

STATE OF ILLINOIS
84th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

115th Legislative Day

May 8, 1986

Speaker Greiman: "The hour of 12:30 having arrived, the House will be in order. Members will be at their seats. The chaplain for today will be Father David Shauer of Blessed Sacrament Church of Springfield. Father Shauer is a guest of Representative Michael Curran. The guests in the gallery may join us for the invocation by rising. Father Schauer."

Father Schauer: "Let us pray. God of power and glory, we acknowledge Your presence with us. We ask for understanding and courage to accomplish our tasks as lawmakers. May we always respect our fellow men. Let us never use our positions to harm others. Let justice and peace determine our decisions. Let goodness be reflected in our lives. Give us an awareness of all sides of each issue, that the common good prevail. As servants of the people, we are determined to listen to the needs of people. Let this state continue to lead in efforts to provide ethical government. May we challenge one another to give excellence in the quality and quantity of our work. We ask all these blessings in Jesus' name. Amen."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp, will lead us in the Pledge of Allegiance."

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 Greiman: "Roll Call for Attendance. Mr. Clerk, take the record. 114 Members having answered to the call of the quorum, a quorum is present. Mr. Piel, are there any absences excused on the Republican side?"

Piel: "Not today, Mr. Speaker."

Speaker Greiman: "Mr. Matijevich, are there any absences excused

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on the Democratic side?"

Matijevich: "Yes, Mr. Speaker. Let the record reflect the excused absence due to illness of Representative Rice, and the excused absences of Representative Preston and Sutker."

Speaker Greiman: "Let the record so reflect. Committee Reports."

Clerk O'Brien: "Representative Leverenz, Chairman of the Committee on Appropriations I, to which the following Bills were referred, action taken May 7, 1986, reported the same back with the following recommendations: 'do pass' House Bills 1695, 2586, 2832, 2975, 3023, 3253, 3255, 3257, 3389 and 3397; 'do pass as amended' House Bills 2976 and 3348. Representative Bowman, Chairman of the Committee on Appropriations II, to which the following Bills were referred, action taken May 7, 1986, reported the same back with the following recommendations: 'do pass' House Bills 2983, 2985 and 3092; 'do pass as amended' House Bills 2984, 2986, 2996, 3004, 3050, 3090 and 3091. Corrected Committee Report: House Bill 2765 should have been reported out of Committee on Counties and Townships as 'do pass as amended'."

Speaker Greiman: "Mr. McPike, on the Adjournment Resolution."

Clerk O'Brien: "Senate Joint Resolution 149. Resolved, by the Senate of the 84th General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the two Houses adjourn on Thursday, May 8, 1986, they stand adjourned until Tuesday, May 13, 1986, at 12:00 noon."

Speaker Greiman: "Mr. McPike moves for the adoption of the Adjournment Resolution. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Adjournment Resolution is adopted. Mr. Giglio, for what purpose do you seek recognition?"

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Giglio: "Mr. Speaker, the Democrats would like to Caucus in Room 114 for approximately a half hour."

Speaker Greiman: "Alright. Mr. Giglio has requested a Democratic Caucus in Room 114 immediately, which will take approximately one half hour, so that we will be back here about 1:20... about 1:20 or so. So, there will be a Democratic Caucus immediately in Room 114. Mr. Piel, for what purpose are you seeking recognition? I'm sorry. Mr. Vinson, you had your light on first."

Vinson: "Yes, Mr. Speaker. The Republicans can go to lunch."

Speaker Greiman: "Yes. Mr. Hallock? Mr. Piel, what did you want?"

Piel: "The Republicans will be caucusing in Room 118 for a half an hour."

Speaker Greiman: "Alright. Shall... Mr. Hallock, did you have a third opinion you wanted to offer? No. So, Mr. Piel, is it my understanding that the Republicans will be in Caucus in Room 118 for one half hour?"

Piel: "Yes, Mr. Speaker."

Speaker Greiman: "Alright. So, there's a Democratic Caucus immediately in 114, and a Republican Caucus in Room 118, and the House will stand in recess. The House will be in order. The Chair will, pursuant to the rules, go to a Special Subject Matter Call on House Bills Third Reading - Airport Regulation. And on that call, on page 26 of the Calendar, appears House Bill 3632. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3632, a Bill for an Act in relation to airport regulation. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Capparelli."

Capparelli: "Thank you, Mr. Speaker. House Bill 3632 is... amends the Illinois Aeronautical Act, and... and I'll give it to you in one, two, three and four sequences. The

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Amendment that was adopted: (1) authorizes municipalities of over 500,000 to adopt an ordinance prohibiting the landing of supersonic aircraft at O'Hare Airport, making the violation a Class A misdemeanor; (2) prohibits Chicago from placing in service at O'Hare any new runways that are suitable for large aircraft as classified by the FAA before June, 1995; (3) requires Chicago to establish an O'Hare International Airport Noise Abatement Office, outlines the duties of the office, including responding to complaints, operating a mobile noise monitoring device and preparing reports; (4) creates an O'Hare Advisory Committee and outlines membership, provides that the Committee shall act as a forum for consideration of a relationship between O'Hare Airport and the surrounding suburbs and specifies all the duties; (5) declares that it is a policy of the state that the 65 LD noise contour of O'Hare is a goal toward which Chicago and the surrounding communities and the FAA should aim out in carrying their obligations requiring that Chicago to any provide the 65 LD analyze noise contour of O'Hare to the advisory committee. The Amendment also declares that it is the policy of the state to minimize the land use that are incompatible with aircraft noise in adjacent communities, requires surrounding communities to furnish land use ordinances and plan annually to the advisory committee and to take feasible and reasonable steps to discourage incompatible land use around O'Hare; (7) mandates that the Illinois Environmental Protection Agency to establish a division of noise pollution control, outlines of studies including conducting noise monitoring and responding to citizens' complaints; and (8) requires that the Department of Public Health, in cooperation with the Illinois EPA, to conduct a study to determine the adverse health effects posed by

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O'Hare operations and other sources of pollution on residence surrounding O'Hare Airport. I believe that this is the Bill. The Amendment contains the House Democratic O'Hare package. Most of the provisions are incorporated in the 1982 consent degree of the intergovernmental agreement between the people of the State of Illinois and Butterfield, and I ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, Mr. Capparelli, has moved for the passage of House Bill 3632. And on that, is there any discussion? The Gentleman from DuPage, Mr. McCracken."

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

Speaker Greiman: "Indicates the Sponsor will yield for questions."

McCracken: "Representative, does this incorporate the... what's known as the 150 contour map under federal regulations which requires consistent land use with its findings?"

Capparelli: "Mr. McCracken, I was just told that the study is ongoing. It has not been completed, so we have no answer for that."

McCracken: "Alright, but you don't... you don't require the study to be completed? That's a federal responsibility?"

Capparelli: "Absolutely. We want the Bill... I mean, the study to be completed."

McCracken: "Alright. And you want the study to be completed?"

Capparelli: "Yes, it is required to be completed. Yes."

McCracken: "Okay. Now, what is the effect of that contour map, once it's finalized by the agency? Does it have any ramification on surrounding land use?"

Capparelli: "I understand that it's going to be used for noise abatement measures and not for land use."

McCracken: "And what... what do you mean by 'noise abatement measures'?"

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Capparelli: "Well, I presume that what they're going to do... try to cut down the noise. I think we should have a permanent monitoring system to cut down on the noise in the area, to monitor it and find out where the noise is coming from and what we can do to correct it, and let the advisory committee do that."

McCracken: "Okay. I guess my question is, though, with the completion of the 150 contour map, does it require measures regarding land use in the affected areas?"

Capparelli: "This is already required under the FAA... use measurement."

McCracken: "This Bill, however, in any event, requires that report to be made known to developers and prospective purchasers of real estate in the area affected by the contour map. Is that correct?"

Capparelli: "We certainly encourage that, yes."

McCracken: "I'm sorry. I didn't hear that."

Capparelli: "We encourage that."

McCracken: "Alright. Well, the Bill provides for that to be reported. It isn't merely an encouragement."

Capparelli: "It not only requires it, but we encourage that they do that."

McCracken: "Do you know whether or not there's any impact as a result of federal law, rule or regulation, once the 150 map is finalized? Is there any requirement under federal law that you're aware of regarding land use controls or noise abatement measures?"

Capparelli: "There is no mandate in the Bill, but we would encourage them to do that. There is no mandate."

McCracken: "Okay. My question is whether you are aware of any federal rule, law or regulation which requires these noise abatement measures as a result of the filing of the 150 map."

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Capparelli: "No. This is only a requirement of... with the FAA and an agreement with the FAA."

McCracken: "Okay. In any event, it is the policy of this state, according to Section 11-1025(e) Sub 1, that areas adjacent to O'Hare require land use control by the state and its political subdivisions essentially to be consistent with the 150 contour map; that is, that those affected areas, you are encouraging the subdivisions in the state to, in effect, render those valueless. You are... You are requiring that prospective purchasers and developers be advised of the contour 150 map and also the level of noise in that area. Is that right?"

Capparelli: "Yes, you're right."

McCracken: "Okay. Do you have any idea or have you considered what, if any, economic impact this will have on those affected areas?"

Capparelli: "I've been told that the suburbs have already agreed to this in a 1982 decree."

McCracken: "But my question is... well, let me ask this. Are there currently developed residential areas that will fall within this 150 contour or fall within the scope of this Bill?"

Capparelli: "I have no idea, but I presume there would be."

McCracken: "You presume so?"

Capparelli: "I presume so, but I wouldn't know. I wouldn't know. The study hasn't been done. I'd have to wait."

McCracken: "Okay. Would you anticipate declining land values relative to the time prior of the development of the 150 contour map as a result of this?"

Capparelli: "I would think not, and I hope not."

McCracken: "Okay. This Bill also requires that no steps be taken for which compensation under the 5th Amendment would be required. We're talking about eminent domain, then. Is

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that correct? The Bill does not want these political subdivisions to take any steps which would require compensation. Is that right?"

Capparelli: "This is already law under the consent decree."

McCracken: "Well, I mean, isn't that what the Bill says? That you are encouraging people to be aware of the problem - developers, landowners?"

Capparelli: "Right."

McCracken: "Of areas that are already built up?"

Capparelli: "That's right."

McCracken: "But you do not want to incur the expense that is necessary to make in the case of an eminent domain proceeding? What are they going to do if they don't condemn this land? What noise abatement measures are they going to take which does not require any compensation under the 5th Amendment?"

Capparelli: "The ones that are already in place."

McCracken: "What is that?"

Capparelli: "You asked me about eight questions with one question. Would you repeat one question at a time?"

McCracken: "What land use measures or noise abatement measures relative to the area surrounding the airport does this Bill either require or encourage?"

Capparelli: "There is nothing in the Bill that require anything of eminent domain."

McCracken: "I know. That's my point. But you are avoiding the use of eminent domain because it requires compensation. What measure, short of eminent domain proceedings, does... do you encourage or intend to create by this Bill?"

Capparelli: "Did you want the city to use eminent domain, then?"

McCracken: "No, no. The Bill says, 'no eminent domain'."

Capparelli: "Right. I'm asking you, do you want me to use eminent... the city to use it?"

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McCracken: "No, no, no. Well, you don't want to use it, because it will cost money. But the point is, what land use controls or discouragement are you going to use?"

Capparelli: "We would hope that the public awareness would show that we wouldn't want to use incompatible building at this time."

McCracken: "Are there a number of cities which are subject to this Bill, which are listed in here?"

Capparelli: "Yes, there are. I think there are... what, nine?"

McCracken: "And is the entire city subject to the Bill or just parts of it?"

Capparelli: "There's nine cities, and it would be the whole city, not only parts of it."

McCracken: "And there's also a county. Is that correct?"

Capparelli: "County of DuPage."

McCracken: "Okay. And this Bill purports to limit home rule powers under the 1970 Constitution?"

Capparelli: "Would you repeat that, please?"

McCracken: "This Bill purports to limit home rule powers under the 1970 Constitution?"

Capparelli: "That's right."

McCracken: "Okay. To the Bill. Since it's a home rule issue, Mr. Speaker, I ask the Chair to rule that it requires an Extraordinary Majority for passage, 71 votes."

Speaker Greiman: "I'll look at the Bill, and we will give you a ruling, shortly."

McCracken: "Okay. To the Bill. I respectfully submit that this Bill is a sop. It is a plan to avoid the real issue raised by the noise pollution at O'Hare, and the proof of that is that these noise abatement measures, this discouragement, this reporting to land developers and to home owners in areas admittedly already built up, already the subject of persons' homes, is only to go so far and no further than

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this discouragement. They want to avoid eminent domain because of the requirement of just compensation, so this proposes to control land around O'Hare to make it consistent with the area's use as an airport, but they don't want to pay for it. They don't want to... "

Speaker Greiman: "The Gentleman from DuPage, Mr. Hoffman. Yes, excuse me, Mr. McCracken. What did you wish?"

McCracken: "Was that my limit?"

Speaker Greiman: "Yes."

McCracken: "Can I have a ruling? A ruling? I'll stop talking."

Speaker Greiman: "Yes, we'll give you a ruling, but we'll give it to you. I've called on Mr. Hoffman... recognized Mr. Hoffman. Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield to a question?"

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

Hoffman: "Will the Sponsor... "

Speaker Greiman: "Mr. Hoffman, excuse me. It does not require, under the Constitution, 60... an Extraordinary Majority. It does not require that under home rule provisions. Mr. Hoffman. Mr. Hoffman."

Hoffman: "Alright. The Sponsor will yield to a question?"

Speaker Greiman: "Mr. Capparelli, do you yield? Indicates he'll yield for questions."

Hoffman: "Alright. Thank you. My understanding of your explanation of the Bill, that this is essentially a repeat of provisions contained within the Federal Consent Decree of 1982. Is that correct?"

Capparelli: "Right. That, and the agreement both."

Hoffman: "If that is the case, why... why is this Bill necessary?"

Capparelli: "To bring awareness about."

Hoffman: "Other words, only... "

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Capparelli: "To make an awareness and make it a state policy."

Hoffman: "Other words, that what you're doing is using this legislation as a vehicle to heighten public awareness on the consent decree that was passed in '82. Is that correct?"

Capparelli: "The Bill also... I didn't get... I'm sorry. Would you repeat that question?"

Hoffman: "Well, I was... I was saying that basically what you are attempting to do, here, is to use this as a vehicle to heighten public awareness on the provisions of the Federal Consent Decree of 1982. Is that correct?"

Capparelli: "That, plus it does more than that. It also reestablishes the modern office for noise pollution."

Hoffman: "Alright. If it essentially incorporates the provisions of the Federal Consent Decree, will this Bill, in fact, then, as it's presently drafted, authorize an additional O'Hare Advisory Committee, an additional Chicago Noise Abatement Office, additional mobile noise monitoring devices and so on?"

