

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

150th Legislative Day

December 11, 1984

Speaker McPike: "The House will come to order. The House will come to order and Members will be in their chairs. The Chaplain for today will be Reverend Danny O'Guinn, Pastor of Tabernacle Baptist Church of Decatur. Reverend O'Guinn is a guest of Representative John Dunn. Will the guests in the balcony please rise and join us in the invocation?"

Reverend Danny O'Guinn: "Shall we pray? Our Heavenly Father, as we approach Your throne of grace today, we recognize that You're God, King of kings, Lord of lords, governing in the affairs of mankind. Father, as this Session assembles here today, we pray that You will give them wisdom that descendth from above to make the right decisions and we'll praise You for it. In Jesus name we pray, 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. 103 Members answering the Roll Call, a quorum is present. Representative Piel."

Piel: "Yes, Mr. Speaker, would the record show that we have no excused absences today?"

Speaker McPike: "Thank you. Representative Greiman, do you have any excused absences? None. Thank you. House Joint Resolution. Read the Resolution, Mr. Clerk."

Clerk O'Brien: "House Joint Resolution 196. Be it resolved, by the House of Representatives of the 83rd General Assembly of the State of Illinois, the Senate concurring herein, that the two Houses shall convene in Joint Session on Wednesday, December 12, 1984, at the hour of 12:00 noon, for the purpose of honoring Justice Robert C. Underwood."

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Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, I move for the adoption of House Joint Resolution 196."

Speaker McPike: "Representative Giorgi moves for the adoption of House Joint Resolution 196. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Resolution is adopted. If the House could have your attention? Representative Ryder in the Chair."

Ryder: "Thank you. Ladies and Gentlemen of the House, I'm sure that all of you on some occasions have wished that you could bat one thousand, that every Bill that you sponsored would pass, but it's only a dream for most of us. That dream came through for the Routt Rockets of Jacksonville. They finished a perfect season, 13 and 0. They finished having allowed their opponents the sum total of 25 points for the entire year. They finished by achieving the State Championships in 1A. It's my pleasure to present the Jacksonville Routt Rockets, the only team from Jacksonville that has ever achieved a State Championship. It's my pleasure to present them and Mike Brooks, their coach. Coach."

Coach Mike Brooks: "Thank you very much, Representative Ryder and Representative Hannig. We really appreciate the award, and we'll cherish it. Thanks a lot."

Speaker McPike: "Representative Bowman in the Chair for an announcement."

Bowman: "Will the House please come to order for a moment? I would like to introduce a visitor who is with us today from the State of California, Chairman of the Committee on Aging in the California Assembly, Assemblywoman Jean Morehead, at John Vitek's desk. Assemblywoman Morehead was... joined us yesterday for an all-day conference on alzheimer's disease. She'll have the California fight against this killer. And

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she was also the Sponsor of the premiere drunk driving law in the nation, the one after which much other legislation is patterned. So we're honored to have you with us today. Welcome to the State of Illinois and thank you."

Speaker McPike: "Representative McPike in the Chair. Agreed Resolutions."

Clerk O'Brien: "House Resolution 1297, Panayotovich; House Resolution 1298, Tuerk and Saltsman; 1299, Madigan; 1300, Madigan; 1301, Leverenz; 1302, Leverenz; 1303, Ryder; 1304, Vinson; 1305, Brummer; 1306, Ryder; 1308, Klemm; 1309, Vinson."

Speaker McPike: "Representative Giorgi."

Giorgi: "Mr. Speaker, House Resolution 1297, Panayotovich, heralds the 25th anniversary of Carol Stream. Tuerk - Saltsman's 1298, tells of a championship. Madigan's 1299, calls the plan of the transportation service for the disabled. 1300, by Madigan, notes a 45th wedding anniversary. Leverenz's 1301, does the same thing. 1302, by Leverenz, another anniversary. 1303, by Ryder, notes a championship. 1304, by Vinson, inducts someone in the Hall of Fame. 1305, by Brummer, a retirement. 1306, by Ryder, another championship. 1308, by Klemm, a retirement. And 1309, by Vinson, a senior of the month. I move for the adoption of the Agreed Resolutions."

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

Clerk O'Brien: "House... Senate Joint Resolution 135, Capparelli, with respect to the memory of Roman Kosinski."

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

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Resolution is adopted. If the Chair could have your attention, page two and page three of the Calendar, we have total veto Motions and amendatory veto Motions filed. If anyone wishes to call either of those Motions at this time, if they would indicate to the Chair that they are ready, we will proceed in that manner. This is a very light Calendar, and I would repeat, if anyone is ready to call their Motion, either a total veto Motion or an amendatory veto Motion, the Chair will honor your request at this time. The Membership should bear in mind that the Speaker and the President of the Senate have agreed that we will try to get out of here tomorrow so that you have today and tomorrow only to call these Motions. So I would repeat, if anyone is ready to call the Motion, you have today or tomorrow. We would encourage you to call it at this time. Representative McGann."

McGann: "Yes, Mr. Speaker and Members of the Assembly..."

Speaker McPike: "For what reason do you rise?"

McGann: "I rise to have on page three, under Amendatory Veto Motions, Senate Bill 833."

Speaker McPike: "Fine. Fine. Thank you. Mr. Clerk, Senate Bill 833. Mr. Clerk, read the Bill."

Clerk O'Brien: "Senate Bill 833, a Bill for an Act to amend the Bingo License and Tax Act. A Motion to accept the Governor's amendatory veto."

Speaker McPike: "Representative McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I move to accept the amendatory veto of Senate Bill 833."

Speaker McPike: "Representative McGann, would you explain the Bill and what the amendatory veto does?"

McGann: "The basis of the Bill after many changes came down and was passed, sent to the Governor, that would require that the bingo palaces in the City of Chicago, specifically in

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all other areas that were circumvent in the law on the bingo, would be able to have their books opened up... Pardon me. I should correct that and say they should have their income tax returns opened up to the public. The Governor agreed partially with it. He stated that where there would be these income tax returns under investigation this could not take place. So we will go along with that, and we'll accept his amendatory veto."

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 Senate Bill 833 by the adoption of this Amendment?' This is final action. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 105 '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 Senate Bill 833 by the adoption of the Amendment. Representative Friedrich."

Friedrich: "Mr. Speaker, I filed a Motion on Senate Bill 1945. It's a total veto Motion which the... I'd like to call that now."

Speaker McPike: "Very good. Mr. Clerk, Senate Bill 1945. Read the Bill."

Clerk Leone: "Senate Bill 1945, amends the Environmental Protection Act. Total veto Motion."

Speaker McPike: "The Gentleman from Marion, Representative Friedrich."

Friedrich: "Mr. Speaker, Members of the House, this Bill has to do with what the Environmental Protection Agency calls vapor recovery. And what it really does would permit the

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Illinois EPA to mandate that the service stations go to a tremendous expense to put in a vapor recovery system. When you buy gasoline at the pump, that the vapors would be picked up and condensed and put back in the tank. Now the Bill specifically provided, after it was amended, that the EPA be not allowed to go ahead with this procedure. That Bill passed the Senate... the Senate... or the House 19 to nothing and the Senate 56 to nothing. When it came back after the veto, the Senate overrode the veto 46 to 2. Now let me explain that the Federal Government has not even decided whether this is a good method or will actually be cost effective. The only place I've ever seen it in effect was in California, and I can tell you it doesn't accomplish the purpose, because if you use the devise, putting the gasoline in your car is very slow and all you have to do is just pull the nozzle out a couple inches and it doesn't work anyway. So I think that this is premature. The Federal Government has not required it. I don't think it will recover any substantial pollution... or abate any substantial pollution. So I would ask your favorable vote on the override."

Speaker McPike: "The Gentleman has moved to override the Governor on Senate Bill 1945. Is there any discussion? Representative Marzuki."

Marzuki: "Thank you, Mr. Speaker. I see no reason to tie the Pollution Control Board's hands at this time. We're certainly... expect that each individual motorist is going to meet the pollution control standards. I see no reason to allow the gas stations freedom from this until the Federal Government may or may not step in. If we're going to force everyone in Illinois to meet these standards as individuals, there seems to be no reason that we should not expect a major source to be taken care of. I urge a 'no'

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vote on this."

Speaker McPike: "Further discussion? There being none, the Gentleman from Marion, Representative Friedrich, to close."

Friedrich: "Mr. Speaker, Members of the House, I don't know whether you read the letter from the Pollution Control Board, but they admit that they are not sure whether this is what should be done at this time. And it said it may be, in fact, an efficient method. What they say... well, just don't tie our hands. We're going to be in Session here in January, just a month from now, and if it develops that... studies actually do show that this is an efficient method to do it, then we can retract this and go back and do it then. But there's no evidence now. Only one state in the union has done it. So I think... I don't think this is right to impose this unbelievable cost. You're going to put a lot of little people out of business trying to put this equipment on their pumps."

