullerton: "You'll have to give me a second so I can review the Bill."

Ryder: "Fine."

Cullerton: "The time period begins the date that the petition is filed alleging that the minor is an offender. So, it begins when the petition is filed, and they have a right to an adjudicatory hearing within 120 days."

Ryder: "In the event that the 120 days runs before that adjudicatory hearing takes place, then the charges are dismissed with prejudice?"

Cullerton: "That's correct."

Ryder: "Thank you. No further questions."

Speaker McPike: "Gentleman from Knox, Representative Hawkinson."

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

Speaker McPike: "Indicates he will."

Hawkinson: "Representative, I don't have the adult statute at my fingertips nor the Bill, but it occurs to me that there are several reasons set out in the adult speedy trial Section that are not chargeable against the state - psychiatric hearings, perhaps unavailability of a witness and perhaps a provision that the state can make an extraordinary motion

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to continue the period. Are the provisions that are being set forth by the Governor in the amendatory veto identical or are they limited only to the one instance of delay occasion by the defendant?"

Cullerton: "The Governor's amendatory veto doesn't address that. He only talks about when the delay is brought upon by the defendant. But the Bill itself did allow for the state, upon written motion, to continue it an additional 30 days. So, now you're up to 150 days which is apparently enough time for any state's attorney in any county to be able to bring the hearing."

Hawkinson: "Do these... the 120 day provision apply whether the juvenile is in custody or not? In other words, in the adult system, I believe its 160 days if the person is not in custody and 120 if they're in custody. That distinction is eliminated in regard to the juvenile?"

Cullerton: "You know, I really don't know the answer to that. I... From a reading of the statute, it appears that it doesn't... it's not conditioned upon their being incarcerated."

Hawkinson: "Mr. Speaker, to the Motion..."

Speaker McPike: "Proceed."

Hawkinson: "I oppose this Bill for many of the reasons implied in the questioning that Representative Ryder and I have had here. However, I think the Governor's change is a positive one. If the delay is caused by the defendant, it should not be chargeable against the state. I'm going to support the Motion. There may be some changes that we need to correct by legislation next year that would equalize the provisions with the adult and not charge the state in instances where they shouldn't be. But I think this is at least a step in the right direction with the Bill."

Speaker McPike: "Gentleman from Cook, Representative Bowman."

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Bowman: "Will the Gentleman yield for a question?"

Speaker McPike: "He indicates he will."

Bowman: "I'd like to ask, Representative, if you could explain to a non-lawyer what it means to dismiss with prejudice?"

Speaker McPike: "Representative Cullerton."

Bowman: "What does it mean to dismiss with prejudice?"

Cullerton: "Means the case is dismissed, and it cannot be reinstated."

Bowman: "Oh, and it cannot be reinstated by the state. I see. And with the Governor's amendatory change, did any groups who are supporting or opposing the legislation before change their positions on the legislation?"

Cullerton: "I'm sorry. I couldn't hear you."

Bowman: "I say, and with the Governor's amendatory change, were any groups which were either supporting or opposing the legislation before change their position?"

Cullerton: "No. By the time we passed the Bill, it was my understanding that there was no one in opposition to it, and the Illinois State Bar Association Criminal Law Committee is in support of the changes."

Bowman: "Fine. Thank you very much."

Speaker McPike: "No further discussion. Representative Cullerton, to close."

Cullerton: "I would ask for a favorable vote to accept the Governor's change. The Governor has improved the Bill with his recommendations, and I would ask that the Members of the House support me in my Motion."

Speaker McPike: "The Gentleman 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 House Bill 2556 by the adoption of the Amendment?' This is final action. All those in favor signify by voting 'aye', opposed vote 'no'. Have all

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voted? Have all voted who wish? Clerk will take the record. On this Motion there are 96 'ayes', 8 'nos', none voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding House Bill 2556 by the adoption of the Amendment. House Bill 2560, Representative Bowman. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2560, amends the Senior Citizens' and Disabled Persons' Property Tax Relief Act. Motion to accept."

Speaker McPike: "Representative Bowman."

Bowman: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, House Bill 2560, in its original form, expanded the existing Circuit Breaker Program to provide a program of pharmaceutical assistance to persons who are currently eligible for Circuit Breaker benefits. The Governor's amendatory veto did four things. One was to conform the Bill to Public Act 83-1394, which permits a person who turns 65 prior to the... limits the coverage to those that turn 65 prior to the benefit year. The second thing it does is to conform the fraud penalties with the State Benefits Fraud Act. The third thing it does is to change the initial four dollar for dispensing fee to three dollars and thirty cents, which is the current dispensing fee for Medicaid prescriptions. And the fourth thing it does is to define eligibility requirements so that assignment of other insurance benefits does not exclude someone who may have alternative or supplementary coverage. Now, I move to accept these specific recommendations for change; and, in so doing, I'd like to put two points on the legislative record. Point number one is the Governor's specific recommendation to restrict eligibility to those who turn 65

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prior to the benefit year is not clearly stated. It could be interpreted to mean that anyone turning 65 during the benefit year would be permanently excluded. That clearly is not our intent. The Department of Revenue has indicated that it will clarify this provision by rule, but I did want to state on the floor to support the Department of Revenue in their rulemaking process that we do not mean to permanently exclude anyone from this program because of the date they turn 65. The second point I would like to state for the record is that the Bill in its original form was supported by the Illinois Pharmacists' Association. The Illinois Pharmacists' Association sent me a letter which I would like to... to share with you in part. It says... As we have discussed, the Illinois Pharmacists' Association is disappointed and strongly in opposition to a major portion of the Governor's amendatory veto of 2560, in particular that part that reduces the prescription dispensing fee. And it says, 'Obviously, this has a serious economic impact on the pharmacists who choose to participate in the program. However, in analyzing the situation concerning the amendatory veto, it has been our decision not to oppose a Motion to accept the Governor's action.' It should be... no way indicate the agreement of the pharmacists with that portion of the Bill cited just now. So the pharmacists will not oppose this Motion and do hope to work with us to change the dispensing fees. But, at this time, I do move and urge the House to support the Motion to accept the Governor's amendatory changes."

Speaker McPike: "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 House Bill 2560 by the adoption of the Amendment?' This

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is final action. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 101 'ayes', 3 'nos', none voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding House Bill 2560 by the adoption of the Amendment. House Bill 2615, Representative Brummer. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2615, amends an Act concerning public utilities. Motion to accept."

Speaker McPike: "Gentleman from Effingham, Representative Brummer."

Brummer: "Yes, thank you, Mr. Speaker, Members of the Assembly. This Bill provided that new electric generating plants shall not go into rate base unless there was an audit of the costs of that utility plant and the cost of the plant was determined to be reasonable. There are two basic changes that the Governor proposed, both of which I concur with. Number one, there is a provision that an audit can be accepted if it involve... from another state if the utility plant involved is a plant that serves more than one state. We have Union Electric in the St. Louis area. There's also a plant that almost entirely is in Iowa, the name of which escapes me at the moment. Anyway, I think that's a reasonable proposal so that we do not duplicate the cost of that audit when the cost is being determined... the cost of the plant is being determined by another state. The second thing is the change... there was a change made with regard to using generally accepted auditing standards. This change does not substantially alter the substance of the Bill but is more in the nature of cleanup. I would be glad to respond to any questions. If there are none, I

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would move that we accept the Governor's proposals for change."

Speaker McPike: "Gentleman has moved to accept the Governor's amendatory veto. Is there any quest... Is there any discussion? There being none, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 2615 by the adoption of the Amendment?' This is final action. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 106 'ayes', no 'nays', none voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding House Bill 2615 by the adoption of the Amendment. House Bill 2865, Representative Satterthwaite. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2865, amends the Illinois Pension Code. Motion to accept."

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

Satterthwaite: "Mr. Speaker and Members of the House, I move to accept the Governor's amendatory language as he has proposed it for House Bill 2865. The Bill originally dealt with the issue of coverage under the pension system for the medical trainees and post-doctoral research associates at state universities. And the Bill gave those people the option of not participating in the retirement system. There was some question whether this would jeopardize the IRS ruling in regards to sheltering employee contributions to the retirement system. And so, the amendatory language was devised in order to allow a limit of three years for exemption for those specific employees. I think, with this

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amendatory language, we have cleared the fact that there will be no problem with the IRS, and I would move for the acceptance of the amendatory language."

Speaker McPike: "Lady moves 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 House Bill 2865 by the adoption of the Amendment?' This is final action. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 94 'ayes', 7 'nos', none voting 'present'. This Motion, having received the Constitutional Majority, prevails, and the House accepts the Governor's specific recommendations for change regarding House Bill 2865 by the adoption of the Amendment. Speaker Madigan in the Chair."

Speaker Madigan: "Ladies and Gentlemen, if I could have your attention at the podium, please. We are prepared to consider a Resolution of the House that deals with the very untimely and senseless death of Ben Wilson from the City of Chicago. If you would all please be seated. We have been joined by Mr. Wilson's mother who would address us after we have concluded our remarks. So, Mr. Clerk, please read the Resolution."