Capparelli: "No, we're not asking for a new advisory committee. We're just mandating by law that the advisory commission that's in effect be working. That's all."

Hoffman: "Does it... Does it... My understanding is, as I read the Bill, that it doesn't say that, that what it says is you will have these."

Capparelli: "That's the intention, though."

Hoffman: "That is the intent. As long as the federal decree stands, you, in effect, have a committee, however, under the Federal Consent Decree and a committee under the state legislation. Is that not correct?"

Capparelli: "There's only one committee, and that's established under state law."

Hoffman: "Is there no O'Hare advisory committee now?"

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Capparelli: "Yes, there is. That's under the consent decree, right now."

Hoffman: "Well, that would appear to be a contradiction of your previous statement."

Capparelli: "No, I just... I think he misunderstood. No, it's just the one committee, and that's the one we're going to go with. That's it."

Hoffman: "Okay. There's one in place now, under the Federal Consent Decree. What you're suggesting is that you're taking that same committee and putting it in the statutes."

Capparelli: "We just want to codify it so it won't be changed by state law."

Hoffman: "Alright. I think that you may want to take a careful look at that and make sure that that's doing what you intend to do."

Capparelli: "I certainly... I certainly will."

Hoffman: "Is there... Is there anything in the legislation which deals with the issue of additional runway construction?"

Capparelli: "Yes, it stops runway construction till 1995, I think."

Hoffman: "Other words, there is... it provides that there will be no additional construction till 1995?"

Capparelli: "Prohibits Chicago from placing in service at O'Hare any new runways that are suitable for large aircraft as classified by the FAA before June 30, 1995."

Hoffman: "Alright, so there... It deals with the limitation of runways for a particular class of aircraft. Is that correct?"

Capparelli: "This prohibits any new runway except for very small aircraft."

Hoffman: "Other words, that... that you... you identify the particular type of aircraft that is presently on the line. What happens if Boeing comes out with a 728?"

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Capparelli: "I'd be the first one to oppose it, living in that flight pattern."

Hoffman: "Well, the point I'm trying to make, if you'll look at the language in the Amendment, by designating specific aircraft by... by maker and by number, you do not take into account the possible development of aircraft with a different designation or the possibility of designating even that aircraft which has been modified which may be the same thing by a... by a different... different number. I suggest to you that... that there is no... there's no guarantee in this legislation that additional runways will not be built, and it seems to me that an act of good faith would be one which you would completely limit the construction of any additional runways."

Capparelli: "Mr. Hoffman, the large is governed by the FAA Consent Decree in that any time we feel that we want to change this, we can change it by an Amendment."

Hoffman: "Would you repeat that again? I'm sorry. I was being counseled."

Capparelli: "That's alright. I said that the large, as in the Amendment that you're reading. That is what the FAA Consent Decree reads, but in the future time, if we think that there are new planes being built, we'd be more than happy to amend the Bill at that time."

Hoffman: "Alright then, what you're suggesting is that this Bill isn't really for anything in the future. This is just for right now."

Capparelli: "Absolutely. We're dealing with today, not tomorrow."

Hoffman: "You're dealing with today and not tomorrow, and therefore, we can't be concerned about what's going to happen as we move down the... "

Capparelli: "Oh, no. We can be... We can definitely be

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concerned. When the time comes, we can sit down and try to amend the Bill."

Hoffman: "Alright. Thank you very much. Mr. Speaker, to the Bill."

Speaker Greiman: "Proceed."

Hoffman: "I think the Members of this Body can recognize from the debate on this issue, the questions that have been asked by the other Representative from DuPage and myself, that what we're dealing here is really something not of substance. The fact of the matter is that there is a Federal Court decree already in place. The truth of the matter is what we have done is taken the content and put it in a little different package. It's kind of like a magic show, where you see it and now you don't, and here it comes again. I would suggest to the Members of this Body that this is a charade, and it's a charade which, in my judgment, is not going to work. The people who are affected by this problem are not going to be fooled, because they're going to see that nothing has changed, and their... their environment, their personal space, if you will, continues and will continue to be violated. As one of those Legislators who represents that particular constituency, I rise in opposition to this legislation. I plan to vote 'no' on this legislation, and would ask the other Members of the House to support those of us who are affected by this, because we certainly are sympathetic and sensitive to problems which affect you and your particular area of your... of the state. And so, I would ask for a 'no' vote on this legislation."

Speaker Greiman: "The Gentleman from Cook, Mr. Piel. The Gentleman, from McHenry, Mr... "

Piel: "Thank you, Mr. Speaker."

Speaker Greiman: "Oh, Mr. Piel. You're at your seat. Alright,

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Mr. Piel. Proceed."

Piel: "Will the Gentleman yield to a question?"

Speaker Greiman: "Mr. Capparelli, will you yield for a question?"

Indicates he'll yield for questions."

Piel: "Representative, obviously, when we first came on the floor, you started zipping through this real quick, and there are some things that were not really gone into in long detail in your opening remarks. Could you sort of give us an idea of what is required, not recommended or encouraged in this Bill? 'Required' is the question I'm asking for, not 'encouraged'. The question I've got, Mr. Capparelli... Mr. Capparelli, the question I've got, Ralph, is, you know, when these Bills have been brought up before, certain Members of this House have been chastised and one thing and another for asking staff for their opinion. Now, are you the Sponsor of the Bill, or is the staff the Sponsor of the Bill? Because, now you're getting the opinion of staff, and it's alright. Before, when other people got opinions of staff, it wasn't alright. Now, I'm just asking you, what is required in the Bill? You're the Sponsor of the Bill. You don't have to ask the staff."

Capparelli: "Okay. I'm just marking my notes, here. Okay?"

Piel: "With the help of staff. Okay, go ahead."

Capparelli: "Who wrote your question? Your staff?"

Piel: "Am I supposed to be asking you or the staff that's... "

Capparelli: "Well, I'm asking you, now."

Piel: "No, I asked you, what is required, not encouraged? You mentioned 'encouraged' many times."

Capparelli: "I just asked you who wrote your question?"

Piel: "What?"

Capparelli: "Who wrote your question?"

Piel: "Nobody. Nobody's written my question. I mean, there's only three words- 'required', not encouraged."

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Capparelli: "Alright, first of all... what we're asking... first of all, what we're asking is prohibit the placing of any new runways until 1995. Second, we're asking for a new abatement office... noise abatement office that the state has not fulfilled their obligation in. Third, we're asking for the creation of the O'Hare Advisory Committee and to outline its membership and provide for the committee shall act as a forum for the consideration of relationship between O'Hare Airport and the surrounding suburbs and specifies their duties... "

Piel: "Is it they're already in operation, though?"

Capparelli: "And of course, we're... And of course, we're asking the state to do what they were supposed to do, under the decree."

Piel: "Isn't that already in operation? Don't you have advisory capacity over that already?"

Capparelli: "They have not lived up to any of their decrees."

Piel: "You know, you're saying 'advisory', you know, 'advisory', you know, I could sit here and advise you to drive off a cliff, but, you know, it's a difference between being advised and being required. Are you listening to me or the staff? I'm trying to ask you some questions. You want me to ask you questions."

Capparelli: "I'm listening to you."

Piel: "The Advisory Committee. I'm asking you in reference to the Advisory Committee."

Capparelli: "One minute, I'll be with you. I'm going to ask my staff."

Piel: "Thank you. I thought you were the Sponsor of the Bill. If they want to talk, they're more than happy to. I'm just trying to find out some answers to some questions."

Capparelli: "You're interrupting me, and I can't hear."

Piel: "Sorry, go ahead, then. Maybe they ought to stop the

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timer, because I've only got eight minutes. They can talk to you for eight minutes."

Capparelli: "No, I mean, each and every one of you asked the same question, now. That's four times, and I'm going to give you the final answer this time. We're trying to make it state policy, and that's all we're trying to do. Okay?"

Piel: "On an advisory... you said this is an advisory committee. Well, my question is, if you're setting up an advisory committee, how can you set up as a state policy of an advisory committee? I mean, we've had many advisory committees as far as O'Hare Airport, and if these advisory committees were doing their job, obviously, we wouldn't need any type of legislation. Isn't that correct?"

Capparelli: "But, we're trying to set up by state law, to set up this advisory committee."

Piel: "To set up another advisory committee. That's just what we need in Illinois - another advisory committee. Okay, let me go on. You've made the comment before that you... to promote public awareness... People in O'Hare Airport, your constituents, constituents of a lot of the other people in the House, I believe, are aware - they're aware of the problems that O'Hare Airport has. Correct?"

Capparelli: "I would presume so."

Piel: "Alright. Now, what is your Bill doing? I mean, is it basically just a shell for publicity or what... how is this going to promote public awareness above and beyond what the people already know when they've got problems over there?"

Capparelli: "Well, we're still trying to bring awareness about, because the state has not fulfilled their obligation in doing what we're supposed to do, and we're trying to get that established right now for once and for all."

Piel: "How?"

Capparelli: "By making it and codifying it with state law."

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Piel: "Codifying state law how? How are you... you know, in your Bill, how... you want to codify to promote public awareness?"

Capparelli: "By recreating some of the offices the Governor abolished. That's one way."

Piel: "Recreating certain offices, such as what?"

Capparelli: "Noise Abatement Office."

Piel: "And what... What is going to be the objective of this public awareness and noise abatement area... "

Capparelli: "Well, I think they should have a monitoring system consistent working out there, day by day, monitoring the noise levels. Don't you think so?"

Piel: "Your Bill. What does your... How does your Bill address the Concorde issue? The issue of the Concorde."

Capparelli: "It allows Chicago to adopt the ordinance that they have."

Piel: "I'm sorry... "

Capparelli: "It allows Chicago to adopt an ordinance in which they... I believe they did that back in... "

Piel: "No, it's... basically, it's all window dressing. It has nothing to do with... Now, as you're sitting here saying Chicago can adopt an ordinance any way they want to. Now, are we sitting here, in this Bill, saying that we do not want Concordes at O'Hare Airport?"

Capparelli: "That's what we're saying at the time, yes."

Piel: "Then my question is to you... "

Capparelli: "And they're not going there now. I think they only had one landing, and that was in Rockford in 1981."

Piel: "Okay, but your Bill... Your Bill... "

Capparelli: "My Bill says we don't want supersonic jets landing there. That's right."

Piel: "Your Bill is stating... Your Bill is stating that you do not want Concordes at O'Hare."

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Capparelli: "My Bill says that we don't want supersonic jets. Right."

Piel: "Then, I think what you have done, as the Sponsor of this Bill, is, it's strictly political. It's strictly political. It wasn't six months ago that you stood up here on the House floor and voted 'no' when somebody else had something banning Concordes at O'Hare Airport. Am I correct there?"

Capparelli: "Wrong. I voted 'aye'."

Piel: "You're sure you voted 'aye'. You're sure you voted 'aye'."

Capparelli: "Oh, yes. I'm sure I voted correctly."

Piel: "You're sure that you and all your fellow Sponsors..."

Speaker Greiman: "Excuse me. Excuse me. Gentlemen. Mr. Capparelli and Mr. Piel, the purpose of this questioning in the Legislative Body is to discern information. I will not allow either of you to bite back. If you have questions, propound them. Mr. Capparelli has indicated a willingness to answer those questions. Proceed, Mr. Piel."

Piel: "Alright. I'll stop my questioning to him, and I'll speak to the Bill, Mr. Speaker."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think I've brought out by a couple of things that all this Bill is, is a sham and a farce. The Sponsors of this piece of legislation, all they want - and if you want to, you can have your press conference right over here or right over there - is to get press coverage for the five Sponsors of the Bill to make it look like they're really for O'Hare Airport citizens, when time and time again, they've been voting against the people in that area. The people in that area want to see results. They don't want to see political window dressing, and I would ask the Members of this House to take a very close look at this piece of legislation

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before you vote 'yes', before you vote 'no', or before you vote 'present', because all this is, is political window dressing for the re-election of certain individuals who want to make it strictly political. It's not for the people of Illinois. It's strictly political."

Speaker Greiman: "The Gentleman from Will, Mr. Davis."

Davis: "Well, thank you, Mr. Speaker. I would like to ask the Sponsor a couple of pertinent questions, I think."

Speaker Greiman: "Mr. Capparelli, will you yield for questions? The Gentleman indicates he does not wish to yield for questions."

Davis: "Well, I think that's unfortunate, Representative Capparelli. I wanted to ask, and I'll just ask them, rhetorically, Mr. Speaker, in my address to the Bill. I wanted to ask Representative Capparelli if he presented the Bill in Committee or if one of his Cosponsors did. I do not believe he did present the Bill in Committee. I don't think he was there. I think one of his Cosponsors was there, and it's a shame Representative Capparelli now is saddled with the... with the problem of having to present this Bill on the floor without benefit of the knowledge of what went on in that Committee where Leader Daniels and other Republicans questioned the Representative who was presenting the Bill at that time and asked some pertinent questions regarding some of the provisions of the Bill and had agreement from that Sponsor, and the record of that Committee will so indicate that the Bill would be held on Second Reading for the Amendments that were suggested by those Republicans to help this Bill become a better Bill, if, indeed, it should survive. Apparently, that was not the case, and I guess this Bill, Mr. Speaker, must have moved to Third Reading yesterday without benefit of having Amendments offered to it. It was moved quickly, I

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understand, to Third Reading, and now today, of course, we're debating the Bill on Third Reading. I wanted to ask Representative Capparelli if he was aware, in changing the subject of what the capacity of O'Hare Airport is right now. In case he doesn't know or his staff doesn't know, it's about 137 percent of capacity. So, while the noise pollution and while the pollution from falling jet fuel and hazardous toxic chemicals that probably are in that jet fuel are dumping all over his district as well as the rest of the districts that surround O'Hare Field, while that is a serious problem, and noise pollution is untold what that problem is in terms of property value and human health, while those are serious problems, the ultimate problem is flight 191 or safety of the residents from accidents at that airport, and for travelers. It is recommended - or not recommended, but stated in studies - that within five years, that airport will be at 189 percent of capacity. That means there are no more runways under your Bill, Representative Capparelli, as presented, but that means that you'll just have to put more flights and smaller spacing between the flights round the clock at O'Hare, night and day, to get that kind of capacity. Now, that's a real serious problem that no one's addressed at this point in time. We're not talking about just noise pollution, just toxic waste pollution coming from the skies on the homes in Park Ridge and in your district, Mr. Sponsor, and all over O'Hare. We're talking about the safety of travelers and the safety of thousands of people on the ground. But that's notwithstanding, because we all know that the prohibition on runways in this Bill or in this consent decree is a farce, because the questions were also asked on large designated aircraft that cannot use these proposed new runways prohibition-wise, that right now on

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the drawing boards are other aircraft that have not yet come into service but will before 1995, or my goodness, maybe we could build some new runways for general aviation to take the general aviation or lighter aircraft out of the stream so we can land more and more and more jumbo jets at O'Hare Airport. No one's talked about that safety. So to the Bill, since the Speaker... or the Sponsor will not answer those questions and maybe cannot answer them in good conscience, because I think he knows the answer, but it is said, Mr. Speaker, that the Mayor of the City of Chicago, through his minions here, are using somebody that is part of that problem in that district, to solve it with a sham, because Representative Piel is correct. This is an electoral mirror that we're looking at now. It's the first of many mirrors that are going to come. The insurance crisis will see other mirrors, but I can tell you that the mirror is carefully being put up, that here is a response. What a response. A consent decree that was signed in 1982 that isn't worth a damn and you know it, Representative Capparelli. You know it's not worth a damn. You know the Republican program will bring true, meaningful codification of things that need to be done at O'Hare. You and I both know it. You're being used. The whole process is being used by the Mayor of the City of Chicago, and by the City and by its vocal people here in Springfield, to obfuscate the issue, make it go away, so then they could build the runways, then they could move the Elgin-O'Hare Expressway further south for general aviation purposes, not for 707's, but we'll land more 707's, more DC-8's, more DC-10's, because general aviation is now out of the package. It's a sham. It is a farce. This is absolutely ridiculous. The people back around O'Hare will absolutely not be fooled by this. Representative Capparelli, you are a good friend and

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one of the most... the best Legislators here. Your district's not going to believe you on this, Cap. They're not going to believe you. Go ahead and vote for it. I don't intend to."