Speaker McPike: "The Gentleman moves to override the Governor's veto. The question is, 'Shall Senate Bill 1945 pass, the veto of the Governor notwithstanding?' This is final action. All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Motion there are 88 'ayes', 6 'nos', 14 voting 'present', and the Motion to override prevails. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Mr. Speaker, I wonder if there's a particular reason why you have not turned on the filming light today and are denying media the opportunity to film the chamber."

Speaker McPike: "Well, I don't know that the light is required. The media is allowed to film at anytime they wish. And no one has contacted the Chair to specifically ask for any lights to be turned on, but we'd be glad to do it."

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Vinson: "I think you should, Mr. Chairman (sic - Mr. Speaker), and I think you ought to look at Rule 64. As you know, we had asked that that rule be changed, but it never was changed and you do have to have the light on under the rule."

Speaker McPike: "Are there any Members that would like to move to accept the Governor's amendatory vetos on page three? Representative Giorgi."

Giorgi: "Yes."

Speaker McPike: "Mr. Clerk, read Senate Bill 1430."

Giorgi: "Take it out of the record for just a moment, please."

Speaker McPike: "Representative Giorgi are you ready? Read the Bill, Mr. Clerk."

Clerk Leone: "Senate Bill 1430, an Act in relationship to State Government. Motion to accept."

Giorgi: "Mr. Speaker, what this Amendatory..."

Speaker McPike: "Representative... Representative Giorgi. Representative Breslin in the Chair."

Speaker Breslin: "Proceed, Representative Giorgi."

Giorgi: "Madam Speaker, this Senate Bill 1430 was originally introduced because of a problem we had in the public safety building commission in Winnebago County, where they were not conforming their purchasing and bidding procedures according to established norms. In the meantime, the Bill was amended to include some other needs of Members of the General Assembly, and they've all been vetoed out of it. The way the Bill is now, it allows a public building commission... it forces and mandates a public building commission to advertise for bids for any purchases they might have to make."

Speaker Breslin: "The Gentleman has moved to accept the Governor's amendatory veto of Senate Bill 1430. And on that question, is there any discussion? Is there any

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discussion? Representative Dunn."

Dunn, J.: "Yes, what did the Governor eliminate?"

Giorgi: "He eliminated the appointment powers of the Bi-State Development Agency between Illinois and Missouri. Here's a... Front page."

Dunn, J.: "And what about the Section regarding competitive bids?"

Giorgi: "That was the original Bill, Senate Bill 1430. We just put this on at the request of Representative Flinn, and it's been taken off and I'm not going to go... I'm not going to attempt to override the Governor's veto and accept his veto, so that my original Bill controls the public safety building bidding and purchasing agreements."

Dunn, J.: "Does this Bill eliminate any... As it now stands if we accept the Governor's veto, does it eliminate any competitive bidding?"

Giorgi: "Representative Dunn, what happened is... it's exactly the opposite of what you're asking. Public building commissions and governing bodies came into being without any governing authority at all. I'm trying... I'm trying to close that glaring loophole in the law so that they have to conform to what cities, counties and townships and park districts have to. This is good government legislation. This is a four star piece of legislation."

Dunn, J.: "Thank you very much for that wonderful testimonial."

Speaker Breslin: "There being no further discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 1430 by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Representative DeJaegher. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 104 voting 'aye', 3

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voting 'no' and 1 voting 'present'. This Motion, having received the necessary Constitutional Majority, does prevail and the House does accept the Governor's specific recommendations for change regarding Senate Bill 1430 by the adoption of the Amendment. Senate Bill 1870, Representative Barnes. Representative Barnes."

Barnes: "Madam Speaker..."

Speaker Breslin: "Mr. Clerk... Excuse me. Mr. Clerk, read the Motion."

Clerk Leone: "Senate Bill 1870, an Act to release highway easements and to restore access rights to certain described lands. Motion to accept."

Speaker Breslin: "Representative Barnes."

Barnes: "I move to accept Senate Bill 1870. And it releases highway easements and restores access rights to 36.64 acres of land in Bond, Livingston, Massac, Fayette, Cumberland, Jackson, Coles, Bureau, Franklin, Kendall, McLean and Clark Counties. I would ask for an 'aye' vote."

Speaker Breslin: "The Lady has moved to accept the Governor's specific recommendations for change in Senate Bill 1870. And on that question, is there any discussion? Representative Cullerton."

Cullerton: "Yes, I didn't understand the explanation of the Bill. Could she give it to us one more time?"

Speaker Breslin: "Representative Barnes, could you repeat your explanation of Senate Bill 1870? Ladies and Gentlemen, could you give the Sponsor your attention?"

Barnes: "Representative Cullerton, I was merely relating to the Members of this Body the different counties that are affected in this Bill. And they were Bond, Livingston, Massac, Fayette, Cumberland, Jackson, Coles, Bureau, Franklin, Kendall, McLean and Clark Counties."

Cullerton: "And could you tell me what this Bill does with regard

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to the City of Galesburg?"

Barnes: "Yes, I can. It authorizes the Department of Mental Health to convey on March 1, 1986 the Galesburg Mental Health Center property, 159.4 acres, to the City of Galesburg for an amount to be determined by the Director of the Department in the City of Galesburg. Provides that if the City does not use the property for community development purposes within five years, such property shall revert back to the Department of Mental Health."

Cullerton: "And what did the Governor do to change the law that we passed with regard to the City of Galesburg?"

Barnes: "Well, the Governor is committed to the redevelopment of state institutions that are being closed, and he does not believe this is the appropriate time to authorize the conveyance of the Galesburg Mental Health Center property. The Departments of Commerce and Community Affairs and Mental Health and Development Disabilities, along with the Galesburg Mental Health Center Reuse Committee are currently conducting a feasibility study on the marketability and future uses of Galesburg Mental Health Center."

Cullerton: "Well, didn't the law that we passed authorize the sale of the facility to the City of Galesburg? And isn't the Governor's amendatory veto saying that it's possible that this could be sold to the private sector?"

Barnes: "Yes. The Governor really feels it's premature to authorize the conveyance of the property to the City of Galesburg before the feasibility study that I mentioned has been completed."

Cullerton: "But couldn't it be sold prior to the feasibility study being completed, to the private sector? Theoretically?"

Barnes: "Yes. Yes."

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Cullerton: "Well perhaps we could hear from the Representative from Galesburg, because he seems to have a different answer."

Speaker Breslin: "The Gentleman from Knox, Representative Hawkinson, on the question."

Hawkinson: "Thank you, Madam Speaker. Representative, it's my understanding that what this Bill did was to authorize the Director of the Department of Mental Health to negotiate with Galesburg for the sale at any price including a dollar to dispose of the property. The Governor eliminated that item because he felt, and Central Management Services felt, that this would be setting a bad precedent within State Government - that Central Management Services ought to have total control and the Governor's Office over this type of sale and not the Director of the Department of Mental Health. The study is not yet ready on Galesburg, and we, in Galesburg, have no problem with the veto. With the veto, there's no authorization whatsoever for the state to negotiate with anybody for the sale of the property without legislative approval."

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

Leverenz: "Will the Sponsor yield?"

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

Leverenz: "Does this provide that the property can be sold again after it is sold to the City of Galesburg? It could be sold to the private sector or an individual or corporation?"

Barnes: "It said when I... when I was discussing this with Representative Cullerton, that if the City of Galesburg does not use the property for community development purposes themselves within five years, it shall revert back to the Department of Mental Health. It could not be sold

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by the City of Galesburg to the private sector,
Representative Leverenz."

Leverenz: "It would... You just said it would never, ever end up
in the hands of the private sector. My question though..."

Barnes: "I did not say that. You asked me if the City of
Galesburg would be selling the property, and I said it
would not. I did not say the private sector couldn't
obtain it, but they certainly wouldn't be obtaining it from
the City of Galesburg. If the City of Galesburg didn't use
it, they would have to return it to the Department of
Mental Health."

Leverenz: "Could the property ever end up in the hands of the
private sector?"

Barnes: "Yes. That's the... I also stated that the Governor felt
that he would like to wait until the feasibility study had
been completed to see if maybe it should be sold to the
private sector."

Leverenz: "I understand the recommendation probably will come
back that the property should be sold to the private sector
to put it back on the tax rolls. In that event, who would
establish the fair market value of that property? And who
would receive the payment?"

Barnes: "The existing State Property Control Act mandates a
procedure for appraising surplus state property making it
available to units of local government and offering it for
the sale to the private sector."

Leverenz: "Who would establish the value of that property, then?
And who would receive the payment?"

Barnes: "Could you hold off on this for a couple of seconds,
Representative Leverenz?"