Clerk Leone: "House Resolution 1273. Whereas, the heart of every Member of this chamber is deeply saddened and shocked by the tragic death of Simeon Vocational High School basketball star, Ben Wilson, of Chicago on November 20th, 1984; and whereas, the six foot eight inch senior forward, considered the top rated high school basketball of this country, led the Simeon Wolverines to a Class AA Championship last year and was being wooed by recruiters from top universities at the time of his fatal shooting on

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the eve of the teams season opener; and whereas, Benjy, as he was known to his family and friends, lived for basketball from the time he was five years old and began shooting baskets, and he became the idol of his school and the role model for young children through not only his talents on the court, but also his mild demeanor and clean character throughout his life; and whereas; the seventeen year old son of Mary and Ben Wilson, Jr., Ben leaves a proud heritage to mourn his passing in the persons of his loving parents, his brothers, Curtis, Brumet, Jeffrey and Anthony and his son Brandy; and whereas, his passing is a severe loss not only to the members of his family and also to his numerous schoolmates and fellow team members of the Simeon High School and to the citizens of his community and state, all of whom admire and supported him in his success. Therefore, be it resolved by the House of Representatives of the 83rd General Assembly of the State of Illinois that we mark with sadness the untimely death of Simeon Vocational High School basketball star, Ben Wilson, of Chicago, shot down on the threshold of a promising career on the basketball court. And be it further resolved that suitable copies of this Preamble and Resolution be presented to his family."

Speaker Madigan: "The Chair recognizes Representative Brookins to speak to the Resolution."

Brookins: "Mr. Speaker, Ladies and Gentlemen, less than a year ago, Benjy and his team mates was here in this chamber where a Resolution was given to them for winning the Championship of the basketball of the State of Illinois. And we celebrated by going to lunch, and they sat at many of your desks and played with the buttons. And I explained to them what it meant to me to be a State Representative and for them to aim high and reach for the moon. They all

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had dreams, and now, through a tragedy, one of their dreams have been crushed. But we would not like to use this as a negative but turn it into a positive; because, in my community, there are other Benjy's. And, as you know from reading the newspapers and the TVs, violence is on an upswing. So it is my thought and my prayer that some way we can hold that and change the tide and turn tragedy into a positive so that others will not fall victim to a senseless, untimely death. I urge the passage of this Resolution. Thank you."

Speaker Madigan: "Representative Bullock. ... Bullock, could you use the other microphone? Mr. McNamara's microphone."

Bullock: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. I rise in support of Representative Brookins' Resolution, and I rise to express my heartfelt condolence to the Wilson family, to all of the citizens of Chicago that join with her in mourning for this past week or so. And I briefly would like to say to the Members of this General Assembly and to Mrs. Wilson and those who probably will hear this back in the City of Chicago that we mourn the death of Ben Wilson, and we take into consideration the lives of three people that have been shattered, those individuals that created this act must get swift and speedy and certain justice. But I think the lesson that we could learn from this episode is that we are a society of laws and that those laws must work, and they must work evenly in every community of this city and every community of this state. I think when those laws work that they serve as a deterrent to people who are lawless and who take the law into their hands. And I think that the great consolation to the Wilson family will be that justice prevails in this instance, not with vengeance, but that justice prevails and sets the lesson for all in our society

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that we must obey the law and that when we violate the law we must pay the price. And this General Assembly has again and again expressed itself, Ms. Wilson, on the subject of the price that the lawless pay in our society when they violate any of us, because they violate all of us. And I ask, Mr. Speaker, that all of us join in supporting this Resolution."

Speaker Madigan: "Mr. Bowman."

Bowman: "With permission of the Sponsor, I'd like to ask leave of the House that all Members be added as Cosponsors of the Resolution."

Speaker Madigan: "You've all heard the request that all Members of the House be added as Cosponsors of this Resolution. Is there leave? There being no objection, leave is granted. The Chair recognizes Mr. White. Mr. White. Mr. White."

White: "Mr. Speaker and Ladies and Gentlemen of the House, I join with Representative Brookins in his Resolution. I work with young people in and around the Cabrini Green Housing Project, and we've had some tragic situations that have occurred there as well. And I agree wholeheartedly with Representative Bullock in seeking swift justice or asking that justice be prevailed in this situation. It's a shame that we have lost such an outstanding athlete in Benji Will... Wilson, and I just hope that a lesson to all the young people has been learned as a result of this tragic death. And I just would like to add my name as a Sponsor of this Resolution. Thank you."

Speaker Madigan: "Minority Leader, Mr. Daniels."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House, as Representative Brookins told us, last year we looked up at the podium and we saw a dream. We saw a dream of many young men. We saw a man represent all of us in the State Championship and the pride that carried with it. I didn't

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know Benjy Wilson. I've become to know him and the kind of individual he was and wish that during his lifetime I had known him, because he made me proud. He made me proud of what he did and what he accomplished in such a short lifetime. I want to add my name to those people that have spoken of him and the good that he represented and what he held up to all of us as a fine example, hoping that somehow, someday we will never again have to stand in the General Assembly and speak as we are today. But life, as it may be, Benjy Wilson to us was a dream that was coming true during his lifetime. For that we are thankful. His loss is a loss to each and every one of us. And, yes, a dream that was cut short, the dream that we will remember during his lifetime and for that we are thankful. Mr. Speaker, I join in the Resolution."

Speaker Madigan: "Thank you, Mr. Daniels. At this time, Mrs. Wilson, if you would come up to this podium to address the Body."

Mrs. Wilson: "This General Assembly this afternoon, I will have to just take a moment to think about the whole thing, the whole tragedy of Ben's life and try to focus on what it really means. I'm sure that everybody is saying and joining me in the sorrow of losing him; but, at this moment, I'm beginning to see the light, let's say. Every life has a purpose, and I think that where Ben Wilson is concerned his life and seventeen years has touched the hearts and minds of young American boys and girls. And I'm beginning to feel right now that even in his death that there's something for me to do. And I think we need to start thinking about what can be done to stop the killing. The killing has to stop. And I think that starts in the home. Now, be it one parent home or two, the responsibility of being a parent has to start at the

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beginning, the early, early stages of life. I think, as much as I'm proud of Ben's ball playing, I'm equally as proud of his character in knowing what it means and what it meant to express dignity and self respect. I'm deeply, deeply concerned right now about the schools in the City of Chicago. I'm concerned for all the children that might not be in school after the 3rd of December and what this will mean. When I stop to think about the children in the City of Chicago having no school to attend and the frustration it's going to cause, nothing to do, finding something to do, getting into trouble and all the things that might happen, maybe even other tragedies - please, let's keep the schools open in the City of Chicago. And let's let Ben's life and his love for all boys and girls stay alive by keeping the City of Chicago schools open. Thank you."

Speaker Madigan: "You've all heard the Resolution. Those in favor of the adoption of the Resolution will signify by saying 'aye', those opposed by saying 'no'. In the opinion of the Chair, the 'ayes' have it. The Resolution is adopted. For my part, on behalf of all of the Members of the House of Representatives, I wish to express our sympathy to Mrs. Wilson and the other members of the Wilson family and to share with her the grief which has emanated from this tragedy and to share with her our profound hope that we in the General Assembly, through legislative action, will be able to work in a manner that will hopefully stem the tide of killing and mayhem that occurs in the various urban areas of our state. I'm sure that we all agree that that is our fondest wish, and I'm sure we're all willing to dedicate ourselves today to a renewed effort in that regard during this Veto Session and also during the Regular Session which will begin in January of 1985. In addition, we shall transmit copies of that Resolution to

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the Wilson family, and I wish to thank all of you for participating in this ceremony today. Thank you very much. Mr. Clerk, what other business do you have? Chair will be conducted by Mr. McPike."

Speaker McPike: "Continuing on page 12 of the Calendar, House Bill 2961, Representative Keane. Gentleman in the chamber? He is not. Out of the record. And House Bill 2992, Representative Levin. Out of the record. House Bill 3140, Representative Kirkland. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3140, an Act in relationship to units of local government and school districts and to amend the Illinois Income Tax Act. Motion to accept."

Speaker McPike: "The Gentleman from Kane, Representative Kirkland."

Kirkland: "Thank you, Mr. Speaker. I move to accept the terms of the Governor's amendatory veto. This Bill authorized units of local governments, including school districts, to issue interest-bearing commercial paper in lieu of bonds or notes. The amendatory language is purely technical. The Bill had an income tax exemption in its original form. That was taken out, but inadvertently not taken out of the title. So, the Governor took it out of the title in the amendatory veto. Move to accept it."

Speaker McPike: "The Gentleman moves 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 House Bill 3140 by the adoption of the Amendment?' This is final action. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Motion there are 104 'ayes', no 'nays', none voting 'present'. This Motion, having received the Constitutional Majority,

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prevails, and the House accepts the Governor's specific recommendations for change regarding House Bill 3140 by the adoption of the Amendment. Representative Breslin in the Chair."

Speaker Breslin: "House Bill 3143, Representative... Clerk, read the Bill."

Clerk Leone: "House Bill 3143, an Act concerning the anticipation by units of local government or school districts of revenue from any source. Motion to accept."

Speaker Breslin: "Representative Kirkland."

Kirkland: "Thank you again. Move to accept the amendatory veto. This Bill expanded the anticipation notes process to include revenues other than simply taxes so that other revenues that are anticipated to come in can be covered by anticipatory notes. The Governor again made a couple of clarifying changes. One was there was some contradictory language as to whether the application was for a fiscal year or for each quarter of a fiscal year. The language was clarified to indicate the loans would be... it would be applicable to loans for fiscal year. Second, there was some language to indicate how the notes would be repaid; that is, in accordance with a resolution adopted by the issuing local governing board. I move that these changes be accepted."