Speaker Greiman: "The... The Gentleman from McHenry, Mr. Klemm."

Klemm: "Thank you, Mr. Speaker. I don't know if the Sponsor of the Bill is still answering any questions, but before he says 'no', let me ask the question and find out if he wants to respond to it, because it's a relatively simple one. I just noticed that in the legislation, it requires the Illinois Department of Public Health to do some studies along with the EPA. And I was wondering, are these studies honestly to be meaningful, and will they use expert people and equipment to find out if there's any cancer-causing or disease-related activities there? And I was wondering if the Sponsor wants to answer that or not. I don't know."

Speaker Greiman: "Mr. Capparelli, do you wish to yield for a question?"

Capparelli: "I certainly hope they would be helpful, yes."

Speaker Greiman: "Indicates he's yield for that question... "

Klemm: "So... So, your intent is to have meaningful studies from that?"

Capparelli: "Absolutely."

Klemm: "My next question, because I'm not a lawyer, is that why then, do we have the phrase in here that it prohibits the studies from being used in court? If they're honestly prepared by our departments because they are effective and helpful for us to determine if a problem does exist, why then, aren't we going to allow that expert evidence to be used in court, if we think there is a problem?"

Capparelli: "We want to encourage the utmost and fullest study, and that's why we prohibit the business not to go to court... "

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Klemm: "Okay. Thank you very much, but it seems to me that if we want a study to find out, and I think it says, and it spells out, to conduct a study to determine adverse health effects posed by this operation of the O'Hare Airport, and the studies must include, at a minimum, certain things in here, and it's the correlation between levels of such pollution at adverse health effects, levels of cancer, adverse pregnancy outcome and all the other things, I would think that if this expert group comes up and finds that, really, they're causing some problems, we don't want them to be able to correct it in a court of law? You know, if their problem does exist, let's try to solve it. Right?"

Capparelli: "They can still file damage suits, though."

Klemm: "Alright, well, thank you for answering the questions. I would just think that if, in fact... To the Bill."

Speaker Greiman: "Proceed, Sir."

Klemm: "... We do find some problems, that we would work to try to solve it' and help the people down there, and I'm sure you share that, but it doesn't appear as if this is the answer. Thank you again for answering the question."

Speaker Greiman: "The Gentleman from Lake, Mr. Churchill."

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

Speaker Greiman: "Mr. Capparelli, do you wish to yield for questions? Mr. Capparelli? Mr. Capparelli indicates he will yield for questions."

Churchill: "Thank you. Representative Capparelli, your Bill prohibits the private supersonic aircraft. In other words, it says 'civilian', I believe. If I'm... If I'm not mistaken, I think all of the supersonic aircraft to date are government owned. Will the government-owned supersonic aircraft be able to land at the airport?"

Capparelli: "Well, it... you know, what you're trying... I think what you're trying to get is saying that the... that the..."

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you're saying that no more... military aircraft can land there... that the... yeah, we allow military aircraft... supersonic military aircraft to land there. Right."

Churchill: "I believe the word says, 'to all civilian supersonic aircraft', and my question goes to the term 'civilian'."

Capparelli: "We're preventing any commercial airline from landing supersonic aircraft."

Churchill: "My question is, at this point, most of the supersonic aircraft are government owned."

Capparelli: "I would presume so, yes."

Churchill: "In other words, if I would... if France or... "

Capparelli: "I would presume so, but do you want to limit the military from landing there?"

Churchill: "Not the military. I think what we ought to say is, you know, for private carrier, passenger carrier or something like that. It should be... It should be defined more correctly. The term 'civilian' could be confused."

Capparelli: "If it's being used for commercial purposes, they cannot land."

Churchill: "Alright, well, there was a question on that term."

Capparelli: "Oh. Well, that's what I understand it as."

Churchill: "Can... Let me ask. Can Chicago already ban SST's?"

Capparelli: "I think they had an ordinance in 1984."

Churchill: "Then, what you're saying is, is that there is already an ordinance banning the landing of the SST."

Capparelli: "Yeah. In 1985."

Churchill: "Okay. Under the Federal Decree - the Consent Decree of 1982 - most of what I've read in that decree appears to be similar to what your Bill has here. Is there something in addition to that consent decree that you've included in your Bill here that puts some teeth into this process?"

Capparelli: "I answered that question before. That's re-establishing the noise abatement that is gone, and the

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supersonic jets."

Churchill: "Okay. In your Bill... "

Capparelli: "And also, the studies for health."

Churchill: "Okay. In your Bill, do you... do you not create two O'Hare advisory committees, two Chicago noise abatement offices, and two mobile home monitoring devices... "

Capparelli: "That's... That... That was answered three times now. Only one."

Churchill: "Okay, I'm sorry. I didn't hear that. I have a question about the runways. I think your Bill says that it will not allow any additional runways for larger planes."

Capparelli: "That also was answered."

Churchill: "Yeah, but will it allow additional runways for planes which are currently using O'Hare?"

Capparelli: "In the Bill, it says for only small... I mean, large non-commercial airplanes... aircraft."

Churchill: "What I guess I'm saying is the planes... "

Capparelli: "Those who have no environmental impact."

Churchill: "Okay. The planes that are landing there right now would qualify for new runways. There could be new runways for this similar kind of plane that's landing there now."

Capparelli: "Only for very small planes. If you'll read the Bill from 1824, it clarifies that these... aircrafts are the only ones that land there... cannot land there."

Churchill: "Has there been any guarantee from the City of Chicago that no new runways will be built?"

Capparelli: "It's my understanding they are planning no new runways, and I would oppose it with you if they did."

Churchill: "Does this Bill create a duplicate Office of Noise Abatement within the Chicago Department of Aviation?"

Capparelli: "We are codifying that under state law. It's not a new one."

Churchill: "I'm sorry. I'm sorry. I didn't hear you."

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Capparelli: "We are codifying that under the present state law."

Churchill: "There's a point that there might only be one telephone line going into the present Chicago Noise Abatement Office. Do you know if that's the case, and if it is, how are we going to service all of these people with just one phone line coming in?"

Capparelli: "I don't know if there's only one line, but it's operated seven days a week, 24 hours a day. And I presume if they need more, they'll have to put more in."

Churchill: "Do you know if the Chicago Noise Abatement Office presently prepares reports and makes recommendations about noise abatement to O'HAC?"

Capparelli: "It's my understanding that they do, yes."

Churchill: "And is there an investigative arm of O'HAC that goes out and investigates the complaints?"

Capparelli: "Would you repeat that, please? I... "

Churchill: "Is there an investigative office so that they can go out and investigate the complaints that are filed?"

Capparelli: "Oh... I don't really know. I know there's a monitoring mobile... mobile monitoring service that goes throughout the area."

Churchill: "Okay, and how, in your Bill, would you ensure that FAA violations would be reported to O'HAC?"

Capparelli: "Well, it just... decrees... under the decree that was passed, we're asking that it be done and it be law to do it, that's all."

Churchill: "Do you know if presently... "

Capparelli: "Unless we set up a special... another special investigating company that would look over it. I don't think we'd want to do that, though."

Churchill: "Okay, and do you know if... does the O'HAC office presently have staff... professional staff available to it?"

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Capparelli: "It's my understanding that they do, yes."

Churchill: "And does your Bill require permanent noise monitors?"

Capparelli: "I don't think it requires, but I would hope that would be a permanent monitoring system, because that's what I would be for."

Churchill: "How come we don't have it now? Shouldn't we have it... I mean, shouldn't we have, in the Bill now, something that requires permanent noise monitors?"

Capparelli: "Well, the Governor abolished the office that would have done it, and we're trying to re-establish it, and I hope that it would be a permanent monitoring station."

Churchill: "Okay, but couldn't we amend your Bill and make a requirement that there be permanent noise monitors in the Bill?"

Capparelli: "We could look at it in the Senate. We're going to try to get it out of here first, though."

Churchill: "Okay. I see that my time is coming to a close, so I'll have to stop asking questions. I thank you, Representative Capparelli. I would say on this Bill that I think this Bill is like the fog, a very heavy fog that sometimes in... "

Speaker Greiman: "The Lady from Cook, Ms. Pullen."

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm not going to ask any questions, I think. I thought you would like that, Ted. When we were discussing the O'Hare issue in Committee, a number of people came to Springfield from the O'Hare communities - the neighbors to the airport - to bring their case to the Members of this House and to seek relief. What they were treated to was the spectacle of seeing one Member of the Democrat Leadership or another designated as the hitter in Committee by Committee, who proceeded to ridicule the Sponsors of the Bills or even the witnesses who had come from this area to

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testify. The ultimate slap was when the Speaker of the House trooped out his comic opera known as House Bill 3632. That was indeed the ultimate slap to these people, and they went home quite angry. They will also be angry when they find that extraordinary means were used to push this Bill through today before they have the opportunity to return, because I'm sure the Speaker of the House is aware that next Tuesday, our next Session day, is the next O'Hare Rally Day in Springfield. These people will arrive next week to find that you have already done it to them, not for them, and that they have nobody in the House to talk to. Except, the fight isn't over yet, because there will be legislation here this spring that will address the real problems of the people in the O'Hare neighborhood, not a piece of junk like this, which seeks to put into state law something that is already law, word by word, that creates, for example, an O'Hare Advisory Committee, an advisory committee that was supposedly for the purpose of providing suburban input and has been operating for what, about three years now, and hasn't provided a bit of suburban input, has been yet another slap in the face at the 400,000 people who are subject to problems created by the airport. That O'Hare Advisory Committee meets fairly often. It is chaired by a delegate from the City of Chicago, and you can imagine how productive the meetings are, because the delegate from the City of Chicago who presides will not even allow a vote to be taken. As recently as last week, the O'Hare Advisory Committee met, and a member proposed rules under which they could operate - normal, everyday operating rules - Robert's Rules of Order, something that virtually every organization has as its operating rules, so that there would be votes taken in the O'Hare Advisory Committee three years after it was created, and the

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Chairman of the Committee would not even honor the motion. 'We don't do things like that, here. We do things here only by consensus,' he said. Do you imagine there being any consensus on any major issue between the two antagonists in this situation - the City of Chicago and its Mayor, versus the suburban communities - the suburban areas that actually surround the airport. There is no consensus, and so there is no action, and yet, the Gentleman proposes to put that same advisory committee into state law, word by word. No cure for the problems going on in that committee, no cure for the problems of the people around O'Hare. It also repeats the language of the Federal Court order which is law today and doesn't need to be duplicated, that creates a noise abatement office in the City of Chicago. This noise abatement office is staffed by the City of Chicago, paid by the City of Chicago, equipped by the City of Chicago, and guess how much information it provides to anyone except the Mayor of the City of Chicago, assuming he even asks for the information, which I doubt. It provides no information. It is a worthless office. It should have been expected to be a worthless office, because he who pays, calls the tune. The Gentleman indicated that all the communities around O'Hare are included in this sham advisory committee, and include... mentioned specifically in the Bill, as parties to this. Well, not all the communities around O'Hare were parties to the Federal Court order, and the ones mentioned in the Bill are only those that were, because the Federal Court order has been, supposedly, cleverly copied word for word. And so, there are people who live around the airport who will receive absolutely no representation from this Bill, any more than they do under the Federal Court order that it mocks. Those include, by the way, the people from the northwest

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side of the City of Chicago, because their only representation in the O'Hare Advisory Committee comes from the Mayor's Office. The Gentleman said that this was not a Bill for tomorrow, but a Bill for today. Well, it's actually for four years ago, because that's when the the Federal Court order came down. It contemplated conditions four years ago, not even today, but it certainly is correct, that it is not a Bill for tomorrow. By thwarting - by attempting to thwart - the very necessary debate on O'Hare and on its already having surpassed its capacity, those people who are behind this little mockery thwart the possible siting of a third major airport, thwart the economic development for the greater Chicago area and Illinois, doom us to having to depend only on O'Hare, that is already at 137 percent capacity, doom us to a major tragedy one of these days in the skies over O'Hare or the neighborhoods around it or on its runways. We need to be looking to tomorrow, Ladies and Gentlemen, not merely addressing conditions as they were four years ago. We need to be serious now about a third airport, in order to provide the increased flight operations that Illinois needs. But some people in this House and in the City which controls O'Hare think that it is a laughing matter, and they think that they can continue to rely on an airport that is very important to the people of Illinois but cannot be allowed to be the only game in town. I will not support this legislation. To do so would be an insult to the people in my community, because they are not cretins. They can understand when something is offered in order... "

Speaker Greiman: "The Lady from Cook, Ms. Williamson. Excuse me, Mr. Pullen. Did you wish to finish your sentence? Proceed. Turn Ms. Pullen on."

Pullen: "Thank you, Mr. Speaker. I was closing my remarks. I'd

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appreciate that courtesy."

Speaker Greiman: "Ms. Pullen, it's an automatic timer. Just finish your sentence, please, Ma'am."

Pullen: "Thank you, Mr. Speaker. The people in my community and in my district understand that this is a placebo, and placebos don't do anything to cure their ills, so I will vote 'no', and I urge everyone to do likewise. Thank you."

Speaker Greiman: "The Lady from Cook, Ms. Williamson."