Leverenz: "I'll hold off."

Speaker Breslin: "We'll get back to you, Representative Leverenz.
Meanwhile, let us hear from the Gentleman from Marion,

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Representative Friedrich, on the question."

Friedrich: "Mr. Speaker... Madam Speaker, a question. Has this property been appraised so that we have some idea of the fair case market value today?"

Speaker Breslin: "We're seeking the answer to that question at this moment, Representative. Just one moment please. Representative Barnes requests that this Bill be taken from the record. We will come back to it shortly, Representative Barnes. Senate Bill 1870. Out of the record. Senate Bill 1898, Representative Nash. Representative Nash. Out of the record. Senate Bill 1925, Representative Flinn. Representative Flinn."

Flinn: "Thank you, Madam Speaker. Madam Speaker and Ladies and Gentlemen of the House..."

Speaker Breslin: "Excuse me. Mr. Clerk, would you read the Motion, please?"

Clerk Leone: "Senate Bill 1925, amends certain Acts in relationship to rules and powers of various state agencies and the the appointment of the Superintendent of State Police. Motion to accept."

Speaker Breslin: "Representative Flinn."

Flinn: "Madam Speaker and Ladies and Gentlemen of the House, I move to accept the specific recommendations of the Governor as pertaining to Senate Bill 1925. This Bill was used as a vehicle to put all the JCAR Bills on when the Senate chose not to move Bills out of their Committee, Rules Committee. And the Governor has chose to change House Amendment #7 which was put forth by the Department of Public Health, and the only change that they've changed the word 'shall' and replaced it with the word 'may', so that there be a little bit more latitude in the inspection of long-term health care facilities and, of course, with Titles 18 and 19 of the Federal Social Security Act. I would ask for a

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favorable vote on my Motion."

Speaker Breslin: "The Gentleman has moved to accept the Governor's specific recommendations for change in Senate Bill 1925. And on that question, is there any discussion? And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 1925 by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 110 voting 'aye', none voting 'no' and none voting 'present'. This Motion, having received the Constitutional Majority, does prevail, and the House does accept the Governor's specific recommendations for change regarding Senate Bill 1925 by the adoption of the Amendment. With leave of the House... Representative Preston, for what reason do you rise?"

Preston: "Thank you, Madam Speaker. I have an inquiry of the Chair."

Speaker Breslin: "State your inquiry."

Preston: "Is it in accordance with the rules of the House to introduce our former colleague, the present Chairman of the Cook County Republican Party, fast Robert Barr, who's standing on the Republican side?"

Speaker Breslin: "It is not within the rules, but welcome, Representative Barr. Ladies and Gentlemen, with leave of the House, I would like to now go back to Senate Bill 1888. Hearing no objections, Mr. Clerk, read the Motion on Senate Bill 1888."

Clerk Leone: "Senate Bill 1888, amends the Illinois Banking Act. Motion to accept."

Speaker Breslin: "Representative Nash."

Nash: "Thank you, Madam Speaker, Ladies and Gentlemen of the

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House. Senate Bill 1888 granted state banks parity with the national banks. What the Governor did with his amendatory veto, he just added definitions for director, executive officer, principle shareholder and related interest to be included in the state's statute. I move for its adoption."

Speaker Breslin: "The Gentleman has moved for the acceptance of the Governor's specific recommendations for change in Senate Bill 1888. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 1888 by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required for acceptance. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 110 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 Senate Bill 1888 by the adoption of the Amendment. Senate Bill 1935, Representative Currie. Clerk, read the Motion."

Clerk Leone: "Senate Bill 1935, amends an Act concerning long-term care facilities. Motion to accept."

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker. I move the House accept the Governor's amendatory veto with respect to Senate Bill 1935. This is the Nursing Home Reform Act of 1984. The Governor's changes are not substantive. They deal with recompense reimbursements for homes that take Medicaid patients nursing home facilities in the state, and I would urge the Legislature's acceptance of the Governor's

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amendatory changes."

Speaker Breslin: "The Lady has moved for the acceptance of the Governor's specific recommendations for change in Senate Bill 1935. And on that question, is there any discussion? There being no discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 1935 by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Sixty votes are required for acceptance. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 114 voting 'aye', none voting 'no' and none voting 'present'. This Motion, having received the Constitutional Majority, does prevail, and the House does accept the Governor's specific recommendations for change regarding Senate Bill 1935 by the adoption of the Amendment. Beginning again, Ladies and Gentlemen, on the Order of Amendatory Veto Motions, we find Senate Bill 1385, Representative Matijevich. Out of the record. Senate Bill 1664, Representative Oblinger. Out of the record. Representative Barnes, are you prepared now on Senate Bill 1870? Out of the record. Is there anyone ready on total veto Motions? Representative Flinn, are you ready on total veto Motions? Representative Flinn. Representative Pierce, are you ready? No. Okay. Representative Pierce, for what reason do you rise?"

Pierce: "In honor of bilingualism and our newly elected Members, I'd like my veto called manana."

Speaker Breslin: "Ladies and Gentlemen, by agreement between the Speaker and the President of the Senate, we are trying to complete all of our business for this week by tomorrow evening. So please have your Motions prepared and call them as quickly as possible. You will not be given too

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many more chances. Representative Barnes, for what reason do you rise?"

Barnes: "Madam Speaker, Representative Leverenz's questions have been answered as to how state property is handled and how the assessed evaluation takes place. So, now we can go ahead with the Bill."

Speaker Breslin: "Okay. We will, therefore, call Senate Bill 1870. The Motion on that, Mr. Clerk. Senate Bill 1870. Read the Motion, Mr. Clerk."

Clerk Leone: "Senate Bill 1870, an Act to release highway easements and restore access rights to certain described lands. Motion to accept."

Speaker Breslin: "Representative Barnes, on the Motion."

Barnes: "Madam Speaker, Ladies and Gentlemen of the House, I would move to accept the Governor's Amendatory Veto on Senate Bill 1870."

Speaker Breslin: "The Lady has moved to accept the Governor's Amendatory Veto on Senate Bill 1870. And on that question, is there any further discussion? There being no further discussion, the question is... Excuse me. Representative DeJaegher."

DeJaegher: "Madam Speaker, I would like to know what the answers were to those questions. I mean..."

Speaker Breslin: "That's very appropriate, Representative DeJaegher. Representative Barnes, can you explain the answers to the questions that were pending when the Motion was taken out of the record?"

Barnes: "Yes, I will. Representative DeJaegher, the Galesburg property is no longer included in the Bill. Representative Leverenz wanted to know what the process was for assessing evaluation. Director Belletire informed him the book value of that particular property would be 2.5 million as it stands. If the building were removed, it would revert then

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back to farmland, and it would be what it would be saleable for. The Central Management Services would then be handling the property and the assessed evaluation. Does that answer your question, Representative?"

Speaker Breslin: "Is there any further discussion? There being no further discussion, the question is, 'Shall the House accept the Governor's specific recommendations for change with respect to Senate Bill 1870 by the adoption of the Amendment?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Seventy-one votes are required to accept. Have all voted who wish? The Clerk... The Clerk will take the record. On this question there are 113 voting 'aye', 2 voting 'no' and 1 voting 'present'. This Motion, having received the Extraordinary Majority, does prevail, and the House does accept the Governor's specific recommendations for change regarding Senate Bill 1870 by the adoption of the Amendment. Representative McGann is recognized for the purpose of a Motion."

McGann: "Thank you, Madam Chairman (sic - Madam Speaker) and Members of the Assembly. I move to remove from the table Senate Bill 1924. This Bill passed out of the House, 84 - 22. It was a Bill that had to be taken care of in the Spring Session in order for us to comply with the changing U. S. regulations on the Unemployment Insurance Act. Since then, it has gone to Conference Committee. The federal guidelines have been established. And now we have the Conference Committee Report, and I'd like to have this moved from the table and action to be taken, therefore, on it."

Speaker Breslin: "The Gentleman has made a Motion to take Senate Bill 1924 from the table. And on that question, the Gentleman from DeWitt, Representative Vinson."

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

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

Vinson: "Representative, am I correct that your Motion deals with the Bill regarding unemployment insurance?"

McGann: "That is correct, Sam."

Vinson: "To the Motion. I would rise in support of the Motion. I think it's appropriate and necessary. I do believe there may be substantial discussion about the Bill, but I believe that we should bring the Bill out and discuss it."

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

Klemm: "Well thank you, Madam Speaker. I was just going to rise and support the Gentleman's Motion. If we don't enact this particular legislation, there'll be 170,000 businesses that will be taxed unnecessarily. So, I do stand in support of the Bill."

Speaker Breslin: "Representative McGann, to close."

