

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

118th Legislative Day

May 15, 1986

Speaker Breslin: "Ladies and Gentlemen, the House will come to order. The Chaplain for today will be Rabbi Stephen Moch with the Temple d'rith Shalom of Springfield. Rabbi Moch is a guest of Representative Michael Curran. Will the guests in the gallery please rise for the invocation?"

Rabbi Moch: "Members of the House of Representatives, in the Book of Deuteronomy we find a passage which can provide us with very good instructions for good leadership. It says in Deuteronomy 16, Verse 18, 'You shall appoint magistrates and officials for your tribes in all the settlements that the Lord, your God, is giving you, and they shall govern the people with due justice. You shall not judge unfairly. You shall show no partiality. You shall not take bribes, for bribes blind the eyes of the discerning and upset the plea of the just. Justice, justice shall you pursue, that you may thrive and inherit the land that the Lord, your God, is giving you.' We may ask why is the word 'justice' is repeated twice at the end of the verse. Could scriptures not simply have said, 'Justice shall you pursue?' The double emphasis means that you must pursue justice under any circumstance, whether it is to your profit or to your loss, whether in word or in action. It means do not use unjust means to secure justice. Its repetition means that in matters of justice, one may never stand still. The pursuit of justice is the beginning of justice. Do justly so that justice may be engendered. We pray, Eternal Teacher, instruct us how to become advocates for the citizens we represent and, in our advocacy, give us strength and, in our strength, grant us wise discretion and, in discretion, make us ever just and, with our justice, may we mingle love and, with our love, the love of You and, with the love of You, the love of all. Amen."

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Speaker Breslin: "We will be led in the Pledge by Representative Ropp."

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

Speaker Breslin: "Roll Call for Attendance. Representative Piel, for what reason do you rise?"

Piel: "Yes, Madam Speaker, will the record show that Representative Barnes and Representative Stange are excused today?"

Speaker Breslin: "The record will so show. Are there any absences from the Democratic side, Representative Matijevich?"

Matijevich: "Madam Speaker, Representative Nelson Rice is excused due to his illness."

Speaker Breslin: "Very good. Mr. Clerk, would you take the record? There being 112 people voting 'present', there is a quorum of the House. Ladies and Gentlemen, we are preparing to go to Third Reading. So, if you are in your offices, please proceed over to the floor so that we may begin on Third Reading. Mr. Clerk, do you have some Agreed Resolutions?"

Clerk O'Brien: "Agreed Resolutions. House Joint Resolution 196, offered by Virginia Frederick. House Resolution 1310, by Didricken; 1311, by Giglio; 1312, by McNamara. And Senate Joint Resolution 124, by Representative Rea."

Speaker Breslin: "Representative Matijevich, on the Agreed Resolutions."

Matijevich: "Yes, Madam Speaker, these are all of the congratulatory type, and I move the adoption of the Agreed Resolutions."

Speaker Breslin: "The Gentleman moves the adoption of the Agreed

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Resolutions. Is there any objection? Hearing none, the Agreed Resolutions are adopted. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 1309, offered by Representative Shaw, with respect to the memory of Charles Coleman. And House Resolution 1313, offered by Representatives Turner and Anthony Young, with respect to the memory of Milton Gardner."

Speaker Breslin: "Representative Matijevich moves the adoption of the Death Resolutions. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Death Resolutions are adopted. Ladies and Gentlemen, we are going to go to the Order of Third Reading. House Bills Third Reading, appearing on page 18 on your Calendar, starting with next Bill. House Bill 2737, Representative Cullerton. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2737, a Bill for an Act to amend Sections of the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Back in 1979, we passed the Nursing Home Care Reform Act. When we did so, we added to the list of elements of the offense of disorderly conduct, a crime of knowingly transmitting a false report to the Department of Public Health under the Nursing Home Care Reform Act of 1979. Inadvertently, no sentence was provided. The purpose of this Bill is to provide that sentence, the sentence being a Class B misdemeanor. Be happy to answer any questions."

Speaker Breslin: "The Gentleman has moved for the passage of

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I'd prefer to see it stay where it is, and I'm going to support this measure."