Williamson: "Thank you, Mr. Speaker and Members of the House. Will the Sponsor yield? Well, you mentioned earlier that you would oppose any construction of new runways after 1995. Were you sincere? Did you mean it?"

Capparelli: "Absolutely."

Williamson: "I feel the same way, and I strongly agree with you. We both represent districts that would be strongly affected by new construction. But I am so sincere that if the City of Chicago is stating that they have no plans for new runways, why don't we work together and propose an Amendment that states that we will not allow any new construction?"

Capparelli: "Put one together, and I'll support you on it."

Williamson: "Would you be willing to bring this Bill back to Second so we can work on it together?"

Capparelli: "This is the only thing that's moving along, and I want to get this over to the Senate, and if you feel that you can get an Amendment on there, I'll support it there."

Williamson: "Well, I'd like to work together with you, and I think that if we tell the Senate that they've got to put their Amendment on and do it, aren't we kind of passing the buck and telling them to do the work, that we want it out of our House, and we don't want to deal with this problem, so we can go home and face our residency and say, 'It's not my job anymore?'"

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Capparelli: "What was the question?"

Williamson: "By putting the Amendment over in the Senate, isn't that sort of taking the responsibility off of our shoulders and passing the buck? How do we go home to our people and tell them we didn't do it?"

Capparelli: "Representative, the Bill was on Second Reading for two days, and I thought sure, and I was waiting for Amendments to be put on it. Not one Amendment was put on it, and I was waiting for it. You could have put an Amendment on it. I don't know why you did not. It was on Second Reading, and I would... at that time, I would have looked at it with you, and I probably would have supported you with it, but you didn't put one on at that time. I'm not bringing it back to Second Reading at this time. I think you should have put the Amendment on. I think you were sleeping or whatever it was. You should have done something at that time. If you felt you had something you wanted to do, you should have done it at that time."

Williamson: "Well, Representative, it was your Bill, and we did discuss with several of the other Sponsors the possibility, and it was never accomplished, and unfortunately it is a sad thing that it wasn't. To the Bill. Maybe I'm, as a freshman, very naive in the policy making and the aura of being an elected state official. I came down here with the feeling the people in my district that elected me were of strong belief that I could come down and vote for what affects their health, their safety, and their lives. Now, I'm down here and I'm finding out that that's not the case, that it's more of who is going to give us the dollars so we can get re-elected, whose pocketbook is being lined, and so what if we shove something down the throat of the people back home. This Bill is ridiculous. We have sat here and listened to the people talk on this Bill, questioning Ralph

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Capparelli over and over on the same questions, and we've come up with the same answer, that this Bill does not alleviate noise. It is not solving the problems of the air traffic in the air. It is not addressing the safety concerns of the people surrounding O'Hare Airport. When do we, as Legislators, start worrying about the people that we were elected by and care about them first? Thank you."

Speaker Greiman: "The Gentleman from Morgan, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. Would the Sponsor yield for questions?"

Speaker Greiman: "Mr. Capparelli, do you wish to yield for questions?"

Capparelli: "As long as they're different questions."

Speaker Greiman: "Mr. Capparelli indicates he'll yield for questions."

Ryder: "Well, I will assure you, Representative, that I have never asked you these questions before."

Capparelli: "Has anyone else?"

Ryder: "You'll have to answer that, because I don't know. My understanding of the Bill is that it's limited in its scope to only cities above 500,000. That is correct? Which means the City of Chicago?"

Capparelli: "Yeah. 500,000."

Ryder: "I'm sorry?"

Capparelli: "500,000 on the supersonic. Yeah, that's right."

Ryder: "So, it's entirely limited to the City of Chicago and only the single airport of O'Hare?"

Capparelli: "That's what you seem to be concerned about is O'Hare, yes."

Ryder: "I'm asking you the question. This Bill is only directed towards the City of Chicago and the Airport of O'Hare."

Capparelli: "Yeah, and that's what you're concerned about, isn't it? We're all concerned about O'Hare Airport, and that's

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what it concerns. Yes."

Ryder: "We're all concerned about the whole state. I just want to make for sure that I can define what it is we're talking about, and I sometimes have problems in that regard."

Capparelli: "I've never noticed you to have any problems."

Ryder: "Thank you. I appreciate that. The Bill amends the... the Illinois Aeronautics Act, and yet, I don't find any instructions or any obligations of the Illinois Department of Aeronautics - the Illinois Department of Aviation. Is there something in the Bill that gives instructions to the Illinois Department of Aeronautics or Department of Aviation that I do not observe?"

Capparelli: "That Act acts with aviation in general, not only the Aeronautics Act, I'm told."

Ryder: "Specifically why I'm asking you. Department of... Department of Aeronautics, which is a part of the Department of Transportation, does not have any responsibilities under your Act. Is that a correct interpretation?"

Capparelli: "I would... Yes, I would say so."

Ryder: "Alright. However, it does specifically mandate certain requirements on the City of Chicago, and it does make some requirements of the Illinois Department of Public Health and the Illinois Environmental Protection Agency. Those are the only two state agencies and the only city that has direct responsibilities under this Act?"

Capparelli: "That's right."

Ryder: "The mandates that are created upon the City of Chicago, those mandates, will they require contribution or appropriation from the State of Illinois? More specifically, are we telling the City of Chicago to do something that's going to cost them money?"

Capparelli: "They're doing this voluntarily. There's no

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appropriation."

Ryder: "So, they're already doing it now?"

Capparelli: "They're doing it voluntarily right now, yes."

Ryder: "Okay. So, we're not... This Bill doesn't ask the City of Chicago to do anything more than they're doing right now."

Capparelli: "Absolutely."

Ryder: "Right. So, they're not going to, hopefully, the city will not come back to us and indicate that because we've mandated them to accomplish something, that we should be paying for that."

Capparelli: "No."

Ryder: "Very good. Now, I read, and I fail to see a definition of 'health effects' as part of the Bill, and yet, that seems to be a very important part. Can you direct me to such a definition?"

Capparelli: "We wanted to keep it as broad as possible, to take in all the aspects - even broader than the one you had in your own Bill."

Ryder: "Okay. So, there isn't a definition within the Bill of the health effects that are to be monitored?"

Capparelli: "No, we wanted to keep it as broad as possible for things that we don't even know about."

Ryder: "But I understand that perhaps we may not be able to understand all of this. That, I think, is intrinsic within the Bill. However, when we talk about health effects, noise is obviously a factor, and that's been discussed readily. Are there other health effects? Could you give me some idea of what you intend by that?"

Capparelli: "I have no idea, but I hope we could find out through this."

Ryder: "Well, for example, are we talking about stress that's induced by that?"

Capparelli: "Could be one of the problems, yes."

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Ryder: "Are there any other kinds of problems? Are there chemical problems at the... at the airport or other kinds of toxics that may be part of those health effects?"

Capparelli: "It could be, yes. Any of these problems."

Ryder: "Radiation is a possibility, and obviously, that's something we're all concerned about at this point."

Capparelli: "I would presume so."

Ryder: "Okay. Alright. Representative, you indicated that the city, by its own free will, was doing all that you're requiring in the Act. They're voluntarily doing that, I think you said."

Capparelli: "They're doing it under the consent decree, but they haven't accomplished everything, and I hope under... codified under state law, they'll even do more."

Ryder: "Okay. Alright. So, we've established what you're asking to be done under this codification of state law, the city is already doing, but they're doing because of the consent order, not because of voluntary... "

Capparelli: "The suburbs aren't doing it at all right now. We're hoping that we can get the city to move a little forward a little faster, and the suburban area."

Ryder: "Okay, but the city's doing it because of the consent order, not voluntarily, as you indicated earlier."

Capparelli: "Yes, that's right."

Ryder: "Okay. The Advisory Committee, what's been generically referred to as O'HAC, and that advisory committee is in existence now? Is that correct?"

Capparelli: "That's what I understand, yes."

Ryder: "And your Bill calls for 17 members?"

Capparelli: "The same amount of members that were originally established, yes."

Ryder: "How were those members established?"

Capparelli: "By the consent decree that was signed by Ty Fahner,

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a Republican on your side of the aisle."

Ryder: "Okay, but it was... the 17 members of the committee and the distribution of those members as indicated in your Bill were established by the consent decree."

Capparelli: "That's right."

Ryder: "Is there anything in your Bill as concerning the O'Hare Advisory Committee, is there anything in this Bill that will help the effectiveness of that Committee that they don't already have now, other than codifying it in the state statutes?"

Capparelli: "Would you repeat that question? I don't quite follow you?"

Ryder: "The O'Hare Advisory Committee."

Capparelli: "Right."

Ryder: "Do you have anything in your Bill that would assist in their effectiveness, that would ensure their effectiveness. Is there anything in your Bill that is not part of their charter already? It's my understanding that there's some concern that this committee is unable to function on their own. They are having a certain amount of squabbles, which I think have been reported earlier. My question to you is, have you... have you anticipated that? Is there something within the Bill that you propose that would help the effectiveness of the Advisory Committee?"

Capparelli: "Well, we hope to recreate the Division of Noise Abatement, which might help them, and I believe that the Attorney General has to fulfill the obligation of seeing that they do do our job and if we codify it under the state law, maybe we can get them to move ahead."

Ryder: "Okay. Representative, I appreciate you answering my questions. I thank you. Because of the answers that were given, it appears obvious to me that the Bill simply codifies the consent order. It does nothing more and as a

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result, it accomplishes nothing. It is a sham. It is a smoke. It is a fog. And, as a result, it doesn't accomplish that which the Sponsor, I think, wishes to have accomplished."

Speaker Greiman: "Mr. Capparelli, to close, there being no further discussion."

Capparelli: "Thank you, Mr. Speaker. First of all, everyone has been calling this a sham and the sham was signed by Ty Fahner and former Attorney General Scott. So, I don't believe that this was a sham at the time, and I don't believe it's a sham now. But, if we can move forward and codify this under state law, I think that we can move ahead and forward for O'Hare Airport and surrounding communities. And if we can get the suburban area to follow some of the decree along with the City of Chicago, then we can move forward in protecting the citizens in the surrounding areas. And I would ask you and the people of this General Assembly to vote 'aye' on a piece of legislation that we hope will help all those people in the surrounding areas of O'Hare Airport. Thank you very much."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. ...Bowman, one minute to explain your vote."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. We've heard the word 'sham' bandied about a lot this afternoon. But, as I sit here listening to the remarks from the other side of the aisle, I consider the debate that we have had here to be a sham. We hear a Gentleman from Will County get up and expressing his deep concern for the toxic chemicals that are going to be spewed all over the northern suburbs and yet, he is trying to get an airport in Will County to spew the same toxic chemicals

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all over his constituents. We hear a Gentleman from DuPage County get up and say, 'Oh, this Bill is a terrible Bill because there is not eminent domain in the Bill as a tool to control noise pollution.' And yet, would he vote for a Bill to give the City of Chicago eminent domain in DuPage County? Don't be silly. The debate we have had here today is a sham. We ought to vote for this Bill and send it over to the Senate."

Speaker Greiman: "The Gentleman from DuPage, Mr. Daniels, one minute to explain your vote."

Daniels: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I'm voting 'no' on this piece of legislation. When the original consent decree was filed in Federal Court, I objected to it at that time. I knew that nothing would happen at that time and nothing has happened. I can run through the many things this does not cover, such as a prohibition of new runway construction contrary to the representations of the Sponsor. You may continue to construct new runways at O'Hare field to abrogate the meaning of this legislation. They would handle small aircraft, allowing more large aircraft to utilize the existing runways. It doesn't reduce the noise. It doesn't reduce the airplane traffic. . Nothing will happen here. The voters will be able to judge that in November, and they'll know that this legislation has accomplished nothing. I think that you'll find as you look over this Bill that we have here, a Federal Court decree that's trying to be codified into law that has actually no effect whatsoever. The voters will decide that in November."

Speaker Greiman: "Please finish, Mr. Daniels. Turn Mr. Daniels... Had you concluded your remarks, Mr. Daniels? Alright. Mr. Van Duyne, one minute to explain your vote."

Van Duyne: "Thank you, Mr. Speaker. I just want to tell

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Representative Bowman that he attacked an innocent man. It is I who is trying to get a third major airport in Will County."

Speaker Greiman: "Mr. McCracken, for what purpose do you seek recognition, Sir?"

McCracken: "For a verification."

Speaker Greiman: "Alright, Mr. McCracken, we'll give you that. Mr. Clerk, take the record. On this question there are 63 voting 'aye', 49 voting 'no', 2 voting 'present'. And the Gentleman from DuPage, Mr. McCracken, has requested a verification. And the Gentleman from Cook, Mr. Capparelli, asks for a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Bullock. Rice. Preston. And Sutker."

Speaker Greiman: "Mr. Clerk, proceed with the Verification of the Affirmative Roll."

Clerk O'Brien: "Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Capparelli. Christensen. Cullerton. Curran. Currie. Daley. DeJaegher. DeLeo. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Greiman. Hannig. Hartke. Hicks. Homer. Huff. Keane. Krska. Kulas. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino. McGann. McNamara. McPike. Mulcahey. Nash. O'Connell. Panayotovich. Pangle. Phelps. Rea. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Steczko. Stern. Terzich. Turner. Van Duyne. Washington. White. Wolf. Anthony Young. Wyvetter Younge. And Mr. Speaker."

Speaker Greiman: "Mr. McCracken, questions of the Affirmative Roll?"

McCracken: "Thank you. Mr. Sutker."

Speaker Greiman: "Mr. Sutker is not voting."

McCracken: "Representative Preston."

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Speaker Greiman: "Mr. Preston is not voting. He's excused today."

McCracken: "Oh, that's because I listened to John. Representative Richmond."

Speaker Greiman: "Mr. Richmond. How is... Mr. Richmond is in his seat."

McCracken: "Nothing further."

Speaker Greiman: "On this question there are 63 voting 'aye', 49 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Continuing on the Subject Matter of Airport Regulation, on page 29 of the Calendar, on the Order of Motions, appears House Resolution 1235. Mr. Clerk, House Resolution 1235."

Clerk O'Brien: "House Resolution 1235."

Speaker Greiman: "Yes, Mr. Vinson, for what purpose do you seek recognition?"

Vinson: "Mr. Speaker, since you've already called this Resolution, I have a question regarding the Calendar that I would like to be recognized on after you get off this Order."

Speaker Greiman: "Alright. Fine. Mr. Clerk, proceed with the Motion."

Clerk O'Brien: "Pursuant to Rule 77(a), I move to discharge the Committee on Executive from further consideration of House Bill 1235 and advance to the Ord... of House Resolution 1235 and advance to the Order of Speaker's Table for immediate consideration."

Speaker Greiman: "On that Motion, the Gentleman from Cook, Mr. Capparelli."