Speaker Breslin: "The Gentleman has moved to accept the Governor's specific recommendations for change in House Bill 3143. And on that question, the Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. Will the Gentleman yield for a question?"

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

Mautino: "Representative Kirkland, is this legislation an authorize the additional five percent tax in anticipation

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of receiving funds if there were a catastrophe, for example, such as a roof falling in or needed conser... energy conservation measures? Is that the same Bill we're talking about?"

Kirkland: "No."

Mantino: "It is not. In its original form, the Bill did not allow for the additional five percent increase in taxes - the working fund?"

Kirkland: "That's correct."

Mantino: "Okay. Thank you."

Speaker Breslin: "Is there any further discussion? There being no further discussion, the Gentleman from Kane, Representative Kirkland, to close."

Kirkland: "Nothing."

Speaker Breslin: "The question is, Ladies and Gentlemen, 'Shall the House accept the Governor's specific recommendations for change in House Bill 3143 by the adoption of the Amendment?' This is final action. 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... This Motion, rather,... On this Motion there are 101 voting 'aye', none voting 'no' and none voting 'present'. This Motion, having received the Constitutional Majority, does prevail, and the House accepts the Governor's specific recommendations for change regarding House Bill 3143 by the adoption of the Amendment. House Bill 3148, Representative Kirkland. Clerk, read the Bill."

Clerk Leone: "House Bill 3148, amends an Act in relationship to loans made by schools and municipalities. Motion to accept."

Speaker Breslin: "Representative Kirkland."

Kirkland: "Well, now this is the Bill that asks the question, 'What's this Bill do?' This is a Bill that beca... was a

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Christmas tree and had several ornaments hung on it. The amendatory veto among other things eliminates the Christmas tree. So, we're dealing with a few of the ornaments. It originally permitted schools and municipalities to borrow from banks under limits of either a half a year... I mean of a year or a fiscal year, and that language was eliminated. There was various Amendments added to the Bill which the Governor has made various changes, mostly technical, not completely. There was an Amendment added by Senator Rock we agreed to over here entitled Commercial Paper Security and Liquidity Act, and the Governor simply changed the name of that to the Local Government Credit Enhancement Act. I'm not sure why, frankly, but it's alright with me. There was... In Senator Rock's Amendment there was language indicating what would be included in the rate cap... interest rate cap, insurance and other credit enhancement figures, and the Governor took that language out so that the rate cap would not include insurance amounts... security amounts. There was language in 3148, again amendatorily language, to allow a county collector to make deposits directly to an escrow account established to repay specific bonded indebtedness. The... An Amendment was added in the Senate to allow that to... to have that only come into play if the escrow is established within 60 days of the effective date of the Bill. The Governor took the 60 day limit out so that, in effect, this will be able to be done for as long as this language remains law. There was also some language added regarding defeasing of current notes, bonds, and there was some language prohibiting units of local government from defeasing low to high, so to speak, bonds. And that language was removed so that that limitation is no longer in effect. I have no objection to these changes and would ask that they be accepted."

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Speaker Breslin: "The Gentleman has moved to accept the Governor's specific recommendations for change with respect to House Bill 3148. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker Breslin: "He will yield for a question."

Kirkland: "Certainly."

Cullerton: "Representative Kirkland, do you recall whether or not the original Bill authorized units of local government to use either gross or net defeasance as a means to reduce outstanding debt limitations?"

Kirkland: "It allowed both."

Cullerton: "Pardon me?"

Kirkland: "It allowed both."

Cullerton: "And did the Governor's amendatory veto change that in any way?"

Kirkland: "Not as a distinction between those two things. We had... Go ahead. No."

Cullerton: "Well, maybe you could explain to us a little bit here on the House floor what net... the difference is between net and gross defeasance."

Kirkland: "I would have to refer to some notes that I do not have in front of me. At the time we passed the Bill, I explained that. It has something to do with what's included in... in... you know, the interest is also included in the defeasance."

Cullerton: "What day did you pass this Bill? What day did you pass this Bill?"

Kirkland: "Sometime in June."

Cullerton: "You want us to think back to June to remember your remarks concerning the definition of defeasance?"

Kirkland: "Okay. Hold on. Can you hold a second?"

Cullerton: "Sure."

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Kirkland: "Ready?"

Cullerton: "Yes."

Kirkland: "Okay. Gross defeasance involves where the amount you put in the escrow, the principal initial amount, is enough to defease the bond. And that defeasance involves where you put some lesser amount in and that principal amount plus the interest it earns over the period of time of defeasance will defease the original bond."

Cullerton: "I remember... I remember you said that before now back in June."

Kirkland: "You have a great memory all of a sudden."

Cullerton: "Whose idea was that... Whose idea was that to put that in the Bill?"

Kirkland: "Put what in the Bill?"

Cullerton: "This provision concerning defeasance. Was that your idea or was that somebody else's idea?"

Kirkland: "The sixty... no, I'm sorry. The low to high change?"

Cullerton: "Right."

Kirkland: "That was your idea."

Cullerton: "Right. Okay."

Kirkland: "Your counsel's idea."

Cullerton: "And the Governor didn't change this in his amendatory veto."

Kirkland: "The Governor took that limiting language out."

Cullerton: "Oh, he did change it. I thought you said he did not change it."

Kirkland: "No, no, you asked about gross versus net. I don't understand. That's too involved. Gross versus net."

Cullerton: "Okay. Thank you very much for answering my question."

Kirkland: "Okay."

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

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Kirkland: "Ask that the amendatory veto be accepted."

Speaker Breslin: "The question is, 'Shall the House accept the Governor's specific recommendations for change with regard to House Bill 3148 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 question there are 100 voting 'aye', 1 voting 'no' and 2 voting 'present'. This Motion, having received the Constitutional Majority, does prevail, and the House accepts the Governor's specific recommendations for change regarding House Bill 3148 by the adoption of the Amendment. House Bill 3161, Representative Madigan. Rep... Out of the record. House Bill 3178, Representative Koehler. Clerk, read the Bill."

Clerk Leone: "House Bill 3178, amends certain Acts in relationship to environmental protection. Motion to Accept."

Speaker Breslin: "Representative Koehler."

Koehler: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I move to accept the Governor's amendatory veto of House Bill 3178. House Bill 3178 originally did three things. One, it mandated the Department of Energy and Natural Resources to conduct geological and hydrological studies of all new hazardous waste facilities. Two, it provided the public with more information on regional pollution control facility applications in a more accessible manner. And three, it provided the public with more time to review the application for a regional pollution control facility prior to the local public hearing. The Governor's amendatory veto eliminated provision one, the geological and hydrological studies by Department of Energy and Natural Resources. The Governor cited his proposals for the chemical safety center to help

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locate safe sites and his twenty million dollar cleanup effort at hazardous waste sites across the state. The Governor believed these two initiatives to be sufficient, therefore, provision number one was no longer necessary. The Governor left provision number two intact and the Governor then agreed with the need for a minimum number of 90 days included in the Bill to allow sufficient lead time before the public hearing, but also felt that there should be a maximum number of 120 days within which the hearing must occur. With the changes so provided, I move to accept the Governor's amendatory veto of House Bill 3178."

Speaker Breslin: "The Lady has moved to accept the Governor's specific recommendations for change in House Bill 3178, and on that question, the Gentleman from Madison, Representative McPike."

McPike: "Thank you, Madam Speaker. And I rise to support the Lady's Motion and to compliment her on a very tough environmental package that she has put together. I was just wondering if she would yield for a question."

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

McPike: "Representative Koehler, I was a little confused about your synopsis. When this Bill was introduced, we all know there is a large expense to the local counties when these applications are received, and the Bill said that the local unit of government could impose a fee of one percent... not to exceed one percent of the estimated cost of constructing the facility on the developer in order to recoup the... I suppose in order to help recoup some of the tremendous costs that the local governments would have. Is this provision still in the Bill?"

Koehler: "No."

McPike: "That provision was taken out?"

Koehler: "That is correct."

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McPike: "Oh, well, I do know that the other major part of the Bill was that... I think that you included some new siting criteria in the Bill, and I know these were meant to give the local units of government more authority and to make it a little tougher to put this hazardous waste in the ground. And the Bill itself increased the siting criteria so that the local units of government would take into consideration the impact on ground water and the design and the construction of the facility and a number of other things that you put in the Bill to strengthen the siting criteria. Is that still in the Bill?"

Koehler: "Representative McPike, that is... those provisions are included in legislation that was passed by Representative Currie and are contained in other legislation that has been passed."

McPike: "No, I think you are mistaken, Representative. We... the General Assembly did not change local siting criteria last year, but I did know that you introduced some changes to the local siting criteria and so I was... I wasn't sure from your synopsis if that was still part of the Bill. But you have indicated that that was taken out of your Bill?"

Koehler: "Well, thank you, Mr. McPike, for asking all of these questions. I am sure that after you took care of many of these things in the back room with all of the Conference Committees that you were working on with regard to these hazardous waste pieces of legislation that perhaps you might be able to comment on that also."

McPike: "I probably could. I probably could. I just wanted to make sure if that was in the Bill or out of the Bill. But that... that part is now out of the Bill. Well, I think the third major part that I was concerned with was the fact that the Bill itself, as it went to the Governor, I understand that that required the Department of Energy and

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Natural Resources to conduct studies of proposed hazardous waste and then to recommend to the EPA whether or not the proposed site was a good site or a bad site. And that... Is that provision still in the Bill?"