McGann: "Thank you, Madam Chairman (sic - Madam Speaker). I appreciate the support extended in this behalf from Representative Klemm and Representative Vinson. This is really a must legislation. It has to be taken care of before this Veto Session ends; otherwise, we will be penalizing many many employers in the State of Illinois to the tune of about three hundred and some million dollars. So, I'd ask a favorable vote to move Senate Bill 1924 from the table."

Speaker Breslin: "The question before this House is, 'Shall the House take Senate Bill 1924 from the table?' Representative McGann, the Parliamentarian advises that the proper Motion is that the House shall suspend Rule 79 (e) so that Senate Bill 1924 can be considered from this House. So that is the question before us, Ladies and Gentlemen. Shall we suspend House Rule 79 (e) and thus be able to

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consider Senate Bill 1924? All those in favor vote 'aye', all those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 111 voting 'aye', 3 voting 'no' and none voting 'present'. And the Motion carries. Representative Flinn, for what reason do you rise?"

Flinn: "Well, Madam Speaker, I think I'm ready to go on 1491, Total Vetoes, page two."

Speaker Breslin: "Very good. With leave of the House, we will call Representative Flinn on the Order of Total Veto Motions, Senate Bill 1491. Mr. Clerk, read the Motion."

Clerk Leone: "Senate Bill 1491, amends the Uniform Disposition of Unclaimed Property Act. Motion to override."

Speaker Breslin: "Representative Flinn."

Flinn: "Well, Madam Speaker and Members of the House, I would ask that Senate Bill 1491 pass notwithstanding the Governor's veto. Senate Bill 1491 passed by a large Majority in both the Senate and the House. There was an attempt by the Department of Financial Institutions to amend it in both Houses, and they both failed miserably. This Bill came about simply because the Department of Financial Institutions sought to change the rules and permit the Director to take authority so far as active trusts are concerned, which was not specifically granted him under the statutes. They also, in those same set of rules, were forcing people to make negative reports. It's estimated that some 25,000 businesses each year have to write a report saying, 'No, we have nothing to report'. We thought... We of JCAR thought that was authority not granted in the statutes to the Director, challenged him and he ignored our challenge. We objected and he ignored our challenge. 1491 was a Bill introduced by Senator Bloom in the Senate to answer that challenge. We think that if

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matters ought to be taken up concerning active trusts, that they should be handled through legislation promulgated either by the Governor's Office or by the Department in particular, that being the Department of Financial Institutions. This is another instance of a Department head feeling his oats, so to speak, overstepping his authority and was called to hand by JCAR. I think that we should pass this Bill over the objection of the Governor. I don't think the Governor understands what all that went on. I'm sure he got some bad advice for the Department, and I would ask for a favorable vote."

Speaker Breslin: "The Gentleman has moved to override the Governor's veto of Senate Bill 1491. And on that question, the Lady from Kane, Representative Zwick."

Zwick: "Thank you, Madam Speaker. I would rise in opposition to the Motion to override the Governor's veto. And I will start by explaining several reasons why because this is really kind of a complex Bill. This was presented as a JCAR recommendation, and I think that's the first thing that I need to clarify, in that the JCAR recommendation was to define an act of expressed trust. They did not recommend the language that is in this Bill, and we tried to correct the language that was in this Bill to be an appropriate definition that everyone could live with by simply adding the words, 'whose purpose has ended'. An act of expressed trust, if it is defined as the override of this Bill would define it, would be all trusts. There would be no such thing as an inactive trust. No trust would thereby become inactive, would become classified as unclaimed property and go through the proper channels of notification of the proper owner trying to get these trusts back to the proper owner and, if unsuccessful, having those funds go into the state pension system or into the

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retirement funds. Now, this money that would go into the retirement funds... without this Bill being enacted... would stay. If the veto is overridden, these funds will stay with Chicago Title and Trust, who is currently holding the funds. And they would also never get back to their original owner. We have tried to work this out in every possible way. The Governor saw the points that we made in the original debate on the Bill. The fact of the matter is that the Department is in court with Chicago Title and Trust, and we ought to let the court case run its course, let the hearing go on, let that ruling stand. The override of the Governor's veto on this Bill will make that court case mute and will, in effect, take money from the pension system that could possibly be there. The Bill is twofold.

It also stops you from having trust companies report to the state whether or not they have inactive trusts, because under this Bill, there would be no inactive trusts. They'd all be active. I hope that you will take a careful look at this Bill, because you are talking about what could be millions of dollars - critical funds that would go into our pension system that would not have to come out of our appropriations here, that rightfully should go back to their proper owners, or should go into the pension funds, rather than remain with the trust company, either Chicago Title and Trust who is the motivator behind this Bill and all of the other institutions that would follow their lead if this override is upheld. I would urge you to vote against this override Motion. Thank you."

Speaker Breslin: "The Gentleman from Will, Representative Davis."

Davis: "Thank you, Madam Speaker. With all due respect to my colleague from Kane County on this side of the aisle, I've studied the issue, and I remain convinced that Representative Flinn's Motion is a good Motion for all the

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reasons that he stated. And I won't take the time of the House to re-elucidate those reasons. I believe it's a good idea that we do override this veto, and a rare occurrence for me on this side of the aisle. I'm not supporting my Governor. I think perhaps he made a mistake, and that there has been an attempt to bypass JCAR's intent with reference to this issue. So, I am going to vote 'aye', and I urge everyone in the Assembly to do the same thing."

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

Vinson: "Madam Speaker, Ladies and Gentlemen of the House, I rise in opposition to the Motion. I believe that one of the worst precedents we could establish in this chamber would be to pass legislation that had an immediate, direct impact on litigation in process. It's my understanding that there is litigation in process between the Department and Chicago Title and Trust, which would be immediately and directly impacted by this legislation to the adverse effect of the Department and to the benefit of Chicago Title and Trust. I think that that is a terrible precedent for this chamber to establish. And I would strongly urge a 'no' vote if for that reason alone."

Speaker Breslin: "The Gentleman from Lee, Representative Olson."

Olson: "Thank you very much, Madam Speaker and Members of the House. I rise in support of Representative Flinn's Motion. As a member of JCAR, I was a party to the discussion, their appearance. I think that the expressed trust needs to be defined. We've been wandering around without this factor in place for a long time. Remedial legislation can and will be offered next year if necessary. I would support the override Motion."

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

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Flinn: "Well, thank you, Madam Speaker. Apparently, some of the opponents haven't been listening. The chronological events was simply the Department of Financial Institution seized some power he did not have. And Chicago Trust and Title Company didn't introduce this Bill. Monroe Flinn did from JCAB, the Chairman of JCAB. That's who introduced this Bill. And we didn't discuss this with the Chicago Title and Trust in the Committee. Once the Department decided to flout our objection and do it anyway, we decided we would introduce the Bill. I volunteered as the Sponsor of the Bill. We are not saying that something ought not to be done in this matter. If... those who object to the Bill itself ought to introduce their own legislation to do something about it. We're very simply saying to you, no Department head should have the authority, without statutory authority, to move in any area. If they think he should have that authority, let's change the statutes. Let's change them to where he does. Maybe he won't be the proper person. We may agree that someone else should have this authority. For the time being, I would ask that you vote 'yes' on my Motion to override the Governor."

Speaker Breslin: "The question is, 'Shall Senate Bill 1491 pass, the Governor of the veto... the veto of the Governor notwithstanding?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This Motion requires 71 votes for passage. Have all voted who wish? Have all voted who wish? Representative Vinson, for what reason do you rise?"

Vinson: "Only for the purposes of a verification should it get the requisite number, Madam Speaker."

Speaker Breslin: "Representative Flinn, one minute to explain your vote."

Flinn: "Well, Madam Speaker, I don't know how plain you can

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explain something. The precedent that this sets is that if a Department head violates the Illinois procedures... Administrative Procedures Act, and we think they do on JCAR and we challenge them and they decide they will go ahead anyway, I assume that all directors in the future will ignore any objections raised by the JCAR and march on their merry way because a majority of the people don't seem to choose to challenge that person. That's all there is here. It has nothing to do with the body of the problem. It's the matter in which they've attacked the problem. They've attacked the problem from an administrative point of view, and this is a legislative problem, very much one that should be handled by the Legislature. I would ask for enough votes, in spite of Mr. Vinson's request, to at least let him get a count."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 61 voting 'aye', 45 voting 'no' and none voting 'present'. And this Motion, therefore, fails. Representative McPike, for a Motion."

McPike: "Thank you, Madam Speaker. I would ask leave to waive the appropriate rules for notice and to waive the appropriate rules so that the Rules Committee can meet while we're in Session so that we can hear House Bill 589, House Bill 952, Senate Bill 1067, Senate Bill 1959, Senate Bill 1586, Senate Bill 1958. And this has been a run by Dwight Friedrich on the... on the Republican side. So, I would so move."