Capparelli: "Mr. Speaker, I move to... Did you move that? I ask for a Roll Call on the Motion."

Speaker Greiman: "Okay. There being no further discussion, the

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question is... Mr. McCracken, yes, Gentleman from DuPage."

McCracken: "Will the Sponsor yield?"

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

McCracken: "Representative, has the Executive Committee considered this matter?"

Capparelli: "It has not. No."

McCracken: "When was it assigned to Executive? Do you recall?"

Capparelli: "No. I really do not... I think it was about a week ago, but we have had no... we haven't heard Resolutions."

McCracken: "The Executive Committee hasn't heard any Resolutions?"

Capparelli: "It hasn't heard this Resolution yet."

McCracken: "Okay. To the Motion. Apparently, the Bill was assigned to Committee in time to have it considered by Executive Committee and was not even called for a vote. As so many other Members have mentioned on other occasions, where the Committee is not even given the courtesy of consideration of a particular matter, there is all the more reason not to allow a bypass Motion such as this. On all these discharge Motions that were heard last week, the Committees, generally, would not acquiesce that Motion where it was not even attempted to be heard. And I think that applies in this case and I think we should defeat this Motion."

Speaker Greiman: "The Gentleman from McHenry, Mr. Klemm."

Klemm: "Thank you, Mr. Speaker. I was just going to reiterate what the previous speaker said that the Bill... or the Resolution was never called in the Executive Committee. We were all there all through the Session. So, and since Mr... Representative Capparelli is a Member of the Committee, we certainly would have entertained his Resolution, but it was not called and he was there. So, I really feel that the time was proper and it wasn't done in

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a timely matter. And, therefore, it should not take the time of the House at this time."

Speaker Greiman: "Question is, 'Shall the House discharge Executive Committee from further consideration of House Resolution 1235 and place the same on the Speaker's Table for immediate consideration?' All those in favor signify by voting 'aye', those opposed vote 'no'. And voting is now open and it takes 60 votes. Mr. Vinson, you wish to explain your vote?"

Vinson: "Yes, I wonder if the Chair might explain the ruling on why this takes 60 votes."

Speaker Greiman: "Under our rules discharged of Committee where there has not been an adverse ruling to require 60 votes. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 63 voting 'aye', 50 voting... Yes, Mr. Daniels. To explain your vote, Sir?"

Daniels: "Yes, Sir. The record's been taken?"

Speaker Greiman: "The record has been taken, but out of courtesy, I would always let you explain your vote."

Daniels: "I would assume that my remarks will be so convincing that everyone on there would want to drop off. So, maybe you want to open it up again."

Speaker Greiman: "Mr. Daniels, anyone can change their vote. If you can sway their hearts and minds, we'll recognize them to change their votes."

Daniels: "Thank you, Mr. Speaker. I wanted to explain clearly why I am voting 'no' and all the Republicans are voting 'no'. If you had a chance to read the Resolution, which many of you have not because it's probably not on your desk, you'll notice that there is considerable political dialogue in there that was drafted by Mr. Capparelli in putting this together and criticizing the administration in

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purposes that... which serve only his own political ability to try to get his point of view across, when, in fact, we all know it's the City of Chicago that runs O'Hare Field - the City of Chicago that refuses to comply with noise emission standards or to set up a noise hotline. This Resolution doesn't accomplish that. It accomplishes nothing. If the Sponsor were sincere about his efforts on behalf of 400,000 people, he would have filed this as part of his legislation. I'm going to vote 'no' on it, because I intend, like other Republicans intend, to make sure that this issue is continually discussed between now and November. I think the issue will be decided by the voters in November, and I'm confident that those 400,000 people will recognize the effort on the other side of the aisle to try to pull the wool over their eyes and they aren't going to stand for it any more. The final analysis will be and the final questions asked in November, 'Is there less noise? Is there less traffic? Are you satisfied with the expressway at Elgin - O'Hare? Has there been more eminent domain? Will there be efforts to construct more runways?' We know today the answers to those questions and none of this will change that. None of the cancer spitting emissions that come out of the airplanes being thrown into the area will be changed, and we know that and the voters know that, too."

Speaker Greiman: "On this question there are 63 voting 'aye', 50 voting 'no', none voting 'present'. And the House does discharge the Executive Committee from further consideration of House Resolution 1235 and place it on the Speaker's Table for immediate consideration. Mr. Clerk, call the Resolution."

Clerk O'Brien: "House Resolution 1235, offered by Representative Capparelli - DeLeo - Leverenz - Sutker and Stern."

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Speaker Greiman: "The Gentleman from Cook, Mr. Capparelli, on House Resolution 1235."

Capparelli: "Thank you, Mr. Speaker. House Resolution 1235, resolves that the House of Representatives urge that the Illinois Environmental Protection Agency to work expeditiously to establish an air monitoring program at the O'Hare Airport and that the Illinois Department of Transportation also work expeditiously to complete its Build Illinois study on future airport capacity needs in the northeastern Illinois; and the Governor worked aggressively with the Illinois Congressional Delegation and the U.S. Department of Transportation to receive additional funding for the school noise insulation. I would move for adoption of House Resolution 1235."

Speaker Greiman: "The Gentleman from Cook has moved for the adoption of House Resolution 1235. And on that, the Gentleman from DeWitt, Mr. Vinson."

Vinson: "Yes, thank you, Mr. Speaker. Many people on this side of the aisle do not have a copy of the Resolution on their desks, and I wonder if the Clerk might read it so they'll understand what it they're voting on."

Speaker Greiman: "Mr. Vinson, it's been distributed, I'm advised. Is that correct, Mr. Clerk? Yes, Mr. Piel, for what purpose do you seek recognition while we were making our inquiry?"

Piel: "While we're at a small... at ease, Mr. Speaker, could I ask or would you ask the Parliamentarian to clarify? We are now hearing this Resolution immediately. And my interpretation of Rule 77(c) is that this has got to be on the Calendar, you know, for at least one day. And I would ask that the Parliamentarian give us a ruling on this. True, we are talking about a Resolution that has been gone to the Speaker's Table, but we took it off of the Order of

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Motions."

Speaker Greiman: "No. Part of the Motion was for it to be for immediate consideration, Mr. Piel. That was part of the Motion."

Piel: "But for the immediate consideration then, it would need 71 votes. That is the... what I'm leading up to. And if... if I recall correctly, it was 63 votes. For immediate consideration, it's got to go to 71 votes or else be on the Calendar for one day under Rule 77."

Speaker Greiman: "It's not... your inquiry... You may be correct, but your inquiry is not timely, Mr. Piel. Mr. Vinson, yes, for what purpose do you seek recognition now? Your light is on, Mr. Vinson."

Vinson: "Yes, Mr. Speaker, I'm somewhat curious about what your last ruling was. Even though the rules say that this should be on the... a particular Calendar Order, you're going to go ahead and put it on a different Calendar Order? Is that what your ruling was?"

Speaker Greiman: "Yes. The Motion was for immediate consideration and without regard to what the numbers are required, certainly the Motion is not timely at this point. It might have been timely at the last consideration of the last Motion. But clearly not and I have ruled. Mr. Piel, for what purpose do you now seek recognition?"

Piel: "Mr. Speaker, we have not gone into a vote and that question can be brought up at any time."

Speaker Greiman: "Mr. Piel. Mr. Piel, we went into a vote, as you call it, on the original Motion to discharge and for immediate consideration. And at that time, the Chair declared it passed, which part of that Motion was for immediate consideration, and the Bill..."

Piel: "We have not... Mr. Speaker, we have not started the vote on this one..."

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Speaker Greiman: "...the Resolution has been properly called."

Piel: "...We are still waiting for a parliamentary inquiry..."

Speaker Greiman: "Mr. Clerk, read the Resolution."

Clerk O'Brien: "House Resolution 1235. Whereas, the Chicago O'Hare International Airport, the busiest airport in the world, is a vital part of Illinois' transportation infrastructure and is an important factor in the state's economical development as well as to our stature as an international business and financial center; and whereas, over 64 communities in a six-county area receive direct economic benefits from the operation of the airport, providing over 157,000 jobs and over \$7 billion (sic - billion) in sales; and whereas, the passage of legislation which will place limits on activity of the airport would result in the loss of approximately 73,550 city and suburban jobs and \$3 billion in economic activity; and whereas, notwithstanding these economic benefits that O'Hare Airport provides to the state, virtually no leadership or assistance has been provided by the current administration in aiding the local governments and residents in migrating... in mitigating the noise pollution problems around the airport; and whereas, as an example of the inaction and callous disregard of the aforementioned problems, the Governor eliminated the Division of Noise Pollution Control within the Illinois Environmental Protection Agency in 1980; and whereas, the City of Chicago, the Federal Aviation Administration and the Illinois Environmental Protection Agency has agreed to establish a four year air quality monitoring program at O'Hare Airport that was supported... was supposed to become operational last fall, but which has been held up because the Illinois EPA has not followed through on its commitments for its share with the program; and whereas,

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the General Assembly, recognizing the urgency of the problem, appropriated \$500,000 to Build Illinois funds in June for conducting a study of the necessity for providing additional airport capacity in Northeastern Illinois, which the Governor delayed authorizing any expenditures for over six months; and whereas, the Department of Transportation has not made any expenditures on completing the study to date and did not select a contractor to conduct the study until April... 24th of April; and whereas, there are currently 23 schools that are adversely impacted by aircraft noise in the vicinity of O'Hare Airport, but only three of these schools have been soundproofed to date; and whereas, funding has been available from the Federal Aviation Administration for insulating and soundproofing schools for airport noise and for implementing other noise abatement measures; and whereas, the current administration has not actively pursued the full amount of this federal noise control funding that is available; and whereas, this inaction on the part of the administration on the O'Hare Airport noise issue has adversely affected the residential community and the growth of the surrounding industrial area as well as the development of the airport; therefore, be it resolved by the 84th General Assembly of the State of Illinois, the House... that the Illinois Environmental Protection Agency work expeditiously with the City of Chicago and the Federal Aviation Administration to fulfill its obligations to establish an air pollutant monitoring program at Chicago O'Hare International Airport at the earliest possible date; and be it further resolved, that the Illinois Department of Transportation work as expeditiously as possible to complete the study on the future airport capacity needs of the Northeastern Illinois region, the funds for which were appropriated under the

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Build Illinois program; be it further resolved, that the Governor in his Washington Office, and the State Board of Education work closely with the Illinois Congressional delegation and the U.S. Department of Transportation Secretary Elizabeth Dole and the Federal Aviation Administration to actively pursue the reauthorization and disbursement of all available federal funding for school insulation for airport noise; and be it further resolved that a suitable copy of this Preamble and Resolution be sent to the Governor, the Directors of the State and Federal Departments of Transportation, the Directors of the State and Federal Environmental Protection Agencies, the Federal Aviation Administration, the Mayor of the City of Chicago and to all Members of the Illinois Congressional Delegation."

Speaker Greiman: "Yes, Mr. McCracken, for what purpose you seek recognition?"

McCracken: "A point of order, Mr. Speaker. Now that we're on the Motion, pursuant to Rule 77(c), the Motion having not received 71 votes, only 63 votes, the Bill is required to be placed on the Order of Second Reading, First Legislative Day."

Speaker Greiman: "That applies to a Bill, Mr. McCracken. This is a Resolution. Although 77(a) speaks to a Resolution, this is a Bill (sic). We don't have Second Reading, First Legislative Day for Resolutions. Yes. Now... Yes, Mr. Piel, are you to the Bill... to the Resolution?"

Piel: "Yes. A question of the Chair, Mr. Speaker."

Speaker Greiman: "Alright."

Piel: "You were just referring to 77, correct? Rule 77? According to my calculations and the way I read the rules, that this Motion has got to be on the Calendar for one day, correct, under 77?"

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Speaker Greiman: "Of course, the Motion has been on it for one week. And you read it incorrectly."

Piel: "For one week. May I... Excuse me, Mr. Speaker. I would like to bring something up to you, Mr. Speaker, if I may. If I may."

Speaker Greiman: "Mr. Piel, I wouldn't stop you for a minute. Proceed."

Piel: "Thank you very much. Yesterday's Calendar - here is your Motion, Mr. Speaker, House Resolution 1235, Capparelli, 'I move to discharge Executive Committee and advance to the Order of Second Reading.' Today's Calendar. Today's Calendar, 'I move to bypass Executive Committee and place on the Speaker's Table for immediate consideration a Resolution that's been reproduced and distributed on the Members' desks.' Well, first of all, we just got the Resolution, but you were talking about two distinct separate Motions. This has not been on the Calendar for one day. The Resolution was just given to us not two minutes ago."

Speaker Greiman: "Mr. Piel, so that we do not prolong this, it is on the Calendar. It was appropriately called. The reasons for it being on the Calendar or the reason for the rule for it not to be on the Calendar is so that we cannot take business which is not on the Calendar. It is appropriately before the floor of this Body. There being no further discussion, Mr. Capparelli, to close."

Capparelli: "Mr. Speaker, I just ask... I did explain the Resolution. I ask for adoption of the Resolution, 1235."

Speaker Greiman: "Question is... Question is, 'Shall the House adopt House Resolution 1235?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr.

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Clerk, take the record. On this question there are 62 voting 'aye', 46 voting 'no', 3 voting 'present'. And this Resolution is hereby adopted, having received the appropriate Majority. Yes, Mr. Christensen, for what purpose you seek recognition?"

Christensen: "Mr. Speaker, I hit my 'yes' button. It didn't light up. Could I be recorded as voting 'yes'?"

Speaker Greiman: "Well, it'll be in the transcript, Mr. Christensen. Alright. We are now going to a Special Subject Matter of Call on the Subject of Appropriations. And on that Order, on page five of the Calendar appears House Bill 2578. Mr. Clerk, read the Bill. Out of the record. On the Order... that Order appears House Bill 2580. Out of the record. On page seven of the Calendar on the Order of House Bills Second Reading, Subject Matter of Call of Appropriations, appears House Bill 2878. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2878, a Bill for an Act making appropriations for the Office of the State Appellate Defender. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments? Yes, Mr. McCracken."

McCracken: "The Sponsor is not here to call the Bill."

Speaker Greiman: "Well, I thought she was here a moment ago. Alright. Yes, she's right here. Are there any Floor Amendments, Mr. Clerk?"

Clerk O'Brien: "Amendment #1 lost in Committee. Floor Amendment #2, Hastert and Barnes."

Speaker Greiman: "The Gentleman from Kendall, Mr. Hastert, on Floor Amendment #2."

Hastert: "Mr. Speaker."

Speaker Greiman: "Yes, Mr. Hastert."

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Hastert: "Has the Amendment been distributed?"