Koehler: "Mr. McPike, that proposal was in the Bill as it passed the House and the Senate, but the Governor, in his amendatory veto, said that the chemical safety initiative that he has implemented will assist generators, treaters and disposers of hazardous waste to locate safe sites. And so, he has eliminated that with his amendatory... with his amendatory pen saying that the chemical safety initiative will take care of that particular... that particular area. And while I do have some reservations about that, I must say that the members of the Hazardous Waste Task Force that originally drew up this legislation and for which you had complimented me earlier in working with them to come up with a piece of legislation that could be finally passed and that could, in all probability at least be some progress in the right direction. They agreed to the amendatory changes and asked me to go ahead and accept the amendatory veto as asked by the Governor and this was asked by those members of the Hazardous Waste Task Force that worked very hard on this Bill."

McPike: "So that the Bill no longer requires the Department to conduct any of these studies. So that provision then is out of the Bill. I know that... Well, I'm trying to find what's left in the Bill. Is the enacting clause still intact?"

Koehler: "Yes, perhaps you should find your reading glasses, Representative. I know that that comes to everyone at certain ages."

McPike: "Well, it certainly has arrived for this Body. There is no doubt about that. Well, then I would certainly support

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the Lady's Motion, provided the enacting clause is still there. I still think it's a good Bill."

Koehler: "Thank you."

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

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

Speaker Breslin: "She indicates she will yield."

Dunn: "With removal of the provision for mandate of a geological and a hydrological... hydrogeological study prior to siting of a hazardous waste facility, who takes up the slack and performs that service now, if this Bill becomes law?"

Koehler: "The EPA does this somewhat in their permitting process, Representative."

Dunn: "Did you say... You say the EPA does it somewhat?"

Koehler: "They review the applicants geological... geological information."

Dunn: "Who does a independent study or determination with regard to the feasibility of a hazardous waste site and its potential for affecting ground water in the future under existing law?"

Koehler: "There... there is no... Well, perhaps you might define independent."

Dunn: "Well, I don't think the applicant is independent. That's for sure."

Koehler: "Well, independent can mean several things. What do you mean by independent? Then I can answer your question."

Dunn: "Well, I think I'd rather speak to the Bill, Madam Speaker."

Speaker Breslin: "Proceed, Representative."

Dunn: "I would recommend that the Members not support this amendatory veto and send at least a message that we are in favor of looking into the future to protect the groundwater resources which we have in this state. We don't know what all the chemical hazards are which are buried already in

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this state and which are ticking bombs awaiting to affect our drinking water as they leach into our creeks and rivers and streams. But one thing we can do is try our very best to avoid making the situation any worse. This Bill had a good provision in it which would have required a governmental agency, Department of Natural Resources, to conduct, on a preliminary basis ahead of time before there is an additional hazardous waste site... waste facility site, a study to determine, from the geological and hydrological basis, what impact that proposed hazardous waste site would have upon the future groundwater resources of our state and to determine a potential for harmful effects upon that groundwater. That Section has been removed from this legislation. I don't think any of us, whether we are great environmentalists or not, should support this legislation. We all need clean drinking water to exist and to live and we are taking step backwards here instead of a step forward if we support this amendatory veto. I would recommend a 'no' vote."

Speaker Breslin: "There being no further discussion, the Lady from Marshall, Representative Koehler, to close."

Koehler: "Well, thank you very much, Madam Speaker, and I wish to thank Representative Dunn, and I would certainly join with him next year in sponsoring legislation that would reinstate that particular portion of the legislation. However, I am most disappointed to find out that he would sacrifice the other remaining good things that are in this piece of legislation. Of course, I would hate to think that Representative Dunn would be opposing increased public participation and increased public knowledge as far as the permitting process is concerned. After all, the remaining portion of the legislation does allow for individuals to have a longer period of time in which to comment and

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prepare for their cases before the public hearing on a regional pollution control facility. And that is very, very important that this be done. And furthermore, it increases... it adds a degree of certainty. It says that the hearing... they must allow for 90 days for the public to prepare and then they also must have that hearing within 120 days of the legislation. And also the legislation does provide for all of this permit application information to be available to them at a much closer place. The legislation allows, instead of the public having to go all the way to Springfield to the IEPA and look for the information, that this information will be available to them at their own county board building. And so these two provisions are very important for the public as far as the safe siting of landfills in their own community and I would certainly urge you to support the acceptance of the Governor's amendatory veto and then next year, hopefully, Representative Dunn will join with me and we can sponsor the other piece of legislation that he believes is so important."

Speaker Breslin: "The question is, 'Shall the House accept the Governor's specific recommendations for change with respect to House Bill 3178 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 question there are 80 voting 'aye', 16 voting 'no', and 7 voting 'present'. This Motion, having received the Constitutional Majority, does prevail and the House does accept the Governor's specific recommendations for change regarding House Bill 3178 by the adoption of the Amendment. Representative Leverenz is now recognized for the purpose of a Motion. Excuse me. Representative Mautino, for what

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reason do you rise?"

Mautino: "You are about two minutes too late, Speaker."

Speaker Breslin: "I'm sorry, Representative. Representative Johnson, for what reason do you rise? Representative Leverenz, for the purposes of a Motion."

Leverenz: "I'd ask leave of the House to use the Attendance Roll Call to take from the table Senate Bill 1450 and return it to the Calendar on the Order of Third Reading."

Speaker Breslin: "The Gentleman asks leave to take House Bill 1450..."

Leverenz: "Senate Bill 1450."

Speaker Breslin: "Excuse me. Senate Bill 1450, and return it to the Order of Third Reading. The Gentleman asks leave to suspend the rules to do so. And on that question, the Gentleman from Cook, Representative Bullock. And on that question, is there any discussion? There being no discussion, all those in... all those in favor say 'aye', all those opposed say 'no'. In the... the Gentleman has asked for a Roll Call. All those in favor vote 'aye', all those opposed vote 'no'. The question is whether or not we should suspend the rules to allow Senate Bill 1450 to come from the table and be placed on the Order of Third Reading. The Bill... This Motion requires 71 votes for adoption. Representative Leverenz, to explain his vote."

Leverenz: "Thank you. We are getting closer. We'll move the Bill to Third Reading if you will allow me to, then we will be taking it back to Second for purpose of one Amendment."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Motion there are 74 voting 'aye', 27 voting 'no' and 1 voting 'present' and the Motion is adopted. Representative Leverenz."

Leverenz: "Thank you, Madam Speaker. I would ask leave of the

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House to take Senate Bill 1450 back to the Order of Second Reading for purpose of one Amendment."

Speaker Breslin: "The Gentleman asks leave to return Senate Bill 1450 to the Order of Second Reading for the purposes of an Amendment. And on that question is there any discussion? There being no discussion, the question is, 'Shall we return this Bill to the Order of Second Reading?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and we are on Second Reading. Mr. Clerk."

Clerk Leone: "Amendment #11, Leverenz, amends Senate Bill 1450 as amended."

Speaker Breslin: "Representative Leverenz."

Leverenz: "Thank you, Madam Speaker. Amendment #11 to Senate Bill 1450 would provide \$45,000 for the ordinary and contingent expenses of the Compensation Review Board. The money would be used to have one attorney on a part-time basis contractually and a clerical person and to pay for the twelve members, their expenses in travel for the meeting of the board. And I would move for the adoption of Amendment #11, the sole dollar amount in the Bill after its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #11 to Senate Bill 1450, and on that question, the Gentleman from Champaign, Representative Johnson. Could you come to a mic behind you or in front of you, Representative? That row of microphones is not working."

Johnson: "What portion of the \$45,000 is allotted for the attorney fees and what is the attorney going to do?"

Speaker Breslin: "Representative Leverenz, on the question."

Leverenz: "Would you restate the question?"

Johnson: "Yes, Sir. What portion of the \$45,000 approximately is earmarked for the attorney fees, the part-time staff

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attorney, and two, what is the attorney going to do?"

Leverenz: "The attorney will do some research and writing and it is a single line item; therefore, it is not set out what the attorney would receive or what the expenses would receive. I would hope, as I think you might, that the expenses of the twelve members would be paid so that they could meet and this person, I'm sure will be involved with the meetings of those twelve people and work at their direction."

Johnson: "What interests me is why... I mean, it seems like this is a fairly clear cut issue and if it isn't, we certainly have the attorneys for the Governor, the attorneys who work for the Majority and Minority Parties in each chamber, as well as our own staff attorneys. I don't know why we need and what function an attorney would serve in terms of advising this board."

Leverenz: "Well, that is the way the Amendment is prepared at a \$45,000 single line item, and it is there should they want separate counsel, I am sure. I thought you were going to ask for me to expand it to include an amount to fix all the microphones on the House floor that don't work."

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

Ropp: "Madam Speaker, would the Sponsor yield, please?"

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

Ropp: "Representative, you have stated that there is going to be at least one attorney and someone who can type for that attorney. That makes 14 people or about \$3200 each. I really think that's a little bit high for the amount of work that they are going to do over a period of maybe a day or two and I'd like further clarification as to just what all of the \$45,000 is going to go for. I hope it doesn't go for one attorney and a clerical worker."