Speaker Breslin: "Mr. Clerk, take the record. On this question there are 102 voting 'aye', 8 voting 'no' and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2760, Representative Ronan. Clerk, read the Bill. Excuse me. Representative Matijevich, for what reason do you rise?"

Matijevich: "Madam Speaker, on the passage of that Bill, I had a similar Bill. Could I have leave of the House to table House Bill 3393?"

Speaker Breslin: "The Gentleman asks leave to table House Bill 3393. Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. House Bill 3393 is tabled. Representative Ronan, on House Bill 2760."

Clerk O'Brien: "House Bill 2760, a Bill for an Act to amend an Act in relation to the Child Abuse Prevention Fund. Third Reading of the Bill."

Speaker Breslin: "Representative Ronan."

Ronan: "Thank you, Madam Speaker. I've got an Amendment to this Bill. I'd like to have the Bill brought back to Second Reading for consideration of the Amendment."

Speaker Breslin: "The Gentleman asks leave to return the Bill to the Order of Second Reading for the purposes of an Amendment. Does he have leave? Hearing no objection, he has leave. The Bill is on Second Reading. Do you have any Amendments filed, Mr. Clerk?"

Clerk O'Brien: "Floor... Floor Amendment 04, offered by Representative Ronan and LeFlore."

Speaker Breslin: "Representative Ronan."

Ronan: "Thank you, Madam Speaker. This is a clarifying Amendment. It doesn't change the concept of the Bill at all. I've just been working with the staff on our side of

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House Bill 2730. And on that question, is there any discussion? Hearing none, the question is, 'Shall House Bill 2737 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 108 voting 'aye', none voting 'no' and 3 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, I'd like to take this opportunity to draw your attention to the fact that there are many Bills that the Senate has sent over to us that are on the Calendar on page 25 and 26 that do not have Sponsors. Please review those Bills and pick those Bills up if they are of interest to you. The next Bill on the Calendar is House Bill 2738, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2738, a Bill for an Act to amend Sections of an Act in relation to counties. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. As many of us remember, last year we passed a drunk driving statute which was... which went into effect January 1 which has proven to be very effective. We passed this Bill with the cooperation of the Secretary of State's Office, as well as the bar associations, both the Chicago and Illinois State Bar Association. As a result of that Bill, we established a procedure known as a judicial driving permit. This authorized a Judge, under certain circumstances, to grant, after a hearing, a judicial driving permit. The state's attorneys and county boards from throughout the state have indicated that this new Bill that we passed has caused much longer hearings to have to be held; and, as a result, the court system is in need of

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more funds. Rather than raise any taxes, the county board people have asked that we increase the fines for the people who are charged with drunk driving and who are fined for drunk driving. So, this Bill does just that. It raises the fee which, up until now, has been a five dollar fee that goes to the county board, to a 30 dollar fee. It's up to a 30 dollar fee, so it, theoretically, could be less. The money then would go to the county board to finance the court system in the county. Now, Representative McCracken and myself have continued to work with the bar associations and the Secretary of State's Office to amend the drunk driving law for some cleanup. However, those negotiations have not yet been completed. In the meantime, we want to make sure that this Bill passes so that the counties will have sufficient funds to run the court system. So, it may be that this Bill may be amended in the Senate with those cleanups and come back on concurrence. But, at this point in time, I would like to indicate our willingness to have a user fee; that is, an increased fine for a drunk driving person who is convicted or charged with and is fined for drunk driving. They are the ones that should have to pay. Be happy to answer any questions. Appreciate your support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2738. And on that question, the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Representative, did you say it would go to 30 or can the county set it at anywhere between five and 30?"

Cullerton: "No, it's up to a Judge."

Brunsvold: "It's up to the Judge?"

Cullerton: "Right. And the Judge can give a fine right now of five dollars. And what this Bill says is that this shall be increased up to 30 dollars for all offenses where the

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fine is imposed for a violation of the drunk driving statute."

Brunsvold: "So, it's going from five up to 30? The Judge can..."

Cullerton: "Right."

Brunsvold: "... set that. Thank you."