Speaker Breslin: "The Gentleman's Motion is to waive all appropriate rules regarding notice and the meeting of the Rules Committee so that the Rules Committee can consider House Bill 589, House Bill 952, Senate Bills 1067, 1959, 1586 and 1958. On that question, the Gentleman from

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DeWitt, Representative Vinson."

Vinson: "Madam Speaker, I object."

Speaker Breslin: "Mr. Clerk, for an announcement."

Clerk O'Brien: "Supplemental Calendar #1 is being distributed."

Speaker Breslin: "Representative McPike, would you hold your Motion for the time being, and we'll get back to you?"

McPike: "No. I withdraw the Motion. Most of those were the Governor's request. So if Representative Vinson doesn't care to go along, that's alright with us. So I withdraw the Motion."

Speaker Breslin: "The Motion is withdrawn. Representative Hoffman is recognized for the purpose of a Motion. Representative Hoffman."

Hoffman: "Thank you. Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. Pursuant to the appropriate rule, I would like to take House Bill 3090 from the table. Actually it's the First Conference Committee Report. There's been an agreement to remove the Senate Amendment #2 which was causing the problem on the establishment of the Illinois Math and Science Academy - that's going to be addressed on another Bill - and put the Bill back in the original form that it was when it left the House. And as the House Sponsor of House Bill 3090, I would ask that it be removed from the table and placed in the appropriate place on the Calendar."

Speaker Breslin: "The Gentleman has moved that House Bill 3090 be taken from the table, and that we suspend Rule 79(e) on that Bill. Is there any discussion on that Motion? There being no discussion, the question is, 'Shall the House take House Bill 3090 from the table and suspend Rule 79 (e)?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Seventy-one votes are required. The Clerk notes that Rule 74 (a) needs to be suspended also. So,

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with leave of the Body, we will add the suspension of 74 (a) also. Have all voted who wish? The Clerk will take the record. On this Motion there are 111 voting 'aye', none voting 'no' and none voting 'present'. And the Motion carries. The Bill will be on the Order of Conference Committee Reports. Representative Tate, for what reason do you rise?"

Tate: "Yes, Madam Speaker, I'd like to move to suspend Rule 37 (g) in relation to Senate Bill 1067. Rule 37 (g)."

Speaker Breslin: "That's Rule 37 (g) for the consideration of Senate Bill 1067. Is that correct?"

Tate: "Correct."

Speaker Breslin: "Where is Senate Bill 1067 on the Calendar, Sir?"

Tate: "It's on the Speaker's Table. Pursuant to Rule 29 (c), I'd ask leave of the House to return Senate Bill 1067 to the Rules Committee."

Speaker Breslin: "I'm sorry, Representative, that was one of the Bills that was included in the list of Bills that Representative McPike asked for and there was objections from your side so the total package was withdrawn. Representative Cullerton, for what reason do you rise?"

Cullerton: "I have no comment."

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

Shaw: "Yes, Madam Speaker, I would like to know why is it the Republican side of the aisle is objecting to House Bill 1959 to be heard in Rules today. This is the Bill that's dealing with the schools of this state, the money for the schools of this state, the money for the schools for the City of Chicago. As you know, the City of Chicago's school system is on strike. And I'd just like to hear from the Republicans, why are they objecting to the amnesty Bill

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being heard where that we could get the money to the various school systems and districts throughout Illinois here, where that the children can get a decent education. I don't know what the Republican Leadership have in mind, but at least they could allow 1959 to be heard in Rules. Not only that, it would allow us to get out of here tomorrow, where that we would have to stay over possibly until Thursday if we don't hear this Bill in Rules today. Why can't we just hear this Bill?"

Speaker Breslin: "Representative Shaw. Representative Shaw, your request is not in order. We are not on that Order of Business, and it is not pending before this House at this time. The Lady from Cook, Representative Braun, for what reason do you rise?"

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Senate Bill 1959 has come to this chamber, and it concerns the tax amnesty provision and the funding for schools across this state. I would move at this time that the House waive the posting rules and allow... and waive the appropriate rules to have the Rules Committee meet and consider that matter at this time while the House is in Session."

Speaker Breslin: "The Lady has moved that this House suspend all of the appropriate rules with regard to notice and the meeting requirements so that Senate Bill 1958 can be heard in the Rules Committee. Excuse me, 1959 can be heard in the Rules Committee immediately. And on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "I object."

Speaker Breslin: "The Gentleman from Livingston, Representative Ewing."

Ewing: "What is that Bill?"

Speaker Breslin: "The Bill deals with tax amnesty monies."

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Ewing: "I object, too."

Speaker Breslin: "Is there any further discussion? Is there any further discussion on the question? Representative Shaw."

Shaw: "Yes, Madam Speaker, I'd like to know if the Governor wants the money to go to the City of Chicago, or does he want to kill the Bill?"

Speaker Breslin: "Representative Shaw, there are no questions at this time except of the Sponsor. You can address the issue if you would like. Representative Vinson, for what reason do you now rise?"

Vinson: "A parliamentary inquiry."

Speaker Breslin: "State your inquiry."

Vinson: "Madam Speaker, I don't believe that that Motion is on the Calendar, and I believe the rules require that that Motion be reduced to writing if any Member so requests. I so request. And I believe it also requires unanimous consent, and I object."

Speaker Breslin: "Your request is noted, and you are correct as to the need for unanimous consent. The Gentleman from Cook, Speaker Madigan."

Madigan: "Madam Speaker, I rise in support of the Lady's Motion to suspend the posting requirements to permit the Rules Committee to hear the question of exempting the Bill that would appropriate amnesty money during the Veto Session. If this Motion is carried, then we will place the House in a position where we can adjourn tomorrow. If this Motion fails, then there may be a need for Session on Thursday. The purpose and the intent of the Motion is simply to facilitate the movement of the Bill through the House. It is a parliamentary Motion. There will be a subsequent question as to the actual appropriation of the money, and I would recommend an 'aye' vote in support of the Lady's Motion. And I would recommend to all those raising

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objections to the consideration of the Motion at this time that it would be in everybody's best interest to withdraw those objections. Thank you."

Speaker Breslin: "Is there any further discussion? Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Everyone on this floor knows that there is a crisis in education in this state. Everybody on this floor knows that we have underfunded education in the state. And everyone also knows that the state has benefited from a windfall from the tax amnesty program that will allow us to infuse additional needed dollars into our educational system. There is no reason and there is no time to play games on this floor to try to hold up the concern of school children, of parents, and of the school system across the state ought to..."

Speaker Breslin: "Excuse me, Representative Braun. The Gentleman from Cook, Representative Piel, for what reason do you rise?"

Piel: "I think it's very nice for the last two speakers to dramatize for the media who are here, Madam Speaker. But there has been objections to the Motion. The Motion needs unanimous consent. So let's move onto the next Order of Business. It's completely out of order."

Speaker Breslin: "The Lady is entitled... Representative Piel, the Lady is in order. She is entitled to present her Motion. Continue, Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would ask that any person who has raised an objection, all of whom, so far, frankly, have been Republicans on the other side of the aisle, and I don't want to make this a partisan issue, that this is not something to fool around with. We do not have the time to

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fiddle while Rome burns, and that is essentially what an objection to this Motion would call for us to do. The Rules Committee meeting must take place and everybody in this chamber knows that. For us to delay while you try to cut some other kinds of deals that have nothing to do with education, seems to me to be irresponsibility at its worst. I would call upon the Members of this chamber to exercise some prudence, some discipline and some good sense and support this Motion so that we may have unanimous consent so that the appropriate Committee, the Rules Committee, may consider this legislation. If you have an objection to the legislation, there will be plenty of opportunities to voice that. But at this point, it is a procedural necessity that the Rules Committee consider this matter, and I urge your support for the Motion."

Speaker Breslin: "The Gentleman from Livingston, Representative Ewing."

Ewing: "Yes, Madam Speaker, Ladies and Gentlemen of the House, I resent a little bit the insinuation that the Republicans don't care. They do care, and there is a crisis in education, and it's not only in the City of Chicago, but it's downstate. And we'd like some of that interest in downstate districts as well as in the City of Chicago, and maybe we're a lot more efficient with our education than they are."

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

Bullock: "Thank you. Thank you, Madam Speaker. Would the Sponsor yield for a question?"

Speaker Breslin: "Representative Braun, will you yield for a question from Representative Bullock? The Lady indicates she will."

Bullock: "Representative Braun, could you briefly restate the

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Motion. There's a lot of noise in here, Madam Speaker, and I didn't hear the Motion."