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Leverenz: "The majority of the money will be used to pay the expenses of the twelve members that have now been appointed, which I believe will be having a meeting next week. There is a possibility that they may or may not employ a consultant attorney or an attorney as a consultant. I think they will only have a few meetings a year. I am sure that you will have the opportunity, as well as myself and other members to scrutinize this budget and perhaps you would be the Sponsor of their OCE Bill next year. But I think we are at a safe amount of money just to start them up. As you say, \$3200, if you just proportion it out for fourteen people, is a mere pittance. In the alternative that they don't use the money, I'm sure it will return to the General Revenue Fund. I've seen bigger budgets used and money packed away for the purposes of holding it until a later date to be used for some other purpose. But at \$45,000, I don't think we will have any real problem."

Ropp: "Well, most of those people, I think, that have been appointed live within 50 to 60 miles of Chicago and I know when we get mileage from where I live roundtrip is only \$52 for mileage and we don't get our parking fees even taken care of in downtown Chicago, which oftentimes takes as much as 8 to \$10 for three or four hours work up there. I just would think that we ought to be a little more frugal in terms of the amount of money that I know these good, hard-working citizens would spend, and it seems to me like a figure a little bit less than that would be more acceptable. However, I do appreciate the fact that just because it's there doesn't mean that they have to spend it."

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

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Leverenz: "I'd simply move for the adoption of Amendment #11 to Senate Bill 1450."

Speaker Breslin: "The question is, 'Shall Amendment #11 to Senate Bill 1450 be adopted?' 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. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Leverenz."

Leverenz: "I would ask leave to use the Attendance Roll Call to hear the Bill on Third Reading today."

Speaker Breslin: "The Gentleman asks leave to hear this Bill immediately on Third Reading. Is there any objection? There being no objection, proceed, Representative Leverenz. Clerk, read the Bill."

Clerk Leone: "Senate Bill 1450, a Bill for an Act making appropriations to the Department of Transportation for expenditure by the Division of Water Resource. Third Reading of the Bill."

Speaker Breslin: "Representative Leverenz."

Leverenz: "Thank you, Madam Speaker. Senate Bill 1450 now has \$45,000 total for the ordinary and contingent expenses of the Compensation Review Board. I would ask for your 'aye' vote to pass the Bill today."

Speaker Breslin: "The Gentleman has moved for the passage of Senate Bill 1450, and on that question, the Gentleman from Champaign, Representative Johnson. The Gentleman is not seeking recognition. Does anyone else seeking... seek recognition? There being no discussion, the question is, 'Shall the House adopt or pass Senate Bill 1450?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This Bill requires 71 votes for passage. This is final action. Representative Leverenz, one minute

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to explain your vote."

Leverenz: "Thank you. I would simply ask that with good conscience you would put a green vote up there so this Board could meet and consider the salaries in the Executive and Judicial and Legislative Branches of government. For those of you not bold enough to vote for a pay increase, this might be an easier way for you to handle this situation. And we are looking for a few more good green votes."

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

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House, we have already said that a Compensation Review Board ought to act. We have already passed that legislation. Now, by this Amendment, we are saying that they ought to be paid expenses. Would any of us say that we Legislators shouldn't be paid expenses? No, no. We are no different than anybody else. If we have said, by statute, that they have got a job to do we ought to now say that they ought to be paid expenses. I don't think that takes any guts or anything else. It's common sense. So I would urge the Members to ratify this by saying, 'Yes, they ought to receive their expenses.' I hope they do a good job, but surely, do a good job or not, they ought to be paid their expenses. So, I would urge an 'aye' vote."

Speaker Breslin: "This Bill requires 71 votes for passage. The Gentleman from Cook, Representative Vitek, to explain his vote."

Vitek: "No, I don't want to explain my vote. I just want to clear this. We are not voting for the pay raise by voting this. We are only voting to give these guys the \$45,000 they needed to... that they spented and appropriated and we're not voting for a pay raise. We are just voting for

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giving them this \$45,000. That's all I wanted to get clear, that I'm not voting for a pay raise. I was against the pay raise. Always have been against it. But I'm voting to give them the \$45,000. That's all."

Speaker Breslin: "That is... That is correct, Representative Vitek. You are correct. Representative Johnson, one minute to explain your vote. I don't believe your microphone is working, Sir."

Johnson: "This vote is the only vote that this Assembly will have to cast strictly on the question of whether you believe in a commission form of government to the extent that a commission that is made up of unelected people ought to be in the business of, in a backdoor sense, deciding salaries for this Body and for the Judiciary and for the Executive Branch of the government. You either do or you don't. This is the only opportunity you have to vote on it. I happen to believe that if we are going to raise salaries, we ought to do it as we did with the judges and elsewhere and that is upfront. And my vote against this is not to believe that these people don't deserve the per diem, but because I believe this Pay Commission... or Pay Compensation Board is not the appropriate way to raise salaries for any branch of government."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 72 voting 'aye', 36 voting 'no', and 1 voting 'present', and the House does adopt Senate Bill 1450. This Bill, having received the Constitutional Majority, is hereby declared passed. Committee Reports. Yes, Senate Bill 1450 was passed by a Three-Fifths vote. Committee Reports, Mr. Clerk."

Clerk Leone: "The Committee on Rules has met and pursuant to Rule 29(c3) the following Bill has been ruled exempt on November

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27, 1984: House Bill 3286."

Speaker Breslin: "Representative Cullerton, for the purposes of a Motion."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I move, pursuant to Rule 77(a), to discharge the Committee on Executive from further consideration of House Bill 3286. I would also move to suspend the provisions of Rule 5(c) and 20(i) in order that House Bill 3286 does not have to be printed. This is the revisionary Bill that we just exempted from the Rules Committee."

Speaker Breslin: "The Gentleman has moved to suspend the appropriate rules to move House Bill 3286 out of the Executive Committee and to suspend the appropriate rules for the Bills to be printed. And on that question is there any discussion? Representative Cullerton."

Cullerton: "And further to amend my Motion to suspend Rule 77(b) related to Calendar requirements and advance to the Order of Second Reading, First Legislative Day, Speaker's Table. Move the Bill to that Order."

Speaker Breslin: "The Gentleman further asks that House Bill 3286, once printed, then be moved to the Order of Second Reading. On this question is there any discussion? The Lady from Dupage, Representative Karpiel."

Karpiel: "Thank you, Madam Speaker. I'd just like to know what this Bill is."

Cullerton: "This is the pay raise Bill. No, this Bill... Representative Friedrich asked me to present this Motion. This Bill deals with just the revisory Bill. The Legislative Reference Bureau makes technical changes in legislation and this is... has to be passed this year before they are... go out of business into a different area. So that's why we are trying to pass the Bill this year. In other words, it doesn't have any substantive

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changes. It only is the Bill that we pass every year, makes technical changes. It's a very thick Bill that we always suspend the printing... remember... you're going to the Senate. It doesn't make any difference. Are you going to start reading the Bills now that you are going to the Senate? Is that what..."

Speaker Breslin: "Representative Karpiel. I'm sorry, Representative Karpiel. It appears your microphone is not working either. The Gentleman from DeWitt, Representative Vinson on the Motion. Representative Vinson, please move over to Representative Daniels microphone."

Vinson: "Would the Sponsor yield for a question or several?"

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

Cullerton: "Sure."

Vinson: "What is the substance of your Motion? I know the Bill isn't substantive but the Motion must have some substance."

Cullerton: "Yes. The Bill was in the Rules Committee only a few hours ago. We suspended a rule then and we met back in the Speaker's Office. We exempted the rule. We exempted the Bill. We said that it was an emergency matter that should be considered this year. Then we sent the Bill... the Committee on Assignment met and they sent the Bill to the Executive Committee, where it sits right now. So this Motion discharges the Committee on Executive, moves the Bill to the Calendar, the Order of Second Reading, First Legislative Day, Speaker's Table and it... we have also suspended the Motion further suspends Rule 5(c) in order that the Bill does not have to be printed. So it's a very substantive Motion."

Vinson: "In order that the... In order not to print the Bill."

Cullerton: "Right."

Vinson: "And what this Bill does is to codify all of the changes that have already been enacted by the General Assembly and

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signed by the Governor this year. Is that correct?"

Cullerton: "That's very possible. That's very possible."

Vinson: "Now, is it your intention to leave the Bill on First Reading... on Third Reading, First Day today?"

Cullerton: "I'm not the Sponsor of the Bill."

Vinson: "You are not going to try... Are you going to offer a subsequent Motion to pass this Bill today?"

Cullerton: "I'm not going to offer such a Motion."

Vinson: "Thank you."

Speaker Breslin: "There being no further discussion, the question before this Body is, 'Shall all of the appropriate rules be suspended so that House Bill 3286 will be moved from the Executive Committee, printed... suspending of the printing rules and then be placed on the Order of Second Reading?' All those in favor of that Motion say 'aye', all those opposed say 'nay'. In the opinion of the Chair... This Bill requires a Roll Call vote. All those in favor vote 'aye', all those opposed vote 'no', and it requires 71 votes for acceptance. Have all voted who wish? The Clerk will take the record. On this Motion there are 87 voting 'aye', 10 voting 'no', and 3 voting 'present', and the Motion passes. Mr. Clerk, would you read the Bill a second time?"

Clerk Leone: "House Bill 3286, Friedrich, a Bill for an Act to revise various Acts to resolve multiple Amendments or additions to correct technical errors and other patent errors and omissions and to revise cross references and to delete obsolete or duplicative provisions. Second Reading of the Bill. No Amendments."

Speaker Breslin: "Are there any Motions filed or Committee Amendments?"