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

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

Speaker Breslin: "He will."

Mautino: "Representative Cullerton, I have a difficult time understanding this proposal because everybody who gets a DUI in my county, the fine is 500 dollars. How does this bill affect that provision? I have yet to see one under 500."

Cullerton: "Okay. In addition to a fine imposed by a Judge, right now there's an additional five dollar fee that goes to the county to finance the court system. Now, the fine, the 500 dollar fine goes to numerous other recipients; for example, the municipality that did the arresting. There is a State Police Training Fund, the State Drivers' Education Fund, the local drivers' education fund. The circuit clerk gets some money. The Crime Victims' Assistance Fund gets some money. The state's attorneys get some money and then the county board right now gets five dollars. I want to increase that to 30 dollars. So, in the case that you cited, a 500 dollar fine would go to 525 dollars."

Mautino: "Well, you know, I..."

Cullerton: "And that additional money would go to the county board to be able to fund the additional workload that we've been giving them as a result of the DUI change."

Mautino: "My question is, what does the county board have to do with DUI's? First of all, the circuit clerk handles those cases. The Judges makes a determination. What does the

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county board do? They don't do anything that I know of on the DUI situation."

Cullerton: "The county board funds the people who work in the court system. The county board funds the state's attorney's office. The county board funds the clerk's office. And what this..."

Mautino: "So does the State of Illinois, on a percentage basis, especially the state's attorney's office, as well as the provisions that we have just adopted for the circuit clerk, as well as other agencies. Do they not?"

Cullerton: "Right. So, rather than have the money come out of the State Treasury, which is what we could do - we could just appropriate two or three million dollars to the counties - this Bill suggests that the person who is charged with drunk driving and either gets supervision or a conviction for drunk driving should be the one to pay for the additional funds."

Mautino: "Aren't they paying enough now? I think what I see in most of the counties is that fine is 500 bucks, then they go to a counseling service that's anywhere from 100 to 500, depending on what the going rate is, and that person ends up with at least 1000 if not a 1200 dollar cost and then, of course, the loss of the license. Now, I don't know what else you want to do to the people with legislation. I mean, the county boards are doing well now, in my estimation. I just don't think we should be tacking anymore money under the guise of... of basically setting up prohibition through statutory enactment, to be honest with you."

Cullerton: "Well, you make a very good point. It's very costly to get arrested for drunk driving and to be found guilty of drunk driving. It's very costly. Under this Bill it's going to cost an extra 25 dollars."



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Mautino: "Well, I think there's enough already in that situation."

Speaker Breslin: "The Lady from Sangamon, Representative Hasara."

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

Speaker Breslin: "He will."

Hasara: "Mr. Cullerton, I am correct that what this Bill does is raise the county court system fee from five dollars to 30 dollars. Is that correct?"

Cullerton: "It raises it from five dollars up to 30 dollars."

Hasara: "Right. And the county..."

Cullerton: "The county would..."

Hasara: "... board has the authority to raise it?"

Cullerton: "That's correct, through an ordinance."

Hasara: "Okay."

Cullerton: "And they can set whatever amount that they want."

Hasara: "Okay."

Cullerton: "Once they do that, then the Judge would impose it."

Hasara: "Okay. I think part of the problem is that we're just calling it a fine when it is not a fine. It is a fee."

Cullerton: "It's a fee added to the fine."

Hasara: "So... right. And it is automatic. So, a Judge would not really have to assess it. Once the county board passes the resolution, then it is automatically tacked onto the fine, along with a number of other fees. I think maybe that's part of the confusion."

Cullerton: "Yes. Yes, you're right."

Hasara: "Am I correct?"

Cullerton: "When I answered Representative Brunsvold, I was incorrect. You're correct. It's a fee added onto the fine. The amount is set by the county board."

Hasara: "Right. So, in fact, the Judge does not enter into this decision at all, and I think that helps clarify what we're saying."

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Cullerton: "Right. But it does... right."

Hasara: "It is not part of the fine."

Cullerton: "Thank you."