Braun: "Thank you, Representative Bullock. The Motion is calculated to allow for a Rules Committee hearing today. I have moved that this House waive the posting rule for the Rules Committee, that is to say, waive the rule that informs the public that we're going to meet. Waive those rules, and also to waive the rule so that we can meet in Rules Committee while the House is in Session. They are purely procedural matters. They are purely procedural matters going to the notion that we have to give notice of what we're doing. I don't think there's a person in this state who doesn't know that there's a tax amnesty Bill, that the schools are in trouble and the Legislature ought to do something about it before Christmas. And that is the purpose of this Motion. And I'm simply trying to expedite the consideration of this emergency matter by making these Motions."

Bullock: "Representative Braun, has a similar Motion been made in this chamber in the last Veto Session to your knowledge that this appropriate rule be suspended and that Committees be allowed to meet while the House is in Session?"

Braun: "Thank you, Representative. I'm sorry the noise stopped me from hearing the first part of your question. Could you repeat it?"

Bullock: "To your knowledge, have similar Motions been made by the opposing side of the aisle during the Veto Session that the appropriate rule be suspended on posting and that the subsequent rule allowing Committees to meet simultaneous when the House has been in Session? Have you heard of such Motions during this Veto Session?"

Braun: "Thank you, Representative Bullock. The fact of the matter is that such Motions are made routinely in this

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chamber,are seen is a matter of course and are generally agreed upon by both sides of the aisle as a way of facilitating the business of this General Assembly. It is not an unusual Motion to be made. It is not an unusual Motion to be accepted as a matter of course by both sides of the aisle. I cannot frankly, Representative Bullock, understand why objections have been raised to this Motion at this time other than to think that the people who have made those Motions really don't care that we expedite the business of this House and would like to drag out the crisis in our schools for as long as is unseemingly possible."

Bullock: "Well, Madam Speaker and Ladies and Gentlemen of the House, it does indeed appear to me that Representative Braun's Motion is timely. Her Motion is in order. Her Motion should be supported by every Member of this Assembly. The Senate has taken responsible actions on the subject of funding from the amnesty program, especially for public education. It also appears rather obvious to me, if not onerous, that some of the people who are voicing opposition to the Lady's Motion are well in fact going to support the measure at its final phase. For the Governor of this state, if you can believe those things you hear in the media on radio and TV and newspaper, that the Governor of this state said this morning that he fully intends to aid the Chicago public school system. As a matter of fact, because of the responsible position of our great Governor, the teachers and the Board of Education are inching closer to an agreement, and I'm sure the agreement is partially precipitated by the promise of some pie in the sky from this House of Representatives. So, I don't think we serve any purpose by standing here and belaboring a point which is a fait accompli and we know that. We're only delaying

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it and keeping it in Session one additional day. And certainly the man who stands in opposition, a distinguished Legislator, Representative Vinson, understands the urgency not just in Chicago but in many downstate districts that are having extreme financial difficulty in financing and funding public education. So, Madam Speaker and Ladies and Gentlemen of the House, I rise in support of Representative Braun's Motion. The Motion is timely. The Motion is proper, and we should pass it without a dissenting vote."

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

Vinson: "Madam Speaker, I believe you've ruled. I rise on a point of parliamentary inquiry."

Speaker Breslin: "State your inquiry."

Vinson: "I believe you've ruled that it... this Motion would require unanimous consent. I know I have objected, and I now wonder whether we're on the order of rabble-rousing or what particular order."

Speaker Breslin: "Representative Vinson, the Lady is required to state her Motion and to have discussion on the Motion. Perhaps if you will listen to the debate, you may withdraw your objection. We have more debate, Representative Vinson. Yes, Representative Vinson."

Vinson: "I am pleased to note, however, that I have succeeded in doing something that Washington and Vrdolyak can't do and that is to bring Braun and Bullock together on an issue."

Speaker Breslin: "The Gentl... Representative Braun, since your name was used..."

Braun: "That's right. Thank you very much, Madam Speaker. On a point of personal privilege. Representatives Braun and Bullock have never been apart, Representative Vinson."

Speaker Breslin: "On the Motion, the Gentleman from Cook, Representative Brookins."

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

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

Brookins: "Representative Braun, did I understand that this would benefit the suburban area and also downstate schools?"

Braun: "Thank you very much for your question, Representative Brookins. This legislation will benefit every school district in the state. In fact, two-thirds of the money will go to school districts outside of Chicago. It is a fact that the Chicago schools have the worst crisis at this present time, but I think everybody in this chamber knows that there have been school systems on strike, school systems closed down, school systems in crisis throughout this state all year long. Education is in trouble. Funding of education has been inadequate, and we are fortunate, we are fortunate that Senator Rock and others in the Senate came up with this tax amnesty program that has produced a windfall, and that windfall we will intend by this legislation to use for education. It is a statewide allocation envisioned with this Bill. The Bill will provide money for all the school districts in the state and will help those school systems meet their expenses. Again, Chicago has the immediate crisis at the present time, but this Bill will go statewide."

Brookins: "To the Bill, Madam Sponsor (sic - Madam Speaker). I rise in support of Representative Braun's Motion. I know for a fact that the suburban schools, that the downstate schools are in as much trouble as the Chicago schools. They have masked or hidden their delimeter to some extent, but I would venture to say that they're clamouring like others are clamouring to get relief for their boards of education and for their young people. This is not just a one-sided thing, through that you would be led to believe that it only benefits the City of Chicago. But wherever

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young people are, we need to bring those benefits to them. So, I ask that you withdraw your objections to this Motion."

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

McGann: "Thank you, Madam Speaker and Members of the Assembly. This is a very important, responsible moment for the Members of this Assembly to act on Representative Braun's Motion. We have a tremendous crisis in the City of Chicago presently. We have four hundred and thirty some thousand students walking out from the schools. We cannot allow this to continue. It's unfortunate that our educational programs are not as effective as they should be in Chicago, but we have a greater crisis now; that is, to bring them back into school. We are all to blame for this crisis here in the General Assembly because we have not properly funded from this stage here all the way to the Governor's Office the amount of monies that should be going into education each year. That's what develops these crisis. I would ask the Republican side of the aisle, especially Representative Vinson and Representative Ewing, Representative Piel and all the other fine Republicans that have joined before together on projects, to join on this one because we're not asking more than what we should have according to the third that we're allowed under the implementation of the tax amnesty program. That's all we're asking for. Let's hear it this afternoon. Let's get a message up to Chicago that they can have some monies to help the board of education try to resolve the problem they have with the teachers and the engineers and all of the maintenance people. Please help us this evening, this afternoon. Don't wait until this evening. We got problems. We need the help and cooperation of every Member of this Assembly. I support

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Representative Braun's Motion, and I ask everyone to look deep into their heart for that same support."

Speaker Breslin: "Mr. Clerk, for an announcement."

Clerk O'Brien: "Supplemental Calendar #2 is being distributed."

Speaker Breslin: "Representative Braun."

Braun: "Thank you, Madam Speaker. I want to withdraw the pending Motion."

Speaker Breslin: "The Lady withdraws the pending Motion on Senate Bill 1959. Representative Braun."

Braun: "Thank you, Madam Speaker. Pursuant to..."

Speaker Breslin: "No. No, wait just a moment. Representative Vinson, for what reason do you rise?"

Vinson: "Madam Speaker, the rules specify that after a Motion has been put to the chamber, it cannot be withdrawn unless there's unanimous consent for the withdrawal of the Motion. I object to the Lady withdrawing the Motion."

Speaker Breslin: "I'm sorry, but the Motion has already been withdrawn, Representative. And now... Representative Vinson, I'm also advised that the matter has never been put to a vote. We never stated what the Motion was, nor were we ever ready to go to a vote on the Motion. As a matter of fact, there were several people still seeking recognition to speak on the Motion. On the Order of Supplemental Calendar #2 appears the Motion to Senate Bill 1959. Mr. Clerk, would you read the Motion?"

Clerk O'Brien: "Senate Bill Motion, I move that the Rules 20 and 24 be suspended so that Senate Bill 1959 can be considered in Rules Committee today, Representative Braun."

Speaker Breslin: "Representative Braun."

Braun: "Thank you, Madam Speaker. I move that the appropriate rules be suspended so that Senate Bill 1959 may be heard in the Rules Committee today, and that the House be allowed to consider to have that meeting during the operation of the

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Session. I want to restate the reasons for this Motion. Very clear cut. This is a tax amnesty legislation which will provide dollars for school systems across the state; and, in light of the crisis in education and the need for this money now and the efficient workings of this legislative Body, it makes sense that this matter be considered in Rules Committee today. I want to submit to the Body that the notice requirements have been met and that this is an appropriate matter to be considered at this time, and I urge your support for my Motion."

Speaker Breslin: "The Lady has made a Motion to suspend all the appropriate rules with regard to notice and meetings with regard to Senate Bill 1959. And on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Inquiry of the Chair, Madam Speaker."

Speaker Breslin: "Proceed."