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

Speaker Breslin: "Third Reading. Representative Bullock, for the

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purposes of a Resolution. Representative Bullock. You'll have to move back to the back mic, please."

Bullock: "Thank you."

Speaker Breslin: "Excuse me, Representative Bullock. Representative Vinson, for what reason do you rise?"

Vinson: "I believe that Representative Cullerton's Motion brought the Bill to Second Reading, First Legislative Day, and then you moved it to Third Reading."

Speaker Breslin: "That's correct."

Vinson: "I don't have any problem getting it to Third Reading, but I don't think you got it there yet technically. Madam Speaker."

Speaker Breslin: "Yes, Representative."

Vinson: "Your problem can be cured by a Motion that suspends Rule 77(c), but you have got to take a vote on that Motion to move it to Third."

Speaker Breslin: "I think they are just consulting about that, Representative. We agree that the Bill was not properly moved to Third Reading, Representative Vinson, and they have decided that the Bill is on the Order of Second Reading and will remain on the Order of Second Reading. Now, Representative Bullock."

Bullock: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Resolution 1267, I request that the use... the Attendance Roll Call to suspend the appropriate rule in order that the Resolution 1267 can be considered at this time."

Speaker Breslin: "The Gentleman asks to suspend the rules so that House Resolution 1267 be considered immediately. That's House Resolution 1267. And on that question, is there any discussion? There... the Lady from DuPage, Representative Nelson."

Nelson: "Thank you very much, Madam Speaker. I rise in

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opposition to the Gentleman's Motion. I have read his Resolution and I believe that it is a futile attempt to undo actions that have already occurred in Chicago, most unfortunate actions albeit, but I do not believe that there is time for the hearings that he wishes the Elementary and Secondary Education to hold for any meaningful action at this time to occur. And, therefore, I would urge that we reject his proposal."

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

Cullerton: "Yes, would the Sponsor yield?"

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

Bullock: "Yes, I will."

Cullerton: "Representative Bullock, does this Resolution deal with subpoena power?"

Bullock: "Yes, it does."

Cullerton: "And in what way does it deal with subpoena power?"

Bullock: "It only grants to the House Elementary and Secondary Education Committee powers that it does, in fact, have if it wishes to conduct investigations or public hearings. And in this particular instance, we referenced the Chicago Board of Education."

Cullerton: "Okay, well, my understanding is that it's a rare occurrence when the House would give subpoena power to an individual Committee. I know it has been done in the past. The most recent time, I believe, was when Harold Washington was the Chairman of the Judiciary Committee and there was an investigation into some insurance companies. But I think that, perhaps, it would make a little bit more sense to me to first invite people to come and testify before we have to take the step of giving a Committee subpoena powers. I think that if people indicate they do not wish

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to voluntarily answer questions, then it's a matter that we should certainly consider. But prior to them even being asked to come and testify, to give subpoena power, I think, is perhaps a bit premature."

Bullock: "Well, Representative Cullerton, I'd be delighted to discuss the substance of the proposition if we could get it to that stage. I think right now, as you know, we are on a Motion in order for the chamber to consider this measure and if you will let me get it to that stage, I'm sure we can discuss the substance of the Motion."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the appropriate rules be suspended so that House Resolution 1267 may be heard immediately?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Motion carries. Representative Bullock, on the Resolution."

Bullock: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Resolution 1267 essentially calls upon this chamber's Elementary and Secondary Education Committee to conduct its own independent investigation into the allegations surrounding the Chicago Board of Education's decision not to renew the superintendent's contract. Moreover, the Resolution will allow this chamber to ascertain the facts that are necessary for us to make intelligent decisions should requests come to this chamber for additional funding for Chicago public schools. More importantly, this Resolution will enable us to establish a data base for the next General Assembly when most of us concur that the issue of school reform will be the highest priority for the State of Illinois. I don't need to cite for this chamber the litany of evils that surround the Chicago Board of Education's actions as it stood in utter contempt of the Chicago City Council, as it stood in

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contempt of Members of the General Assembly who attempted to ascertain the facts as it relates to the superintendent and the Board of Education's contract discussions. I cite for you, Madam Speaker and Members of the House, that the Board of Education has, in fact, been condemned and castigated by major media throughout the City and State of Illinois and the Board continues to remain unaccountable. Unlike many districts in southern Illinois, the Board of Education in Chicago is not elected, does not have the type of accountability that many of the other school district boards, in fact, have. And I think if we are to move to the point where we consider propositions for an elective school board in Chicago, additional funding for the school children in Chicago and even deficiency appropriations, we must, in fact, pass this Resolution, and I would urge an 'aye' vote."

Speaker Breslin: "The Lady from DuPage, Representative Nelson."

Nelson: "Madam Speaker, a question for the Sponsor."

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

Nelson: "Representative Bullock, when do you propose that this investigation would take place. I see that you want a report back to this General Assembly by January 5 of 1985. This is already the end of November. We have Session this week and we have Session the week of December 11th."

Bullock: "Representative Nelson, I would urge the Committee to hold at least two hearings in the City of Chicago between now and the first of the year, and should we be unable to meet that January deadline, I am prepared to join with you and others in extending the deadline, as we routinely do when reports of this nature are not timely."

Nelson: "But after that deadline, there will be a different Membership of the House Elementary and Secondary Education Committee so you are going to have some people start the

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investigation and other people finish it?"

Bullock: "Well, I think that there will be some continuity. The distinguished Chairman, in my estimation, was just reelected. I hope to be here in January and the Speaker will appoint Members of the Committee. And I'm certain that Members of that Committee, if, in their wisdom, decide that they wish to push the deadline back that they will do that. And I would hope that both sides of the aisle would be as concerned as I am about the problem and, of course, take positive, constructive actions in January."

Nelson: "Have you discussed this Resolution with either the Chairman of that Committee or Minority Spokesman?"

Bullock: "Yes, Ma'am, I have. Both."

Nelson: "It seems to me... To the Bill, Madam Speaker... or to the Resolution, Madam Speaker."

Speaker Breslin: "Proceed, Representative."

Nelson: "As Representative Bullock well knows, I have testified in front of the Chicago Board of Education citing my work with Dr. Love since I have been in the General Assembly. I believe her to be an outstanding educator and I was distraught by the action of the Chicago Board of Education. And I very pointedly told them that that precipitous action on their part would make it ever increasingly more difficult for there to be found funds for the Chicago Board of Education in this Session of the General Assembly. I think after hearing Mrs. Wilson today, all of us recognize what a tragedy it would be for the Chicago schools to shut down next week. Furthermore, all of us here recognize that the cuts that have been made by the Chicago Board of Education are in contravention to negotiated settlements with the Chicago teachers. And we deplore any time that there has to be a break in a contract situation. But I do not believe that this particular Resolution, which tries to

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turn back the clock, and which would investigate simply to give the Members of the House Elementary and Secondary Education a chance to act as inquisitors will meet our goals. Our goals are a better understanding of how to achieve quality education for those students in Chicago, where to find the money to keep the schools open, and it is too late, unfortunately, to redo the contract negotiations. I would, personally, prefer to see a Resolution that would commend Dr. Love for her leadership, for her innovative programs in Chicago, and her record of achievement, rather than set up an inquisition, as this appears to be, and, therefore, I will vote 'no'."

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

Bowman: "Madam Speaker, will the Gentleman yield for one question?"

Speaker Breslin: "He will."

Bowman: "As I understand this Resolution, correct me if I'm wrong, the thrust of it is to determine if there has been any illegalities, so you will be focusing on violations of state law, perhaps even federal laws, is that correct?"

Bullock: "That is correct, Representative."

Bowman: "Okay, then to the Resolution, Madam Speaker. I share Representative Nelson's support for Superintendent Love. However, I am rising in opposition to this Resolution. Let me tell the Body about a situation which occurred during my first year on the House Appropriations Committee six years ago. At that time, there was suspicion of malfeasance and misfeasance within the Department of Public Health. In fact, our suspicions were later justified when three persons were sentenced to the federal penitentiary for violation of federal law. At the time, however, we were in a quandary. We had considered issuing subpoenas to the

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personnel in the Department of Public Health compelling them to testify and offering other evidence. We felt, after doing some legal research, that it was inadvisable because we were informed that they may later raise the defense of double jeopardy in the civil courts... in the criminal courts. So we did not issue those subpoenas, and I think, in retrospect, it was a wise decision. Indeed, the courts did their work and the people did go to the penitentiary. We may have provided a barrier to justice being done, if, in our zeal, we had pursued the course of compelling testimony and doing the investigatory work ourselves. So that I think the Resolution, while it is properly motivated, is not... does not have the proper result. I would support any Resolution commending Dr. Love and suggesting that the Board might want to reconsider its position, but I do not think that this is the way to go. So I urge a 'no' vote on this Resolution."

Speaker Breslin: "The Gentleman from DeWitt, Representative Vinson, at Representative Daniels' chair."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. I do not know whether Ruth Love is a good or a bad superintendent of the Chicago school system. I can make no judgment on that. I have had people, whom I respect on both sides of that issue, tell me contradictory things. What a Resolution does, if it does anything, is express very clearly in the resolved Sections... and the key thing that this Resolution requires is a study of whether the Chicago School Board should be, in fact, an elected school board; a study not done by some new commission, but a study appropriately done by a Committee of this Body. Now, while I take no position on Mrs. Love or Miss Love, whichever she may be, I do take a position on the issue of an elected school board. I don't know how

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many times since I have been in the General Assembly, and that's just seven years, that there has been a crisis brought to this Body in connection with the Chicago School Board, an appointed Board. There are numerous elected boards in my legislative district and not a single one of them, even though a couple of them are in tight financial difficulty, has come to this General Assembly to bail them out. Not a single one. They have never asked for a Special Session. They have never asked for a special lottery or anything else. I believe that that difference between downstate school boards and the City school board compels this chamber to make a reasonable study of whether or not we ought to change the method of selection and make the Chicago Board elected. And that is what we are voting on in this particular Resolution and that is why I would very strongly urge an 'aye' vote."