Speaker Greiman: "Alright. Yes, Ms. Breslin. We'll take this out of the record at your request. Okay. Alright. So... I'm sorry. I did misunderstand your request, Ms. Breslin. Ms. Breslin, for a Motion."

Breslin: "Thank you, Mr. Speaker. Ladies and Gentlemen, with all due respect to the proponent of this Motion, I must tell you that the Amendment that is proposed is the same as Amendment #1 that was defeated in Committee. And I would like to move to table that Amendment. The reasons for that are numerous. What the Amendment does is eliminate three attorneys and two secretaries from the Appellate Defender's budget. These five people are directed to handle capital cases; in other words, those cases where the death penalty is involved. The Illinois Supreme Court has asked that these cases stay on a timely schedule and are very strictly regulated so that the death penalty in the State of Illinois can be effectively executed upon. That is the reason for the request for these additional employees. I think it is important that they have the additional employees. I made that argument to the Committee. That is the reason that Amendment #1 failed in Committee. It is the exact same thing as Amendment #2. Again, with all due respect to the Sponsor, we know what the issues are and I would move to table the Amendment which has not been printed and distributed. Thank you."

Speaker Greiman: "Mr. Vinson, for what purpose do you seek recognition? On the Amendment."

Vinson: "Mr. Speaker, you called a Subject Matter of Call, Appropriation Bills Second Reading. Several Sponsors declined to have their appropriation Bills called and then you moved to this one which was the next one in order. You then asked the Clerk what Amendments have been filed on the

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Bill, and the Clerk read this particular Amendment that the Lady now seeks to move on. At that time... then the Lady asked that the Bill be taken out of the record and you said, which the records of this House will clearly show, the Bill will be taken out of the record at the Lady's request."

Speaker Greiman: "No, Mr. Vinson, so that you understand. I misunderstood what she was saying. And she very quickly, before any other Order of Business was called, said... advised the Chair that that was... that I had misunderstood what she said. And she then asked that she be recognized for the purpose of a Motion. And, indeed, I did recognize her and she has made a Motion to table Mr. Hastert's Amendment. And on that Motion, Mr. Vinson, proceed."

Vinson: "Well, Mr. Speaker, that Motion cannot be entertained by this House until it's reduced to writing and carried on the Calendar. That's what the rules provide. And I request that that Motion be reduced to writing and carried on the Calendar."

Speaker Greiman: "No. It doesn't have to be... It does not have to be on the Calendar. I'm not sure whether she's reduced it to writing or not, but it clearly does not have to be on the Calendar, Mr. Vinson. Ms. Breslin."

Breslin: "Thank you, Mr. Speaker. I'll ask that the Bill be taken out of the record."

Speaker Greiman: "Ms. Breslin asks that the Bill be taken out of the record. Okay. Alright. On page eight of the Calendar, on the Order of Special Call of Appropriation Bills... or Bills dealing with appropriations, I'm sorry, appears House Bill 2978, Ms. Barnes. Out of the record. On the Order of House Bills Second Reading appears House Bill 2986, Ms. Barnes. Out of the record. On the Order of House Bills Second Reading appears House Bill 2990, Ms.

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Barnes. Out of the record. On the Order of House Bills Second Reading appears House Bill 2991, Ms. Barnes. Out of the record. On the Order of House Bills Second Reading appears House Bill 2998, Ms. Barnes. Out of the record. On the Order of House Bills Second Reading appears House Bill 2999, Ms. Barnes. Out of the record. On the Order of House Bills Second Reading appears House Bill 3000, Ms. Barnes. Out of the record. On the Order of House Bills Second Reading appears House Bill 3003. Out of the record. On the Order of House Bills Second Reading appears House Bill 3006, Ms. Barnes. Out of the record. On the Order of House Bills Second Reading appears House Bill 3015, Ms. Currie. Out of the record. On page 10 of the Calendar, House Bills Second Reading, appears House Bill 3071, Mr. McPike. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3071, a Bill for an Act making an appropriation to the Department of Transportation. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Leverenz - Bowman - Matijevich and McPike."

Speaker Greiman: "The Gentleman from Cook, Mr. Leverenz, on Floor Amendment #1."

Leverenz: "Thank you. Amendment #1 would provide for the funding of the state... Office of the State Fire Marshal, the Division of Arson, a total of \$763,000; the Boiler Pressure Vessel Safety payable from the Fire Prevention Fund, \$556,400; for the Fire Prevention Operation, \$1,679,800; Personal Standards Education Group, \$229,400; for the Management Services the total sum of \$1,052,900; and for a grant, \$725,600; and also a grant for \$1,419,300. I'd move for the adoption of the Amendment."

Speaker Greiman: "The Gentleman from Cook, Mr. Leverenz, moves

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for the adoption of Amendment #1 to House Bill 3071. And on that, is there any discussion? The Gentleman from DeWitt, Mr. Vinson."

Vinson: "Mr. Speaker, has this Amendment been printed and distributed?"

Speaker Greiman: "I'm advised that it has been printed and distributed."

Vinson: "Okay. To the Amendment."

Speaker Greiman: "Proceed, Sir."

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

Speaker Greiman: "Indicates he will."

Vinson: "Representative, what is this appropriation... what is contained in this Amendment?"

Leverenz: "The Fire Marshal's Office, as introduced by the Governor."

Vinson: "And how much money is appropriated to the Fire Marshal's Office?"

Leverenz: "6,000,400. 26,400."

Vinson: "Is that more or less than was appropriated last year to the Fire Marshal?"

Leverenz: "A little more."

Vinson: "How much more?"

Leverenz: "300... I'm sorry. 295,000 instead of 300,000."

Vinson: "What is the purpose of the increase?"

Leverenz: "Well, I think it's merit increases, generally."

Vinson: "I'm sorry. I'm having a hard time hearing you."

Leverenz: "Merit increases."

Vinson: "Now, what... how does this deal with state arson investigators?"

Leverenz: "You repeat your question?"

Vinson: "How does this deal with state arson investigators?"

Leverenz: "How does it deal with the arson investigators?"

Vinson: "Yes."

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Leverenz: "It would pay them for FY '87."

Vinson: "But would it fund more or less of them this year than last year?"

Leverenz: "A little more, but no new employees. We did the new employees, I think, two years ago."

Vinson: "It would have more money for them, but it would not have more positions. Is that what you're saying?"

Leverenz: "That is correct."

Vinson: "What about boiler inspection?"

Leverenz: "Hold it. The same answer would hold true for that. We would pay them for FY '87 with this Amendment."

Vinson: "Were the reductions made in Committee on this matter?"

Leverenz: "I don't believe we amended the budget down at all."

Vinson: "I'm sorry?"

Leverenz: "I believe this is as it came through the Committee process."

Vinson: "Were there vacancies funded in the budget as submitted?"

Leverenz: "Yes."

Vinson: "How many vacancies were there?"

Vinson: "I'm sorry?"

Leverenz: "The vacancies of nine."

Vinson: "Nine?"

Leverenz: "As of January 31st of '86."

Vinson: "Okay. Now, my understanding is..."

Leverenz: "We funded the vacancies."

Vinson: "...you said there was no reduction in Committee. My understanding is that Amendment #1 had been adopted in Committee, which reduced personnel services and related lines by \$29,800. Could you explain that discrepancy?"

Leverenz: "You're right. We deleted an administrative assistant in Chicago and then we phased one in."

Vinson: "I'm sorry. I'm having a hard time hearing you, Sir."

Leverenz: "Well, stop over at my office here and I'll tell you."

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We took out an administrative assistant in Chicago and phased in one other employee for six months in Springfield. Clerk II."

Vinson: "What was the level of the employee phased in?"

Leverenz: "First floor."

Vinson: "What?"

Leverenz: "First floor."

Vinson: "No. What was the classification of the employee phased in?"

Leverenz: "Clerk II."

Vinson: "A Clerk II? And that was phased in in Chicago?"

Leverenz: "Springfield."

Vinson: "And your Amendment to this Bill, the Amendment that we're debating, does not reflect that reduction adopted in... by the Committee in Amendment #1. Is that..."

Leverenz: "Correct."

Vinson: "That's what you said? Why is it that we should not affect that savings in the budget and avoid expending that extra \$29,000."

Leverenz: "Because the Amendment is as the Amendment is and if there will be further Amendments to make that \$29,800 reduction, we would offer that again, but I think it's proper the way it is introduced in this Amendment."

Vinson: "You would accept an Amendment for reducing this Amendment by 29,800?"

Leverenz: "Would you repeat your question?"

Vinson: "You would be willing to accept a subsequent Amendment reducing the amount of money appropriated by this Amendment, by 29,800 dollars?"

Leverenz: "Sure. If you want to cut the budget, fine. I would entertain the Amendment."

Vinson: "Would you be willing to take this out of the record for right now so we can get that drafted and reflect the work

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actually done by the Appropriations Committee?"

Leverenz: "Would you repeat your question?"

Vinson: "Would you be willing to take this out of the record for now so that we can get that Amendment drafted to reflect that savings?"

Leverenz: "Well, I can't... I can't do that. I'm not the Sponsor of the Bill. I'm the Sponsor of this Amendment, and the Sponsor of the Bill would control that. And I understand that he will not take it out of the record to do that. That's correct."

Vinson: "Well, would you withdraw the Amendment, then, so we can get a corrected one drafted?"

Leverenz: "Absolutely not."

Vinson: "You don't want to reflect the action of your own Appropriations Committee?"

Leverenz: "No. I rethought it."

Vinson: "You did."

Leverenz: "Yep."

Vinson: "How come? What's the purpose of rethinking it?"

Leverenz: "Well, there is a good reason to have the administrative assistant in Chicago and the full funding of the position here in Springfield. But, furthermore, we're going to move the appropriation budgets forward and we're putting the first one on a Democratic Bill."

Vinson: "What is the good reason for having the administrative assistant in Chicago that you refer to?"

Leverenz: "Well, I think it would be in your analysis as well as mine."

Vinson: "No. It's not."

Leverenz: "Oh."

Vinson: "That's why I'm asking you."

Leverenz: "Because I think so."

Vinson: "I mean, our analysis says that there is good reason for

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deleting the administrative assistant, and I just wonder why it is that you want to retain the administrative assistant."

Leverenz: "We're just going to amend this budget onto this Bill and move the Bill forward so that we can get these taken care of in the House."

Vinson: "But you said that there was good reason for retaining this administrative assistant and not deleting it as your Committee chose to do, but I'm just curious as to why you changed your mind between Committee and the floor about this particular position."

Leverenz: "Representative Mays offered the Amendment and I concurred in Committee..."

Vinson: "No. It was offered by Mr. Hensel."

Leverenz: "...Oh, Hensel. Okay. And now I don't concur with it."

Vinson: "How come? Is this the Leverenz' full employment program?"

Leverenz: "Not yet."

Vinson: "Well, Mr. Speaker, Ladies and Gentlemen of the House, to the Amendment."

Speaker Greiman: "Proceed, Sir."

Vinson: "I think we ought to reflect with some care on what the Gentleman's just said and what is being done here. The Gentleman has offered an Amendment to a Bill that Mr. McPike introduced solely for the purpose of taking care of a drainage problem in his district. But what the Gentleman's Amendment does is to appropriate into that Bill the entire State Fire Marshal's Office. The Gentleman who offers the Amendment is the Chairman of the Appropriations Committee, an Appropriations Committee which met, deliberated and discussed the State Fire Marshal's appropriation. In their deliberations, they decided that

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there was an unnecessary position appropriated, requested in the State Fire Marshal's Office appropriation, a new administrative assistant in Chicago. And after discussions - I'm sure you've all observed the orderly operation of the Appropriations Committees - after that careful discussion, they chose to delete that administrative assistant. But now we've come forward on the floor and the Chairman of the Appropriations Committee, who supervised that operation in Committee, now offers an Amendment which reincludes that administrative assistant. And, when you ask the Gentleman the question, 'Why have you changed your mind', there is no rationale. There is no logic for it. There is no argument that this is a position that will help the people because it will do this or that or the other thing. Instead, he just says, 'We're going to do this now.' He just says, 'We're going to put the appropriation Bills out now on Democrat Bills.' You know, that was a Democrat Committee. It doesn't sound to me like this Amendment has been carefully thought out as a deliberative appropriations Amendment. It sounds to me like the Gentleman's really saying on the floor what he's doing. He just wants to have all of the appropriation Bills under his control. Now, that is one way to deal with appropriations. That is one way to deal with appropriations. We have in this state about \$19,000,000,000 budget now, \$19,000,000,000 that we spend on state functions. And that \$19,000,000,000, we get one way and one way alone. That's by taking money out of the pockets of taxpayers, taking money away from them..."

Speaker Greiman: "Bring your remarks to a close, Mr. Vinson."

Vinson: "... taking money away from taxpayers and choosing in our judgment how to spend it. Now, obviously there has to be government and obviously government has to be funded and you have to have appropriations to do that, but if there is

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one issue in government that ought to be done carefully, it's how government spends money. We've just seen the Chairman of the Appropriations Committee admit that he doesn't really care what we're going to do, how we're going to spend the money, how carefully we're going to use it."

Speaker Greiman: "Bring your remarks to a close, Mr. Vinson."

Vinson: "He just wants the Bills under his control. That's not a deliberative process and that's the reason that we opposed the Speaker's effort to change the rules of this House which have totally frustrated any honest oversight of how the state is going to spend \$19,000,000,000. That's why we opposed it and now we see the ultimate fruition of the Speaker's plan to defy the public's effort to control State Government expenditures. I would urge Members to oppose this Amendment. I would urge Members to look into this Amendment with all of the detail that the Appropriations Committee has looked into them because this flies in the face of what the Appropriations Committee..."

Speaker Greiman: "Yes, Mr. Mays, the Gentleman from Adams."

Mays: "Thank you very much, Mr. Speaker. Would the Sponsor of this fine Amendment yield for a question or two?"

Speaker Greiman: "Indicates that he will."

Mays: "Well, as I understand it, you're putting the OCE for the State Fire Marshal's Office on this Bill. Is that not correct?"

Leverenz: "Yes. That's true."

Mays: "And that is the OCE as introduced by the Governor. Is that not correct?"

Leverenz: "What does OCE mean?"

Mays: "Operation and Contingent Expense."

Leverenz: "Oh, contingent... ordinary and contingent..."

Mays: "Contingent Expense."

Leverenz: "That's true."

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Mays: "As introduced by the Governor."

Leverenz: "I saw the light. Damage Control said that that's the right amount of money to have in the budget. I agreed. This is my Amendment to move the budget forward rather than to wait for people to have their Bills taken out of the record."

Mays: "Okay. Is it your intent to hold this Bill on Second Reading so that we, who had come up with Amendments, suggestions in Appropriations Committee on the day that we heard this budget, can then refile our Amendments to this Bill for consideration?"