Vinson: "The... As I read the Lady's Motion, it was to suspend only Rules 20 and 24. You stated that it was to suspend all the required rules. Which is the Motion before the chamber?"

Speaker Breslin: "The written Motion is the Motion before the chamber. The written Motion says, 'I move that the appropriate rules be suspended so that Senate Bill 1959 can be considered in Rules Committee today'. This is the written Motion."

Vinson: "That's... Madam Speaker?"

Speaker Breslin: "Yes."

Vinson: "Then she has not accorded with the rules' requirements. They say the Motion must be carried on the Calendar. The Motion on the Calendar is different than the written Motion just read, and I would cite, for your example and for your edification, the Calendar right here."

Speaker Breslin: "Yes, Representative Braun."

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Braun: "Madam Speaker, I don't think Representative Vinson was listening very closely. What I said was, the appropriate rules. Now the appropriate rule is stated on the face of the Supplemental Calendar. Now if he wants me to read it to him - I thought he could read it himself and that my saying 'appropriate' covered the subject matter, but apparently it does not, in his mind. So I don't see that his objection has any..."

Speaker Breslin: "Representative Vinson, the appropriate rules happen to be Rules 20 and Rule 24. The Supplemental Calendar has simply made more explicit what rules those are than Representative Braun has stated them in this Body. That is a common procedure and it has the custom of the House to specifically note what those rules are. On that question, Representative Vinson."

Vinson: "Madam Speaker, I would call your attention to House Rule 20(k)."

Speaker Breslin: "That's exactly what we were looking at, Representative Vinson."

Vinson: "And what the Rule states is a Motion to suspend the posting requirements of this rule must be in writing specifying the Committee and Bills or Resolutions and shall be carried on the Calendar before it may be taken up by the House. Now, the Motion read by the Clerk is a very different Motion than the Motion carried on the Calendar."

Speaker Breslin: "I'm sorry, Representative Vinson, but the Motion carried on the Calendar follows all the requirements of the rule."

Vinson: "It is not the Motion that was read by the Clerk or that was made by Representative Braun in writing, which the rule requires."

Speaker Breslin: "It specified the Committee and the Bill that was to be considered, and they are exactly the same Motion,

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Sir."

Vinson: "Would you have the Clerk read the Motion one more time so everybody can see that it does not... it's not the same Motion as is on the Calendar?"

Speaker Breslin: "The Sponsor of the Motion agrees that the Motion she intended to make has been made, Sir. The Lady has no objection."

Vinson: "Are we on the order of the intentions of Motion or on the rules of the House?"

Breslin: "Representative Vinson, we have ruled on this Motion and on this issue. Do you care to raise any other issues?"

Vinson: "Yes, I'd like to speak to the Motion."

Speaker Breslin: "Proceed."

Vinson: "And I'd like to speak to the cavalier way in which the House... the Speaker is now disregarding the rules of the House. Very clearly, very clearly, we are in a situation where the Motion that the Clerk read differs from the Motion carried on the Calendar. That's totally inappropriate, given the extraordinary requirements of Rule 20(k). Now, what we're dealing with here is a clear effort by the Speaker to try to ramrod through this House a bailout of Chicago's schools. That's totally inappropriate. We ought to have deliberative discussion of that subject in appropriately scheduled Committees of this House. I would strongly urge that everyone vote against this Motion."

Speaker Breslin: "The Gentleman from Marion, Representative Friedrich."

Friedrich: "Madam Speaker, if it's an order, I would like to ask for a 45 minute recess for the purpose of a Republican Caucus."

Speaker Breslin: "Representative Friedrich, would you hold your Motion for a moment? Representative Levin, on the Motion."

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Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I support Representative Braun's Motion. I support it because I think we're talking about a problem, a crisis in education that affects all of the schools around this state. There was a very fine article that appeared in the Chicago Tribune over the weekend which stressed the problems that many of our suburban and downstate districts are having. I recall particularly the discussion about the Schaumburg school district, the elementary school district which is the largest in the state and which has had very serious financial problems that have caused it to make serious cuts in their programs this current fiscal year, and the article went on to point out that under this tax amnesty, that particular system would be getting approximately a half of million dollars which would do an awful lot for those suburban kids, and the same is, I think, true of many, many other school districts around the state. This is not just something for the City of Chicago. This is something for every school district in this state and for all of the kids. I urge the adoption of the Motion."

Speaker Breslin: "Representative Friedrich, would you like to restate your Motion, Sir, at this point?"

Friedrich: "Madam Speaker, I'd appreciate it if we could have a 45 minute recess for the purpose of Republican Conference in Room 118 immediately."

Speaker Breslin: "Okay. For how long again, 45 minutes?"

Friedrich: "Please?"

Speaker Breslin: "45 minutes. The Republicans have asked for a Caucus of 45 minutes immediately. That Caucus will be taking place immediately. Do the Democrats need a Caucus? No. When we... We will return at 3:15, and we will be on this Order of Business. So would all Members please return

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promptly at 3:15? Ladies and Gentlemen, would you please take your seats, please? We are on the Order of Motions on House Bill 1959. This Motion is on the Order of Supplemental #2 Calendar. Representative Braun, on the Motion."

Braun: "Thank you, Madam Speaker. I would renew my Motion pursuant to earlier discussion that the appropriate rules be suspended so that Senate Bill 1959 be considered in the Rules Committee today during the pendency of the Legislative Session."

Speaker Breslin: "You've heard the Lady's Motion. And on that Motion, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. I rise in opposition to the Lady's Motion. At this point, we do not know what kind of dollar figure is being proposed by the President of the Senate, the Speaker, the Lady, the Governor, the school board, the teachers' union or anyone else for inclusion in this Bill. It is totally inappropriate for us to move this Bill on a fast track until we have some idea of what the magnitude of the dollar figures are we're considering. I would also point out to the Assembly that when we're talking about a Bill that will expend \$20,000,000, \$50,000,000, \$75,000,000, \$127,000,000 or more, that it is inappropriate for anybody to make the argument that we ought not... that we ought to put that Bill on a fast track so that we can get out of here a day ahead of time. I think it's inappropriate for the General Assembly, when we talk about spending perhaps as much as a \$100,000,000, to be so stingy with our time that we won't take a separate day, another day to consider debate and fully deliberate spending that enormous amount of money. The constituents want more. They demand more, and we ought to give them more of our time, particularly in

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a situation where we are considering a pay raise at the same time frame. So I would urge a 'no' vote or a 'present' vote on the Lady's Motion at this time."

Speaker Breslin: "Is there any further discussion? There being no further discussion, Representative Braun, to close."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The fact of the matter is that the notice requirements are being met. This is not a rush to judgement. This is our acting... I'm calling upon this Body to act responsibly so that we may consider fully in this chamber the issue of this tax amnesty windfall tomorrow. Everyone in this chamber will have an opportunity to fully discuss this issue, to consider the propriety of our spending these windfall dollars on education. We will all have an opportunity to consider this matter. The Motion which is presently pending before you is simply a procedural matter so that the matter may be heard in the Rules Committee today. That is the only thing that this Motion does. I think that the... that Representative Vinson, in his opposition, really believes the actual intent of his opposition because what he wants to do is just hold this matter so that the schools will not get the benefit of this money, so that we will be in a situation in which you go back to your school districts over the fall and everybody will ask what happened to the tax amnesty money, what happened to the schools. The fact of the matter is, we have an emergency. We have a crisis. This Motion is well put. This Motion is well intentioned. It is not seeking to put something on a fast track, rather it is an attempt for us to act responsibly so that we do not, as Representative Vinson would suggest, fiddle while Rome burns. I call for an 'aye' vote on this Motion and ask that every Member of this General Assembly, without

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regard to partisan consideration, consider this Motion and vote favorably upon it."

Speaker Breslin: "Ladies and Gentlemen, this Motion requires 71 votes for adoption. The question is, 'Shall the House suspend Rules 20 and 24 so that Senate Bill 1959 may be considered in the House Rules Committee today?' All those in favor vote 'aye', all those opposed vote 'no'. Representative Cook... Representative Piel, one minute to explain your vote."

Piel: "I just want to say, Madam Speaker, that if this does receive the required 71 votes, I'd like to verify it, please."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Representative DeJaegher, one minute to explain your vote."

DeJaegher: "Madam Chairman (sic - Speaker), just so I can be familiar with the Motion that's being presented. The Motion that's been presented is all that she is asking is that 1959 be heard. We're not discussing the allocation of money or anything pertaining to the allocation of money. All we're basically addressing ourselves to and all she's asking the courtesy of is that this particular Bill be heard. I know... Is that the intent of the Motion?"

Speaker Breslin: "That is the intent of the Motion, Representative DeJaegher. The passage of this Motion would allow Senate Bill 1959 to be heard in the Rules Committee today, the Rules Committee."