Speaker Breslin: "There being no further discussion, the Gentleman from Cook, Representative Bullock, to close."

Bullock: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I wish to express my profound appreciation to Representative Vinson for those cogent remarks in support of House Resolution 1267. What Representative Vinson just said is absolutely correct and it goes to the heart of this Resolution and the heart of the Resolution is one of fairness and due process. If you believe that the Board of Education of the City of Chicago should stand in contempt of the Illinois General Assembly, should stand in contempt of the Chicago City Council, that it should tramp on the rights of its public administrator, then you vote 'no' on this Resolution. If you believe the school children of Chicago are first and foremost in importance, if you believe that an administrator has a basic civil right and due process, if you believe that the Board of Education

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should, in fact, be looked into, should be investigated as to whether or not it violates state law and federal law and whether it misuses state funds, then you will vote 'aye' for this Resolution. If you want the facts in the General Assembly when you vote next year for school reform, and come this year, you are going to be asked to vote for additional millions of dollars for a public school system, if you want the facts to make those decisions, then vote 'aye' on HR 1267. Madam Speaker and Ladies and Gentlemen of the House, I urge an 'aye' vote and immediate passage."

Speaker Breslin: "The question is, 'Shall the House adopt House Resolution 1267?' 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. Representative Cullerton, for a Motion."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. We just suspended the appropriate rules to put House Bill 3286 on the Calendar, the Order of Second Reading, First Legislative Day. I believe we find it necessary to advance that to Second Legislative Day. So, I would move to suspend the appropriate rules to advance House Bill 3286 to the Order of Second Reading, Second Legislative Day."

Speaker Breslin: "The Gentleman has moved to suspend the appropriate rules to advance House Bill 3286 to the Order of Second Reading, Second Legislative Day. And on that question is there any discussion? The Lady from DuPage, Representative Nelson, on that question."

Nelson: "Madam Speaker, I would like to raise a point of order on the last vote."

Speaker Breslin: "You are not in order at this time. I will recognize you later. Is there any discussion on this Motion? There being no discussion, the question is, 'Shall

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the House suspend the appropriate rules and move House Bill 3286 to the Order of Second Reading, Second Legislative Day?' All those in favor say 'aye'... okay, all those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question, there are 84 voting 'aye', 6 voting 'no' and 3 voting 'present' and the Motion is adopted. Mr. Clerk, read the Bill a second time, please."

Clerk Leone: "House Bill 3286, Friedrich, a Bill for an Act to revise various Acts to resolve multiple Amendments or additions, to correct technical errors and other patent errors and omissions and to revise cross-references and to delete obsolete or duplicative provisions. Second Reading of the Bill."

Speaker Breslin: "Are there any Motions or Amendments?"

Clerk Leone: "No Motions or Amendments."

Speaker Breslin: "Third Reading. Representative Nelson, now for what reason do you rise?"

Nelson: "Madam Speaker, for a Parliamentary Inquiry."

Speaker Breslin: "Proceed."

Nelson: "Madam Speaker, it is my understanding from staff that House Resolution 1267 needs to have a Roll Call Attendance vote because... first of all, it spends money, since the members of the Committee are to be reimbursed, and secondly, in order to convey subpoena power to a Committee, there needs to be a Roll Call vote according to Chapter 63 of the Code...Rule 43."

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

Piel: "Thank you, Madam Speaker. I'm not quite sure if the Resolution per se says 'expending of funds', but the Resolution does state 'investigating'. They will investigate, and if it doesn't say investigating in the

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Resolution, then it would, according to Rule 43(c) take a Roll Call of 60 votes."

Speaker Breslin: "There has been a request for a Roll Call vote on House Resolution 1267 and we intend to take a Roll Call vote on that Resolution with the agreement of the Sponsor. So the question before this House is, 'Shall House Resolution 1267 be adopted?' We have already had discussion on the issue. The question is, 'Shall House Resolution 1267 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. 60 votes are required for adoption. Representative Levin... This Resolution requires 60 votes for adoption. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 43 voting 'aye', 28 voting 'no'... excuse me. On this Resolution there are 53 voting 'aye', 28 voting 'no' and 10 voting 'present' and the Resolution... Representative Bullock has asked for a Poll of the Absentees."

Clerk Leone: "Poll of the Absentees. Alexander. Barnes. Braun. Brunsvold. Currie. Davis. DeJaegher. Domico. John Dunn. Ewing. Greiman. Hastert. Hicks. Hoffman. Homer. Ruff. Leverenz. Markette. Mautino. McAuliffe. McPike. Pangle. Rice. Taylor. Wait. Winchester. And Wojcik."

Speaker Breslin: "Representative Davis requests leave to be voted 'aye'. Representative Hastert asks leave to be voted 'aye'. Representative Didrickson asks to change her vote from 'no' to 'aye'. Representative Cowlshaw asks to change her vote from 'no' to 'aye'. Representative Churchill asks leave to change his vote from 'no' to 'aye'. Representative Piel changes his vote from 'no' to 'aye'. Representative Karpel changes her vote from 'no' to 'aye'. Representative Ropp changes his vote from 'no' to 'aye'. Representative Wait requests voting 'aye'. Representative

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Farley changes his vote to 'aye'... from 'present' to 'aye'. On this Bill... On this Resolution there are 63 voting 'aye', 22 voting 'no' and 9 voting 'present', and the Resolution is adopted. Representative Pierce is now recognized on House Bill 3161. On the Order of Amendatory Veto Motions, page 12 on your Calendar. Representative Pierce."

Pierce: "Madam Speaker, Ladies and Gentlemen of the House, I have been asked by Speaker Madigan to handle his Motion to accept the Governor's amendatory veto on House Bill 3161, which was approved by the House Revenue Committee during the Spring Session. The purpose of the Bill was to establish an accelerated method of handling claims for refund of sales and use taxes. The Governor found the Bill impossible of administration and enforcement and consulted with Speaker Madigan and with the Illinois Retail Merchants Association and the National Federation of Independent Business. And they came up and all agreed to the amendatory veto. The Governor, in his amendatory veto message of September 16 of House Bill 3161 alludes to the fact that he has secured the agreement of the Sponsor, Speaker Madigan, the Retail Merchants Association and the Independent Businessmen. What the amendatory veto does is water down the original Bill somewhat, which allows a claim for credit... says it's necessary only in cases where the original monthly return contains an error or mistake which has led to overpayment. It also increases the interest due from one half percent per month to one percent on refunds. In other words, from six percent to twelve percent per annum on refunds to businessmen who have a refund coming. And it makes it clear the effective date is January 1, 1985. I, therefore, move that the House accept the amendatory veto of the Governor to House Bill 3161."

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Speaker Breslin: "The Gentleman has moved for the acceptance of the Governor's specific recommendations for change on House Bill 3161, and on that question, the Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Madam Speaker. Will the Gentleman yield?"

Speaker Breslin: "He will yield."

Mautino: "Representative Pierce, it looks to me like in order to get credit a retailer would have to once again receive notification from the Department that a... an overpayment has been made and a correction will be forthcoming. How does this change the previous statute that caused all the problems with credits to people who have overpaid if, in fact, what we are doing here, as I read this, is going back to the prior position of the retailer having to be notified that the overpayment was made and that's what initially caused all the problems?"

Pierce: "That's a very good question, Representative Mautino. I understand there is a... there is a change here and that is the Department of Revenue could issue a credit memorandum without requiring the taxpayer to file a claim if the error on the original return is easily correctable by the Department. Now, what that means is we have to rely on the good faith of the Department. The Governor feels that his new computer that is going into effect, the sales tax computer system will supplant the current paper and pencil, hands and eyes system and provide for these refunds to be paid much sooner, if not... if not automatically. And we hope to forego credit memoranda beginning in 1987 when the new computers go into effect. The Governor, apparently, was able to sell this idea, not only to the Sponsor of the Bill, for whom we all have great respect, but also to the Retail Merchants Association and the National Federation of Independent Businessmen. So although you are correct, the

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Bill, as amended by the Governor, is not as effective as you and I would have liked and I'm sure as the Speaker would have liked, it is apparently all we are going to get right now and it's agreeable to the parties who originally sponsored the Bill."

Mautino: "Danny, I... I agree in total with your evaluation because I can see with the language that has been removed, you are going to have specifically grocery stores that have overpaid based upon the prior year's estimated tax back in the six month swing and the Department is going to have 16 or 18 thousand dollars of the retailers' money again and I think we are creating havoc with the Governor's Amendment."

Pierce: "Yeah, we are doubling the interest rate though, from six to twelve percent per annum on the refund, from one half percent per month to one percent per month, almost up to the prime rate. I renew my Motion to accept the amendatory veto."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change on House Bill 3161 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? Representative Pierce's last Bill is being voted on right now. Have all voted who wish? The Clerk will take the record. On this Motion there are 101 voting 'aye', none voting 'no', and 2 voting 'present'. This Motion, having received the Constitutional Majority, does prevail and the House does accept the Governor's specific recommendations for change regarding House Bill 3161 by the adoption of the Amendment. And Representative Pierce is recognized for his last Motion."