Leverenz: "I'll give you an alternative of that."

Mays: "You'll take it to Third and move it back..."

Leverenz: "If you can get an Amendment drawn fast enough, you might have an opportunity to do that, but if you would simply walk over and talk to the Sponsor of that budget, you could amend that Bill, too."

Mays: "Yes. But we had drawn up an Amendment for that budget, as you recall, and I was trying to work with you... To the Bill. Mr. Speaker, to the Bill."

Leverenz: "Go for it."

Speaker Greiman: "Proceed."

Mays: "We have had some discussions in Committee about some certain deficiencies in this budget as introduced by the Governor. And it seemed at that time that Members on both side of the aisle were going to be able to agree on a prospective Amendment to address the lacking inspectors in the boiler inspection program. We had created a fund jointly, bipartisanly in 1985 for such a purpose. The people of the House had appropriated the dollars for such a purpose and the program went on. We get the budget introduced this year and as it comes out, there's no increase for the purposes of inspection... inspecting the

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boilers, and Myron Olson can address this a heck of a lot better than I can, and there was an Agreed Amendment that we were going to be producing to this Bill, to address that problem. And we're going to even add some money to the budget of the State Fire Marshal's Office and we were moving together. Now, it appears that there seems to be some unilateral Motion on this thing that I don't agree with and if this is going to be our option to address the State Fire Marshal's budget, then frankly, I would suggest a strong 'no' vote."

Speaker Greiman: "Yes, Mr. Ryder."

Ryder: "Thank you, Mr. Speaker. I'd like to address the Amendment as much to the substance of the Amendment as to the procedure that we're seeing today. I don't think it comes as any surprise to see what we're going to be talking about, nor should it come as a surprise to what I anticipate will be other Amendments on other Democratic sponsored appropriation Bills. The fact of the matter is, what we're looking at today is an opportunity being taken by those on the other side of the aisle to move pieces of legislation in the appropriation area without adequate opportunity for us to work with them, without adequate opportunity for us to deal with these issues, but rather what we're seeing, our appropriation Bills being moved over which we have no input - appropriation Bills that are dealing with lots of different subjects - appropriation Bills I anticipate, not just this particular Amendment, but other appropriation Bills that we'll be moving out of this House without adequate opportunity for discussion. However, I would indicate that if that's the case, if that is what's going to be occurring, if my prediction is correct, and I sincerely hope that it is not, but if that prediction is correct that this Amendment is simply the

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first of many others that we will see, then I would strongly suggest that we will probably have a more than adequate discussion, not only of the content of this Amendment, but of this procedure as well. So that it appears that this Amendment is simply setting a stage for a very long and difficult afternoon, one that is not of my choosing, one that is not of the choosing of those on this side of the aisle. But if we are not going to have a cooperative spirit on appropriations, cooperative spirit that I might indicate took place when these Appropriations Committees met and dealt on these particular issues, specifically, this issue on the Fire Marshal's Office and perhaps others that we may consider, that cooperative spirit is no longer part of what's going on. If that's the case, you have chosen it, not us. We wish to work on these. We wish to work on the appropriations. We wish to have a cooperative, thorough examination of that which we're doing. And for that reason, I would have to stand in opposition of this Amendment, more importantly, opposition of this procedure since I do not believe that we're

being fair with the people of the State of Illinois and their money, which, after all, is exactly what we're spending here today. Thank you, Mr. Speaker."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn."

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

Speaker Greiman: "Well, Mr. Flinn, you want to just... you want to hold that for a minute or two? I have 24 Republicans seeking recognition. You just hold a minute or two. The Gentleman from Winnebago, Mr. Hallock."

Hallock: "Yes, thank you, Mr. Speaker. A couple of questions. What exactly do these individuals do, precisely? It seems to me that if we're going to really discuss all these

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issues on the floor, we might as well let all of the Members that are not on the Committee have a chance to really get into the issues as well. What do these people do exactly?"

Leverenz: "They go out and check arson fires or suspected arson. They inspect boilers, but they don't do a real good job of that because the Governor didn't put as much money in the budget for the arson... the boiler inspection operation as he should have. However, it might be better to address that on Third Reading and you'll learn all about those things that the Fire Marshal's Office does."

Hallock: "Third Reading might be a good occasion, but it seems to me this budget is going to be far more than just a Fire Marshal on Third Reading and it may not be encumbered... may not have enough time to do that. But when they go out and inspect for arson, do they go, virtually, statewide, or do they concentrate in one part of the state or... How do they proceed?"

Leverenz: "They go statewide in a little white truck."

Hallock: "Do they have one white truck that goes throughout the whole state?"

Leverenz: "Two white trucks."

Hallock: "Two white trucks?"

Leverenz: "On it, says State Fire Marshal's Investigation Unit. We put those in the budget two years ago."

Hallock: "So, when they go out around the state with those two white trucks, do they have a hard time covering every city in the State of Illinois with those two trucks?"

Leverenz: "No. If they did, we'd put another truck in the budget."

Hallock: "What happened last year? Was this put in last year and now you want to increase it more, or was this a new program?"

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Leverenz: "No, this is the same arson program that they've just had for years. All we're doing is considering the Office of the State Fire Marshal by this Amendment on the 8th of May instead of the 8th of July."

Hallock: "Well, Mr. Speaker and Members of the House, it's clear to me as one who's not on the Approp. Committee and hasn't been for a couple of years, that there are a lot of issues involved with this budget that we really ought to consider. And the way to do that is, first of all, have a thorough scrutiny of this in the Approp. Committee and then just consider it further on the floor. But to do it in this fashion, I think, is wrong. It's a precedent we haven't set before, we shouldn't set now, and I'd urge a 'no' vote."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen. I find this debate astonishing. We are being told by the our valued colleagues on the other side of the aisle that the Appropriations Committees seriously deliberate these Bills and that their decisions are valuable. They are important. They are useful to the process and not only that, these Bills have been crafted in such a way that they are ready for final action. If that is the case, Mr. Speaker, why are they not moving their Bills, because they control Bills that the Committees have taken deliberate action on? They are in a posture to be moved. They are ready to be moved. They should be moved. Now, if my colleagues on the other side of the aisle do not like Representative Leverenz's Amendment to Representative McPike's Bill they have one choice, move the Bills that they control that take into account the very changes that they are now complaining that are not in Representative Leverenz's Amendment. If they want that administrative assistant out in Chicago and if

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they want that administrative assistant phased in in Springfield, they should move their Bills."

Speaker Greiman: "Gentleman from Livingston, Mr. Ewing."

Ewing: "Mr. Speaker and Ladies and Gentlemen of the House, I've been in this Body 11 years and I have failed to see the reasoning behind this Amendment. In those years, generally our budget is introduced by the Sponsors that the administration selects and carried through this House. That process is where we are today. This budget, this same appropriation is on another Bill. But, for some reason, the Chairman of the Appropriation Committee desires to play games with it. I'm sure he's not acting on his own. I'm sure somebody above him must be doing the thinking for him. I'm sure he wouldn't think up this kind of a scheme on his own. And you wonder why people on this side of the aisle are concerned and want to discuss it. Yes, I think we ought to discuss it. We ought to stay here just as long as you can sit at that seat and call on us to let us know what's going on. Why, Mr. Speaker, is your side of the aisle trying to destroy the process? Why, early in May, do you want to act like it's June 30th? Is it to kill all the Republican Bills and every other Bill that your Members have? I don't know the answer. I think it's wrong. I think it's ill-conceived and I think it will backfire on you, Mr. Speaker, and the real Speaker, because this process is set up to do the people's business, not the Speaker's business, not the Minority Leader's business, but the people's business. And they do understand and they do follow what we do down here, at least in my area of the state, and they're going to want to know why we're playing silly games with the state's budget. I'd like to know why we're playing these silly games. I think we should defeat this Amendment, proceed with the process as normal, take

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care of the budget and our other work. It can be done if you people cooperate, Mr. Speaker. We're just a tiny Minority wanting to do the people's work. Please, please, Mr. Speaker, don't destroy that. Don't destroy the air of cooperation that we have tried so hard on this side of the aisle to put forth. We need your help. You've got the gavel - be fair with it."

Speaker Greiman: "The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Would the Sponsor yield?"

Speaker Greiman: "He indicates he'll yield for a question."

Friedrich: "Representative Leverenz, I haven't had a chance to look at this Bill, but I did have some conversations with you earlier about the need for more people who can show up when we have an arson case. Is that in the Bill or in this Amendment?"

Leverenz: "No, we elicited an agreement by the Fire Marshal's Office to take care of your particular need. I understand that has been taken. And further, we want to move in the most expeditious manner when it comes to arson and we want to work with the Governor to get his budgets passed. We want to work during the month of May and June, instead of the month of July."

Friedrich: "Well, I did have some problems in my area with people who came to see about arson cases. In one instance, it took three days and the firemen had to stay on duty day and night for three days before we could get an arson inspector there, and I promised the department that I would work with them to see that we gave them some help. I would like for you to take this out of the record, if you would, with all respect to you. It seems to me like we're getting the cart before the horse. We've got a lot of other Bills on there which should be sent over and then we can act on all the appropriation Bills after they get to the floor and we can

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see how they total up and how they fit. I know the Appropriations Committee does a good job and you do a good job as Chairman. I respect you for it, but the Membership has not had the opportunity to study the appropriation Bills. I think the minimum you can do is hold them up until next week until all the appropriation Bills are out here, and we'll take a look at them as a group and then we'll know where we are with respect to the availability of money, the total budget and so on. So, with all respect, I would like to ask you to do that."

Speaker Greiman: "Gentleman from Lake, Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. Will the Gentleman yield?"

Speaker Greiman: "Mr. Leverenz, do you yield for questions?"

Leverenz: "Of course."

Speaker Greiman: "Yes, the Gentleman will yield for questions."

Churchill: "Thank you. I was wondering if you could tell me about the grant for the Chicago Fire Department training program of \$725,000. Is that in the same amount that it was in past years?"

Leverenz: "No. But I can't tell you about it."

Churchill: "Okay."

Leverenz: "It's a grant."

Churchill: "Great. And can you tell me what the grant is used for?"

Leverenz: "Yeah, we're going to give them the money so that they can run the program."

Churchill: "And the program is?"

Leverenz: "It's a normal training program that's conducted at the academy in Chicago every year."

Churchill: "Alright. Okay. And so... what you're saying is it's an ongoing program. How about the payment..."

Leverenz: "Absolutely."

Churchill: "...of local government agencies. Does that include

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the same Chicago Fire Department training program or is that basically downstate?"

Leverenz: "That, I believe, is outside of the City of Chicago, and that is the training operation that they were on - municipalities can apply for reimbursement of their expenses and the formula is that they will reimburse up to 50% on the training that was taken."

Churchill: "Is that limited by populations in any particular cities or..."

Leverenz: "Pardon?"

Churchill: "Is that limited by population or can any city or any..."

Leverenz: "No. Absolutely not. Anybody that has a real fire department can get in on the program."

Churchill: "Okay. And the fire department just applies for the dollars. They send their own people to the training program and then they get the 50% grant."

Leverenz: "Up to 50%. I don't believe that it's been exactly 50% reimbursement in any year in the last 12, but that's the formula and then for the pool of money that is there, they take all the applications and they may end up with 46% funding, very similar to what we suffer with under education."

Churchill: "Recently, I received a letter and I think it was from the State Fire Marshal's Department talking about grants to local fire districts, and it seems to me that there was a population requirement in that, because I have village that wanted to apply for some of those dollars and they had a population in excess of 10,000. I'm trying to figure out what that... is that program included in this Amendment?"

Leverenz: "That may have been a volunteer... what it a volunteer department or a real one?"

Churchill: "Would have been a volunteer department. I mean, not

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to say it's not real because that is real, but it's not an ongoing state function."

Leverenz: "Well. I'm using the wrong word, but it's not a full-time fire department versus volunteer."

Churchill: "It would have been a volunteer fire department. Is there a differentiation between..."

Leverenz: "Yeah. I don't think they get in on the program."

Churchill: "Okay. So, in other words, volunteer fire departments, does that apply to this portion for the training grant too?"

Leverenz: "Pardon me?"

Churchill: "Does that apply for the training portion? So, in other words, a volunteer fire department that sends somebody to a training program could not apply and receive the 50% grant?"

Leverenz: "The Office of the State Fire Marshal has a large program of training. It was first set up by a gentleman that came in from Oklahoma. The program, I think, though, would not include any volunteer firemen. I might be wrong, but I don't think it does. Just paid fire departments, and they will send you annually all of the fire departments that get reimbursed for how much."

Churchill: "Okay. So, then the problem that I experienced back in my district where this fire department could have been under the program where the village was a volunteer fire department and wanted to apply for the grant and could not obtain the grant because what you're saying is that there was not a full-time, full-run..."

Leverenz: "Because they were volunteer, I think."

Churchill: "...it was a volunteer organization. Are there other grants contained within the Fire Marshal's budget that apply to full... fully run departments but do not apply to volunteer departments?"

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Leverenz: "The grants, the only two grants, one of 725,600 that goes to the Chicago Fire Department training program which is held at their academy and the other grants is that which is run by the State Fire Marshal's Office, and that is for 1,419,300, and that is apportioned on a formula basis as the municipalities, cities, villages apply toward that money."

Churchill: "And that is for training. I understand that. I guess my question goes to, are there other grants in the Fire Marshal's budget that would be accessible for, perhaps, the purchase of equipment or other things other than training?"

Leverenz: "No. That was a program that probably got phased out about six or eight years ago and it was run by the LF and the police/fire training operation or the old... whatever was prior to... There was a total grant program set up for that but that got phased out six, seven years ago."

Churchill: "Okay. So this is the only grant program, then, so that I... if I remember correctly..."

Leverenz: "Of that nature."

Churchill: "Yeah, but this would have been the grant that they would have applied for? There wasn't another grant..."

Leverenz: "For training."

Churchill: "For training. And, do you have any idea what kind of expense it would be to add volunteer fire departments? I mean, the majority of fire departments in most of the downstate districts are probably volunteer fire departments."

Leverenz: "That could be done if the Governor would not use the Fire Prevention Fund that comes from the foreign fire insurance tax. If he would take all the money that goes in there every year and send it into the State Fire Marshal's Office, we would have all of the money we would need, I

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think, to fund those voluntary operations. The fact is that the Governor reduces the Fire Marshal's money in his budget to build an account so that he can draw down on that as he needs to."

Speaker Greiman: "The Gentleman from Kendall, Mr. Hastert."

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

Speaker Greiman: "Mr. Leverenz indicates he'll yield for questions."

Hastert: "I can't see him there. Ted, I'm just trying to make some sense out of what's going on here. It's a little difficult to do, but I understand what this budget is, is really, a replacement for the OCE budget. Is that for the Fire Marshal's Office?"