DeJaegher: "It is my understanding also in the event that this Bill is heard, then the funding would be under a school aid formula. That, I think, is rather fair. I think that all of us share proportionately when we divide this particular money up. I know that I have areas in my part of the state that are in a state of bankruptcy. Something must be done

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and done quickly, and I think that this Bill should be heard."

Speaker Breslin: "The Gentleman from Cook, Representative LeFlore, one minute to explain your vote."

LeFlore: "Madam Speaker, I rise in support of this Motion. I feel that our schools throughout the State of Illinois are suffering, especially in the City of Chicago. Of course, everyone knows it is the duty of this Body of the General Assembly to, for the State of Illinois, to support the school systems in the State of Illinois. Our kids are really suffering, and I don't see how the people in this chamber can sit back and see many of our youngsters in this state being shortchanged of an education. So I will ask you to give us an 'aye' vote. Thank you."

Speaker Breslin: "The Gentleman from McLean, Representative Ropp, one minute to explain your vote."

Ropp: "Thank you, Madam Speaker. I'm voting 'present', not because we're opposed to education or the funding thereof, but the fact that at this point, we are a bit unclear as to the amount of dollars that we're talking about and exactly how it's going to be funded for sure even though they say that it's going to be under the school aid formula. A number of groups are in the process of coming up with new educational reforms; and, if we're going to spend all the money right now before, in fact, we even hear from the results of those Committees, I think it would be unwise and we wouldn't even have anything to negotiate with or even discuss next year."

Speaker Breslin: "The Lady from Cook, Representative Braun, one minute to explain your vote."

Braun: "Thank you very much, Madam Speaker. Insofar as the amount is concerned, the Governor has, I think, already gone on record as saying what he would agree to in terms of

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the tax amnesty funding. In the second instance, if you... if all of those people who are voting red and yellow, who are voting 'present' or 'no' support education, then it's hard to see how that is the case if, indeed, we are going to have this legislation considered in the ordinary course of business. We have two more days, three more days of this General Assembly in which to consider this matter. I don't know when you expect that we will be able to do this if we have to wait until tomorrow to have this Motion made again, to have the Bill posted again and then to go through this procedural rigmarole again. But that's all you're doing is delaying this issue coming forward. If, indeed, this Bill does not pass, if, indeed, this Bill does not pass in the next three days, the Governor of the State of Illinois will be responsible for having killed tax amnesty for the schools in this state. Now, I want you to consider. You may have some other agendas that you want to have considered, but I, for one, am willing to stand before this state and say that it was the Governor's Party that killed the tax amnesty Bill in the House of Representatives. I don't think that's what you want to do. I don't think you want this to be a partisan matter, but partisan Roll Calls like this certainly don't speak well for the commitment of your Party to education in the state."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this Motion, there are 67 voting 'aye', 5 voting 'no', and 39 voting 'present'. The Lady requests a Poll of the Absentees. Poll the absentees, Mr. Clerk."

Clerk O'Brien: "Poll of the Absentees. Barnes. Domico. Dwight Friedrich. Harris. Hoffman. McCracken. Taylor. No further."

Speaker Breslin: "This Motion, having failed to receive the

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necessary Majority, therefore, fails. Agreed Resolutions,
Mr. Clerk."

Clerk O'Brien: "House Resolution 1307, Kulas; 1310, Harris; 1313,
Brookins; 1314, Hastert; 1315, Jaffe - Greiman; 1316,
Hallock - Giorgi; and 1317, Christensen. House Joint
Resolutions 197, Olson - et al; 198, DiPrima - et al; 199,
DiPrima - et al; 200, DiPrima - et al; and Senate Joint
Resolution 136, Daniels."

Speaker Breslin: "Representative Giorgi, on the Resolutions."

Giorgi: "Would you please repeat the House Joint numbers? I
don't have them all."

Speaker Breslin: "The House Joint Resolutions, Mr. Clerk, would
you repeat them, please?"

Clerk O'Brien: "House Joint Resolutions 197, Olson; 198, 199 and
200, DiPrima."

Giorgi: "I don't have 199 and 200. So I'll start with the
others. 1307, by Kulas, tells of the 100 years Ukrainian
Catholic Church; 1310, by Harris, marks the congratulations
of the Prospect High School Marching Band; 1313, by
Brookins, says the West Chesterfield Community will
celebrate its 40th anniversary; Hastert's (sic - 1314),
tells of the bright Saturday school's scholar program;
1315, by Jaffe, honors Old Orchard Junior High School;
Hallock - Giorgi (sic - 1316), honors Marcy Longnecker;
1317, by Christensen, heralds the fact that the Redskins
captured the championship. DiPrima's 199, congratulates a
woman on being the Official Knight of Italy; DiPrima, 200 -
et al, honors the National Surgeon General recently elected
to the Veterans of Foreign Wars; Olson's (sic - House Joint
Resolution 197), commemorates a Sweet Corn Festival;
DiPrima's 198, says Mr. Sam Jantelezio deserves special
recognition."

Speaker Breslin: "Representative Giorgi, have you finished?"

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Giorgi: "One more. All our numbers correspond with the Clerk, and now we have Senate Joint 136, in honor of Supreme Court Justice Robert C. Underwood, by Minority Leader Daniels. I move for the adoption of the Agreed Resolutions."

Speaker Breslin: "The Gentleman has moved for the adoption of the Agreed Resolutions. And on that question, is there any discussion? Representative Mautino, did you want to discuss this issue? No. All those in favor of adopting the Agreed Resolutions say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Agreed Resolutions are adopted. Representative Mautino, for what reason do you rise?"

Mautino: "For an announcement, Madam Chairman (sic - Madam Speaker)."

Speaker Breslin: "Proceed with your announcement."

Mautino: "I'd like to remind the Members of the Appropriations I Committee that the Committee is meeting immediately following adjournment in Room 114 for the supplemental appropriations of the departments of government. That's Room 114 after adjournment."

Speaker Breslin: "Representative Currie, for an announcement."

Currie: "Thank you, Madam Speaker. Just the same announcement with respect to the House Appropriations II Committee which will meet in Room 118 immediately after adjournment, also to consider supplemental appropriations."

Speaker Breslin: "General Resolutions."

Clerk O'Brien: "House Resolution 1312, by Representative Shaw."

Speaker Breslin: "Committee on Assignment."

Clerk O'Brien: "House Joint Resolution 195, offered by Representative Koehler - et al."

Speaker Breslin: "Representative Koehler, do you wish to move this Bill... this Resolution? Representative Koehler."

Koehler: "Madam Speaker and Ladies and Gentlemen of the House,

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pursuant to Rule 33(b), I move to advance House Resolution 195 to the Speaker's Table without reference to Committee."

Speaker Breslin: "Representative Madigan, on the Motion. Representative Madigan. Speaker Madigan."

Madigan: "Question of the Sponsor."

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

Madigan: "Does this Resolution relate to the report of the Compensation Review Board?"

Koehler: "Yes, it does, Mr. Speaker."

Madigan: "Madam Speaker, what is the status of that Resolution at this time?"

Speaker Breslin: "The Lady is making a Motion."

Madigan: "I heard her Motion. You tell me. What is the status of the Resolution?"

Speaker Breslin: "The Resolution has just been introduced."

Madigan: "And where is it at this point, Mr. Clerk?"

Clerk O'Brien: "The Resolution is waiting for the Chair to decide where to send it."

Madigan: "Fine. So that the Chair could simply place that on the Speaker's Table at her discretion which would eliminate the need for Representative Koehler's Motion."

Koehler: "Thank you."

Speaker Breslin: "That would be fine."

Madigan: "Is that in order, Madam Chair (sic - Madam Speaker)?"

Speaker Breslin: "Yes."

Madigan: "Thank you."

Speaker Breslin: "That's House Resolution... House Joint Resolution 195 will be placed on the Speaker's Table. Speaker Madigan."

Madigan: "Madam Chair (sic - Madam Speaker), by way of announcement. For those who have not yet heard, the question of the Compensation Review Board will be taken up on the floor tomorrow. We will set that matter as a

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Special Order of Call. Thank you."

Speaker Breslin: "Death Resolution."

Clerk O'Brien: "House Resolution 1311, offered by Representative Johnson, with respect to the memory of Warren G. Smith."

Speaker Breslin: "Representative Giorgi moves the adoption of the Death Resolution. 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 McPike, for a Motion."

McPike: "Thank you, Madam Speaker. I move the House stands adjourned until tomorrow at the hour of 9:00 a.m."

Speaker Breslin: "The Gentleman has moved that the 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 is adjourned until 9:00 a.m. tomorrow. Ladies and Gentlemen, there will be a Caucus at 5:00 this evening in Room 114 of the Democrats, Democratic Members of the House. That's in Room 114 at 5:00 p.m., a Caucus, a Leadership Caucus."

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