Hasara: "And, as a former circuit clerk, I can tell you that it is very, very expensive for the clerk's office to process a DUI. And so I am definitely in support of this Bill. In this county alone, we had to hire two more people just to help with the paperwork in the new DUI law. Thank you."

Speaker Breslin: "The Gentleman from DeKalb, Representative Countryman."

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

Speaker Breslin: "He will."

Countryman: "Representative Cullerton, it is my understanding that the five dollar fee is levied in every traffic case now. Is that correct?"

Cullerton: "Yes. The law right now... I believe you're right. Let me... let me..."

Countryman: "So..."

Cullerton: "... just review the current law."

Countryman: "Okay."

Cullerton: "They can enact an ordinance, a resolution of a five dollar fee to be added to all fine imposed for violation of the Illinois Vehicle Code. And we keep that, but we say with specifically with regard to DUI they're authorized to add a 30 dollar fee to all fines."

Countryman: "So, it would go from five to 30 just on DUI."

Cullerton: "Yes."

Countryman: "Is there any intention of raising it on any other charge, speeding, any other traffic charge?"

Cullerton: "Not in this Bill."

Countryman: "Well, you said you were going to send the Bill over to the Senate and that you ..."

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Cullerton: "No, that's for changes to the DUI statute we passed last year, just cleanup language to the DUI statute we passed last year."

Countryman: "From a revenue standpoint, wouldn't the counties be better off if we gave them, say, ten dollars on every case as opposed to just an additional 25 dollars on the DUI's?"

Cullerton: "Well, the additional costs though to the counties is caused by the DUI offenders, not by the other traffic offenders. And so this is along the lines of a user fee. It's the ones who... who decide to violate the DUI statute that will end up having to pay for the additional costs."

Countryman: "Well, my analysis indicates in the Bill last year - I think it was House Bill 1838 - that there was an authorization for the municipalities and counties to impose a surcharge of 50 percent of all fines imposed for drunk driving. Now, where does that surcharge go?"

Cullerton: "You're talking about the Bill that we passed last year?"

Countryman: "Yeah, the surcharge that was in the Bill last year. Doesn't that go to the counties? The surcharge."

Cullerton: "I... It was a very complex Bill, and it has a lot of provisions. I don't remember any surcharge."

Countryman: "Well, my analysis indicates..."

Cullerton: "As a matter of fact, I remember specifically having the debate with a number of people who wanted to have an increase in fines last year, and I was the one really at that time that held off because I felt that... I wasn't convinced that it would cost them that much more money. And now they have come back and made their case. So, I don't think..."

Countryman: "Okay."

Cullerton: "I don't think any... there were no increases in fines or fees as a result of the DUI Bill last year."

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Countryman: "Well, you know, what happens is that the fine is 500 dollars, then they start adding a surcharge and there are additional fees that go on top of that, state's attorneys' fees, some other fees and so forth. And what I... My only point is to say that when you raise this fee, then the courts somehow tend to want to work the whole thing out at charging the defendant 500 dollars, so they just adjust the others to make it come out to that level. Are we just doing a numerical transaction between the funds?"

Cullerton: "Well, no, because if that's the case, then these other funds that I talked about, these other recipients of funds, would get a smaller percentage. But the county would still get their fee. The county has a set amount of fee that's added onto the fine. If you set a 500 dollar... If you say your sentence is a 500 dollar fine plus costs and penalties, the total is 500 dollars. The first... you know, 25 is definitely going to go... or 30, now, is definitely going to go to the county board. Then these other... whatever is left is set out on the basis of percentages. And those percentages would go down, that's all."

Countryman: "So, they would just reallocate the money in that instance, is that correct?"

Cullerton: "They wouldn't reallocate. They county which is now not getting the money would get the money and the county is the one that is responsible for paying for the circuit clerks and the assistant state's attorneys and the courtrooms."

Countryman: "Is it your intention... I think last year when the DUI Bill went through, there was some discussion of helping fund the court systems to handle the driving permits and those sorts of things. Is it your intention to introduce legislation this year or amend legislation this year to

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help them with the funding of those... the court systems of those judicial driving permits?"

Cullerton: "This is it."

Countryman: "This is it. Okay. Thank you."