Pierce: "Yes, we have House Joint Resolution 190 in front of you

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and I, therefore, request... you called House Joint Resolution 190?"

Speaker Breslin: "House Joint Resolution 190."

Pierce: "I would move that we, pursuant to Rule 43(a), we move to bypass Committee and place HJR 190 on the Speaker's Table for immediate consideration. The Resolution has been reproduced and distributed to the Members on their desks."

Speaker Breslin: "The Gentleman's Motion is to bypass Committee on House Resolution 190..."

Pierce: "Joint Resolution."

Speaker Breslin: "On Joint Resolution 190, and proceed to immediate consideration of this Resolution. On that question is there any discussion? There being no discussion, the question is, 'Shall the House... Shall the House bypass Committee and consider immediately House Joint Resolution 190?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. 71 votes are required for adoption. Have all voted who wish? The Clerk will take the record. On this Motion there are 97 voting 'aye', none voting 'no', and none voting 'present', and the Motion is adopted. Pierce votes 'aye'. There are 98 voting 'aye', none voting 'no' and none voting 'present'. Representative Pierce on the Motion... Resolution rather."

Pierce: "Madam Speaker, Ladies and Gentlemen of the House, House Joint Resolution 190 was occasioned by the fact that when we eliminated the Sunset Committee, effective September 30 of this year, we did not eliminate the sunset of legislation, specifically the Illinois Public Utilities Act, which is scheduled to be sunsetted December 31 of 1985, a year from now. It was felt that the Sunset Committee was well along towards writing a modern public utilities Act and a new telecommunications Act and therefore, that process should be continued. And therefore, the

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Legislative Leaders, at a hearing in Chicago, determined that it would be a meritorious idea to create a Joint Committee on public utility regulation made up of two Legislators and one public member appointed by each of the four Leaders and in addition the Director of the Governor's Office of Planning and the Chairman of the Commerce Commission. What this Resolution does is give the legal authorization for that Committee, which is meeting tomorrow morning and which wants to continue the work of the Sunset Committee. Representative Brummer is head of the public utility portion and I have been Chairman of the telecommunications portion of the Sunset's effort. Former Representative Sandquist was Chairman of the Sunset Committee and has been appointed a public member of the new House Joint... excuse me, the new Select Committee on Public Utilities, which is legitimized by HJR 190. I, therefore, move the adoption of House Joint Resolution 190."

Speaker Breslin: "The Gentleman has moved for the adoption of House Joint Resolution 190, and on that question the Gentleman from Kendall, Representative Hastert."

Hastert: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would join in Representative Pierce in asking to give your affirmative vote to this Motion. One of the biggest things that we have coming before us in the General Assembly in 1985 is to look at the Public Utilities Act, to look at the utilities as far as nuclear power, to look at the utilities as far as wheeling energy, the telecommunications Bills, deregulation of natural gas, we have to do some preliminary research and we have to have a body to feed information to this Legislature and I think this is the means that we have to do it. I ask for an affirmative vote."

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Speaker Breslin: "The question is, 'Shall the House adopt House Joint Resolution 190?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Pierce."

Pierce: "As soon as you announce the result."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 101 voting 'aye', none voting 'no' and none voting 'present', and this Resolution, having received the necessary Majority, is hereby adopted. Representative Pierce."

Pierce: "Madam Speaker, all the Members of the House and staff, Republicans and Democrats, are now invited to a reception at the State House Inn from 5 to 8 p.m. as my guests. I'm going to throw a farewell party for myself because you have all been so tolerant of me over the years and no one else would do it anyway. And... Illinois Room in the State House Inn on the first floor, 5 to 8 p.m. or immediately after adjournment. Thank you."

Speaker Breslin: "Are we given to understand that you are hosting a reception for yourself, Representative Pierce?"

Pierce: "Right, I'm hosting it for myself because when you are a lame duck, no one else will do it for you. Thank you."

Speaker Breslin: "Before we do that, Ladies and Gentlemen, we have one further Resolution, a very serious business, a Death Resolution. Mr. Clerk."

Clerk O'Brien: "House Resolution 1264, by Capparelli and McAuliffe."

Speaker Breslin: "Would all Members please rise?"

Clerk O'Brien: "Whereas this Body learned with profound sorrow of the recent passing of one of its most esteemed former Members, Roman Kozinski, of Chicago, Illinois; and whereas Representative Kozinski was elected by the residents of the 16th district from 1970 to 1983 to serve in the 77th

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through the 82nd General Assemblies as their Democratic Representative, he garnered respect of both sides of the aisle, contributed to the Appropriations and Judiciary II Committees and successfully sponsored such law enforcement legislation; and whereas, born in Chicago and educated at Lane Technical High School and Northwestern University, Roman Kozinski served in the Armored Infantry of the United States Army during World War II and operated a family owned jewelry business begun at the turn of the century; and whereas Representative Kozinski's pride in his heritage was evidenced by his life-long commitment to the concerns of the American Polish community, including the Chicago Society - Polish National Alliance, the American Relief of Poland, in the Polonian Club and the Polish American Democratic Organization; and whereas Representative Kozinski's role as a civic leader encompassed a wide range of involvements with such associations as the Belmont Central Chamber of Commerce, the Lion's Club, the Boy Scouts, Amvets, the Catholic Action Society, the Chicago School Board Nominating Committee and the High School Advisory Council of the National Honor Society, to name but a few; therefore, be it resolved by the House of Representatives of the 83rd General Assembly of the State of Illinois that we note, with deepest sadness, the death of Roman Kozinski, our most respected colleague, whose life of public service, political action and social concern bespoke his unfaltering dedication to his nation, his state, his community and his fellow man and that we extend our heartfelt sympathy to his grieving family and friends; and be it further resolved that a suitable copy of this Resolution be presented to Representative Roman Kozinski's widow, Isabelle Kozinski."

Speaker Breslin: "Representative Capparelli."

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Capparelli: "Ladies and Gentlemen of the House, the passing of my dear friend and former colleague, Roman Kozinski, was a great loss because Roman was a man of principle who firmly believed in the traditional values of American life, patriotism, law and order and the strength of the community. He transferred these concerns into action time and time again by supporting and working for the passage of issues that helped improve the quality of life for all of the citizens of Illinois. Our friendship went back to the early part of 1970 when we first campaigned as a legislative team and continued beyond the last day as a Member of the Illinois House. Few men have worked as hard for the principles in which he believed and his efforts will not be unnoticed by his colleagues in the chamber of this House. I am pleased to have been able to call Roman a dear friend and I ask leave that all Members be able to sign in as a Co-Sponsor of this legislation... this Resolution."

Speaker Breslin: "The Gentleman asks leave that all Members be added as Co-Sponsors of this Resolution. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair the 'ayes' have it and all Members are added. The Gentleman from Cook, Representative McAuliffe, on the Resolution."

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, I first met Roman Kozinski in his jewelry store when I went in there to purchase a watch. He was a friend of my father's, my father did business with him. He was a friend of mine. He was a fair man, both in business and in politics. He was a civic leader in the neighborhood, very well respected by the citizens of our community, by the business people and by the plain, ordinary citizens and by his constituents. And I would like to express my deep

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sorrow at his passing to his widow, Isabelle."

Speaker Breslin: "Speaker Madigan."

Madigan: "Madam Speaker, Ladies and Gentlemen, Roman Kozinski and I arrived at this Body on the same day, having been first elected in November of 1970, therefore, I served with him all of the years that he served here as a Member of the House. I have lost a political colleague, I have lost a personal friend. Ralph Capparelli and Roger McAuliffe have spoken to Roman's characteristics and his attributes. They knew him very well because they campaigned together for this office. For my part, I knew Roman to be a very honest, forthright, dedicated individual. Whenever you asked Roman his position on legislation or any political matter, you would get a very straightforward answer. There were never any curve balls. He was always a man of integrity. Never was there a hint of scandal that surrounded him personally or in the conduct of his political life. And, lastly, he was dedicated, dedicated to the House of Representatives, but most importantly, dedicated to his family. The Resolution does not mention his son, Paul, who was an honor student and graduated at a very early age from the University of Chicago, in the City of Chicago. So, for my part, and I'm sure on behalf of all the Members of the House, I wish to express my regret and sympathy to Isabelle and Paul and to their friends and relatives."

Speaker Breslin: "Representative Daniels."

Daniels: "Well, Mr. Speaker, we, too, have lost a friend on this side of the aisle and on behalf of all the Republican Members, I want to add our condolences to Representative Kozinski's family. I joined the Legislature in 1975 and he was one of the first individuals that I met. I sponsored several pieces of legislation with him and yes, indeed, he

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was known as Mr. Law and Order in the Illinois General Assembly. Today seems to be a day of losses and we have again lost another friend. We will remember him for his hard work and his friendship and for being an outstanding public servant. So, please add our names, the Republican Members of the House, expressing the condolences to his wife and son. Thank you."

Speaker Breslin: "The question is, 'Shall the House adopt House Resolution 1264?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it and the Resolution is adopted. Representative Cullerton moves that this House stand adjourned until 9:00 a.m. tomorrow morning. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and this House adjourned until 9:00 a.m. tomorrow morning."

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