Leverenz: "This is an effort to move an alternative to House Bill 90... 2978, the Office of the State Fire Marshal."

Hastert: "So, basically what we're doing is having two budgets... you know, the budgets that are Republican sponsored Bills and then move the rest of the budget onto Bills that are sponsored by Democrats. Is that... Do... am I following the game here?"

Leverenz: "No. We simply want to move these budgets forward and get them to Third Reading so that we can pass them and get them to the Senate."

Hastert: "I understand that, but I also understand that sometimes we go through a process. You've been around here a long time, longer than I have, but you understand the process, too. Now, there are some legitimate things, and I'm not completely familiar with a fire budget here, but, you know, there are the boilers and the proposed Amendments to the boilers and the pressure things. And, you know, those are legitimate concerns, concerns that sometimes we get done in Committee, concerns sometimes that we have to handle in Second Reading. So, I understand, and by doing this, you

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really don't want to add on this Amendment, then, to the new budget that you're creating."

Leverenz: "Oh, I may want to do that. I've agreed with Representative Mays to make that effort, but I have an opportunity here to get this budget moving forward by putting it on Representative McPike's Bill and I would ask him to bring it back to Second Reading to put that other Amendment on. That... that wouldn't bother me to help in that area, because the Governor's Office failed to introduce a budget that does that. The fact is, we want to move the budget forward at a timely manner, rather than to get hung up and see us working on the 4th of July."

Hastert: "Well, Mr. Speaker, to the Bill."

Speaker Greiman: "Proceed, Mr. Hastert."

Hastert: "Mr. Speaker, I guess we talk about the 4th of July and being able to celebrate these things, but we also talk about procedure and we talk about the legislative process. We talk about the ability of elected Representatives, which each one of us are, to represent those people back home. We do that by a deliberative process. We've just completed that part of that process and the appropriation process of going through hours and hours and hours of deliberation. We tend to listen to different people's agendas. Sometimes we listen in a Committee that's dominated by Democrats about Democrat agendas. Sometimes we talk about Republican agendas, but we each have a purpose of being here. We have a purpose, Mr. Speaker, to represent the people back home. If there is a concern in this particular budget, there is a concern about having adequate personnel in the fire budget and to check boilers and the safety programs, then we ought to have a chance and a time that we can deliberate that. Now, what we're trying to do is circumvent the process, and every time we try to circumvent the process for anybody's

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particular agenda, the people lose, the people that elected you and I to represent them back down here in Springfield. They lose, because they don't get the debate. They don't get input. They don't and are not able to have their positions articulated. Now, you know, we all have things that we want to do. We all have agendas. Maybe it's fiscal responsibility. Maybe it's just moving the budget and getting it out. Maybe it's not being here the 4th of July because we want to be in a parade. I don't know what everybody's agenda is, but we need to sit down, to slow the process down, to look at what we're doing, to deliberate what we're doing, to go through the Amendment process, to do the Second Reading when we need to do the Second Reading and not just blow Bills out of this House because of somebody's agenda. Now, I ask you people to reconsider what's going on here today. I ask a rejection of this Amendment and I ask for a Roll Call vote."

Speaker Greiman: "The Gentleman from DuPage, Mr. Hensel."

Hensel: "Thank you, Mr. Speaker, Members of the House. As a designated Spokesman for the House Appropriations I Committee, I'm kind of concerned about what's happening in the legislative process or with our appropriation Bills. I had an Amendment that was put onto this State Fire Marshal Bill, House Bill 2978. The Bill was heard in Committee. The Amendment was passed with the proper number of votes cast. The Bill was heard. It was passed out of Committee. Now, we're looking at an Amendment that does not include my Amendment. We have a different version of the Bill, the appropriation, and it's my concern that any appropriation Bills that can be introduced as an Amendment without any consultation from this side of the aisle - and I would just ask that the Sponsor of this Amendment withdraw it, so that we can at least see that the appropriation Bill as it

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passed out of the Committee at least gets presented on the House floor in the form that it was... came out of the Committee. And I would just ask for that favor. Thank you."

Speaker Greiman: "Mr. Leverenz, to close."

Leverenz: "I would be delighted. The Amendment would reflect the budget as introduced by the Governor for the Office of the State Fire Marshal. \$6,396... \$426,400. I'm sorry. That is their request and that is what the Amendment provides. I would move for the adoption of the Amendment."

Speaker Greiman: "Question is, 'Shall Amendment #1 be adopted?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Ms. Currie. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are... Mr. Ewing, for purpose do you seek recognition?"

Ewing: "We'd like a verification."

Speaker Greiman: "Alright. On this question there are 62 voting 'aye', 50 voting 'no', none voting 'present'. The Gentleman from Livingston, Mr. Ewing, requests a verification of the Affirmative Roll Call. Mr. Clerk. Mr. Levin, for what purpose you seek recognition?"

Levin: "Can I have leave to be verified?"

Speaker Greiman: "Mr. Levin wishes to be verified. Mr. Ewing. Mr. Ewing says... Mr. Ewing. I... No, Mr. Levin, you cannot be. Alright. Mr. Clerk. Mr. Kulas. Mr. Kulas votes 'aye'. Mr. Clerk, proceed with the verification of the Affirmative Roll."

Clerk O'Brien: "Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Capparelli. Christensen. Cullerton. Curran. Currie. Daley. DeJaegher. DeLeo. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Greiman. Hannig. Hartke. Hicks. Homer. Huff. Keane.

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Krska. Kulas. Laurino. LeFlore. Leverenz. Levin.
Martinez. Matijevich. Mautino. McGann. McNamara.
McPike. Mulcahey. Nash. O'Connell. Panayotovich.
Pangle. Phelps. Rea. Richmond. Ronan. Saltsman.
Satterthwaite. Shaw. Steczko. Stern. Terzich. Turner.
Van Duyne. Washington. White. Wolf. Anthony Young.
Wyvetter Younge. And Mr. Speaker."

Speaker Greiman: "Yes, Mr. Ewing, questions of the Affirmative Roll Call?"

Ewing: "Representative Berrios."

Speaker Greiman: "Mr. Berrios is in his seat."

Ewing: "Representative Breslin."

Speaker Greiman: "Ms. Breslin is right behind me up in the podium."

Ewing: "Christensen. Representative Christensen."

Speaker Greiman: "Christensen is in his seat."

Ewing: "DeLeo. Representative DeLeo."

Speaker Greiman: "Mr. DeLeo is in the aisle, center aisle... in the side aisle."

Ewing: "Representative Dunn."

Speaker Greiman: "Mr. Dunn. Mr. Dunn is at the rear of the chamber."

Ewing: "Representative Homer."

Speaker Greiman: "Mr. Homer. Mr. Homer is down here at the press box."

Ewing: "Mr. Speaker, if they were in their seats, it would have been much easier, you know."

Speaker Greiman: "Yes, we understand. Proceed, Sir."

Ewing: "I think that's the rule of the House. Representative Mautino."

Speaker Greiman: "Mr. Mautino is at his seat."

Ewing: "Probably would have speeded up the process. Representative Nash."

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Speaker Greiman: "Mr. Nash is in the... is in the side aisle...
is in the side aisle."

Ewing: "Representative Satterthwaite."

Speaker Greiman: "Ms. Satterthwaite is in her chair."

Ewing: "Representative Matijevich."

Speaker Greiman: "Mr. Matijevich is in his chair."

Ewing: "I'd say you had fine attendance. Thank you."

Speaker Greiman: "Thank you. On this question there are 63
voting 'aye', 50 voting 'no', none voting 'present'. The
House does adopt Amendment #1 to House Bill 3071. Mr.
McPike, for what purpose do you seek recognition?"

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

Speaker Greiman: "Excuse me. Excuse me. Mr. Piel, for what
purpose do you seek recognition?"

Piel: "That Amendment changed the title of the Bill and according
to Rule 36(d), I would ask that that Bill now be gone back
to Second Reading, First Legislative Day."

Speaker Greiman: "It's... it certainly is timely, and you are
within your rights. But I would now recognize Mr. MCPike."

McPike: "Well, thank you, Mr. Speaker. I've been considering
whether it's better to stay a few hours late on May 8 or 10
days late in July as we did last year. But, I think at
this time we'll just take the Bill out of the later... Bill
out of the record and make that decision next week."

Speaker Greiman: "Alright. Bill is out of the record. Gentleman
from Cook, Mr. Madigan. Yes, yes, Mr. Piel. The Bill will
return to the Order of... Mr. Piel. Mr. Piel, just a
moment."

Piel: "Mr. Speaker, it was timely. It was timely and at the
request of any Member, Mr. Speaker... read the... go ahead.
Go ahead."

Speaker Greiman: "Mr. Piel, just a moment. Mr. Piel, relax. Mr.
Piel, you are within your rights. At the demand of any

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Member, when the title of a Bill has been changed, the Bill will be moved to the Order of Second Reading First Legislative Day and that is where the Bill will be returned to."

Piel: "Thank you."

Speaker Greiman: "Alright. And now, the Gentleman from Cook, Mr. Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, let me address myself primarily to the Republican Members. Just a few short weeks ago, I told the Governor's Office that the Speaker's Office would adhere to the traditional policy of permitting the Governor's Office to select Sponsors for the Governor's budget Bills. Accordingly, we proceeded into a consideration of the appropriation Bills for this Session in the traditional manner, with Republicans sponsoring the Bills. It is our plan to continue in that fashion. But I also told the Governor's Office that at the first indication - at the first indication of any plan to hold hostage any portions of the budget, the Majority Party would proceed to consider and pass the Governor's budget using Bills sponsored by the Majority Party. Our action today is not motivated by a desire to punish anybody or to make issue with anybody, but our action today is a signal and it is a message. We will not tolerate the conduct of last June. And so, for anyone in this Body on either side of the aisle who feels that they are going to hold hostage any portion of this budget, and in particular, the Department of Public Aid, disabuse yourself of those notions, because I will not permit it, and the Majority Members in this House will not permit it. We are prepared to move ahead with the consideration of the budget under Democratic sponsorship. And with that, Mr. Speaker, I think we are prepared to adjourn."

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Speaker Greiman: "Yes, Mr. Vinson, for what purpose do you seek recognition?"

Vinson: "Mr. Speaker, Ladies and Gentlemen of the Assembly, I have served in this House, I think, for eight years now, was a Member of the Appropriations Committee for the first four or five years that I was a Member of this House. I think that there is probably nothing this Legislature does more important than the appropriations process because we are spending other people's money when we do it. When the Speaker exhibits an interest in the subject of budgets held hostage, I think he probably recognizes that prior to last year, no budget had ever been held hostage, I think, in the time that he was in the House, certainly in the time that I have been in the House. It has not been a routine thing and it was not undertaken lightly last year. It was only undertaken last year because he made severe provocations that would have denied Members of this Assembly the chance to have important economic development projects for their areas even considered by the House. This year he has chosen to telescope the budget period into the same period of time when we are dealing with substantive Bills. You have seen today the illogic of that process. It makes a mockery of orderly expenditure of state and public money. That's why we objected to those rules changes. It's not by anybody's desire to hold anything hostage. And if the Speaker would simply stop being a little dictator and sit down and reason with people, we could probably operate this House in a very cooperative fashion, but he doesn't see fit to do that anymore. He's operating by Marcos' rules, not the people's rules and he ought to reflect on that over the course of the weekend."

Speaker Greiman: "Mr. Daniels, from DuPage, seeking recognition."

Daniels: "Mr. Speaker, Ladies and Gentlemen of the House. I have

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instructed my staff at all times to be cooperative and extend the olive branch and their hand of cooperation to every Democrat Member. But, Mr. Speaker, you threaten our side of the aisle, you may do that. Yes, you are the Majority Party and you are showing that in spite of the promise never to use the Subject Matter of Call, which you made when you were first elected Speaker, by acclamation, you have changed that promise that you made to this Body and to several of us and now are starting to use a tactic that you so readily criticized when there was another Speaker in the Chair. We can handle that if that's the way you want to run this House because you are the Speaker, Sir. There's no question about that and you intend to prove to us the power of the Chair. And I'm sure you'll do that over and over again, but I'll tell you this: We joined in acclamation in electing you Speaker. You are to be the Speaker of all of us. There is a disappointment on this side of the aisle and that disappointment has shown itself and it is unfortunate. But when you purposely move to a Subject Matter of Call that you never used before, when you try to trample Members' rights, when you refuse the division of a question in Committee and you instruct your Appropriation Committees to make deals separately in order to avoid a legitimate process, then we will stand up and be counted. Now, you may pass the budget. It will be your budget. There is no question about that, if that's what you choose to do. But when you instruct your Chief of Staff not to talk with my Chief of Staff and not to communicate with her, that's your decision, Sir, not my decision. When she called to talk to him and she was told that he could not talk to her because of your instructions, that's your decision, Sir, not my decision. But I want to go on record right now that as we have shown, yes,

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unfortunately for us in the Minority, but as we have shown, three years of cooperation, three years of resolving an RTA crisis which originally was developed by this side of the aisle which met the problems of demand that you had, three years of resolving a temporary tax problem devised by this side of the aisle which you joined in, three years of eliminating commissions and three years of cooperation - we'll continue on in that, Sir. We'll continue on as long as possible. But we will not nor will we ever stand by to let you abuse the power of that Chair and if you do that and that's your desire, we'll be ready and we'll be ready to fight."

Speaker Greiman: "Yes, Mr. Madigan."

Madigan: "Mr. Speaker and Ladies and Gentlemen, I have not issued a threat. I have made a statement. There is no threat. It's a statement. It's a statement of a plan and I stand firmly behind it. And I am joined by 66 Members in a Body where 60 is the Majority. Mr. Speaker, thank you."

Speaker Greiman: "Chair recognizes the Gentleman from Madison, Mr. McPike, on the Adjournment Motion. Mr. McPike moves that the House stand adjourned until the hour of 12:00 on Tuesday allowing for perfunctory time for Committee Reports. All in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and the House stands adjourned."

Clerk O'Brien: "Committee Report. Representative Bowman, Chairman of the Committee on Appropriations II to which the following Bills were referred, action taken May 8, 1986, reported the same back with the following recommendations: 'Do pass' House Bills 2712, 3191, 3206, 3347, 3368 and 3373; 'do pass as amended' House Bills 444, 2995, 2997, 3001 and 3002. The House will stand at ease in Perfunctory Session. The House will be back in Session in Perfunctory

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Session. Committee Reports. Representative Leverenz, Chairman of the Committee on Appropriations I to which the following Bills were referred, action taken May 8, 1986, reported the same back with the following recommendations: "Do pass as amended" House Bills 1235, 2627, 2977, 2988, 2989 and 2993. No further business, the House now stands adjourned."

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