Speaker Breslin: "The Gentleman from Effingham, Representative Hartke."

Hartke: "I move the previous question."

Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Cullerton, to close."

Cullerton: "Yes, thank you, Madam Speaker. Just to clarify one... for one last time. What this Bill does is to authorize county boards, if they wish, to increase the fee that are added onto fines imposed for drunk driving from five dollars up to 30 dollars. What this, in effect, would do would be to make it a little bit more costly to be convicted or charged with and be fined for drunk driving in the State of Illinois. The money would be... would go to help fund the drunk driving program that we have when someone gets arrested in their county. Appreciate your support."

Speaker Breslin: "Question is, 'Shall House Bill 2738 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? Representative Olson, one minute to explain your vote".

Olson: "Thank you very much, Madam Speaker. I'm going to support this proposal as opposed to a proposal that the administrative office of the Supreme Courts currently have floating around in the Senate to take all the fees from counties and ship it down here and fund it from that level.

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the aisle, the staff on the other side of the aisle, Treasurer's Office, Comptroller's Office and the Department of Children and Family Services. It appears that this Amendment solves the problem of raising the necessary dollars for the Child Abuse Prevention Fund, and we've had a signoff, as I said, from all the various agencies that this is the proper mechanism to use in order to achieve a constitutional method of increasing contributions into the Child Abuse Prevention Fund. And I move for the adoption of Amendment #4 to House Bill 2760."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to House Bill 2760. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #4 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Ronan now asks leave for immediate consideration of House Bill 2760 on Third Reading as amended. Is there any objection? Hearing none, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2760, a Bill for an Act in relation to the Child Abuse Prevention Fund. Third Reading of the Bill."

Speaker Breslin: "Representative Ronan."

Ronan: "Thank you, Madam Speaker. The Amendment we just adopted is now the Bill. We're all aware of the increased problem of child abuse in the State of Illinois. We very wisely a few years ago established the Child Abuse Prevention Fund through a checkoff of state income tax. The dollars into that Fund has dropped. This is a mechanism to try to bring more money into that Fund in order to address the very

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serious problem of child abuse. This isn't going to be a final solution to the problem, but it will provide necessary dollars which are given out to groups all over the State of Illinois for prevention purposes. The documentation that the Department of Children and Family Services provides shows that when you put money into prevention, you prevent some of the tragedies from occurring that we're all so concerned about. I'll be glad to answer any questions concerning the legislation. If not, then I'll move for the passage of House Bill 2760."

Speaker Breslin: "The Gentleman has moved for the adoption... the passage of House Bill 2760. And on that question, Representative Hastert."

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

Speaker Breslin: "He will"

Hastert: "Representative Ronan, I was the Sponsor with other Members from the other side of the aisle to establish the checkoff, I believe, in 1983. What new instruments does your Amendment do? How do you expand this? Is it a local contribution or..."

Ronan: "Right. There are three mechanisms that will come into effect with this legislation. Number one, that Fund is not allowed to be an interest bearing account. Right now, it will be an interest bearing account which will generate a few dollars. Secondly, it will allow private donations to be put into the Fund as a new mechanism. That's a recommendation from the Department of Children and Family Services. And then, finally, there is a surcharge on birth certificates that will hopefully generate some dollars that will also go into the Fund."

Hastert: "Representative, one of the things that I guess the original Bill didn't do... it only allowed people who got refunds to make donations from their refund. Does it allow

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people now... anybody to send in a check with their income tax return?"

Ronan: "Yes, it does."

Hastert: "You would allow that."

Ronan: "Yes, it does."

Hastert: "Thank you. I stand in support of that legislation. Thank you, Representative."

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

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

Speaker Breslin: "He will."

Hawkinson: "Representative, what is the current charge for a birth certificate and how will it change?"

Ronan: "It's five dollars for a certificate, and this is a three dollar surcharge."

Hawkinson: "So that it will cost eight dollars. A few years ago we had a marriage fee held unconstitutional which was used... going to be used to fund domestic violence. Would you explain to the House why this Bill does not suffer the same constitutional infirmities?"

Ronan: "I... Representative Hawkinson, what I did was I sought out one of the top constitutional experts, not only in the State of Illinois, but around the country, and under the careful guidance of Representative Tom McCracken, who really is one of the top constitutional experts in the United States of America..."

Hawkinson: "Don't hurt your Bill, Representative."

Ronan: "We feel that we've carefully guided the kind of constitutional question that may come up concerning the legislation. The key criteria is that the money is going to be deposited in the General Revenue Fund as opposed to a direct contribution into the Child Abuse and Prevention



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Fund. That appears to at least address the issue that was raised by the Supreme Court. That Supreme Court decision, I think, stinks, by the way. I think they were way off base. It was a four to three decision. I assume this time, with the good judgement on the court, it will be a seven to zero decision if anyone questions the constitutionality."

Hawkinson: "And the distinction will be then that it will be subject to appropriation by the General Assembly."

Ronan: "Absolutely correct."

Hawkinson: "Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 2760 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 106 voting 'aye', 6 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2765, Representative Capparelli. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2765, a Bill for an Act in relation to certain sheriffs' fees and salaries. Third Reading of the Bill."

Speaker Breslin: "Representative Capparelli."

Capparelli: "Thank you, Madam Speaker. House Bill 2765 authorizes the sheriffs' fees for executing search and arrest warrants. Amendment #1 just specifies who shall pay for these. If the person is guilty, he will be assessed upon the judgement. If he is found innocent, there will be no payment. Amendment #2 is Representative Ryder's, if he would like to explain that."

Speaker Breslin: "The Gentleman has moved the passage of House Bill 2765. And on that question, the Gentleman from Cook, Representative Cullerton."

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Cullerton: "Amendment #2 is on this Bill?"

Speaker Breslin: "That's correct."

Cullerton: "Well, perhaps I could ask a question of the Sponsor of Amendment #2 then."

Speaker Breslin: "Representative Ryder will yield to a question. Proceed."

Cullerton: "This is an Amendment that distinguishes between Cook County and other counties? Is that correct?"

Ryder: "That's correct."

Cullerton: "What does it do?"

Ryder: "It indicates..."

Cullerton: "What's the... There's a little formula here, I see."

Ryder: "No, it's fairly simple. Last year, we set certain minimum salaries for sheriffs and the formula is that one half of the difference between what they were receiving and the minimum salary would be paid by the state. The reason that Cook County is excluded is because they were above the minimum last year and the minimum set by the Bill itself."

Cullerton: "Okay. So, this is pay raise then for sheriffs?"

Ryder: "No. The pay raise was mandated last year by the Legislature. This is accepting the responsibility of the mandate that the Legislature did last year requiring the state to pay part of the raise that the state mandated last year."

Cullerton: "I see. And then can I ask a question of the Sponsor of the Bill?"

Speaker Breslin: "Proceed."

Cullerton: "This would authorize the sheriff who executes search warrants and arrest warrants to charge fees? Who do they charge?"

Speaker Breslin: "Representative Capparelli, to answer the question."

Capparelli: "Would you repeat that, please, Mr. Cullerton?"

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Cullerton: "Well, the Bill apparently authorizes sheriffs to... who execute search warrants and arrest warrants in criminal cases to charge fees. Who do they charge? Like if the state... the state asks for a search warrant... the state's attorney's office asks for a search warrant, does this mean that the state's attorney's office has to pay..."

Capparelli: "Amendment 2 says that if they're found convicted, they will charge the defendant on the judgement. Otherwise, they will not be charged. They are collecting this... they are paying these fees now to those who are delivering them. The fees are already being paid. But the court said last year they could not collect because it was not specifically mentioned in the statutes of the fee schedules. So, now we have mentioned it with Amendment #2 stating that if they are convicted, they must pay the fee."

Cullerton: "Of course, if they're... Okay. And what if they're... what if the search warrant or the arrest warrant was quashed as a result of it being violative of the..."

Capparelli: "There would be no charge."

Cullerton: "Even if the defendant was convicted? Even if he was convicted there would be no charge?"

Capparelli: "If he is convicted, he will be charged."

Cullerton: "But what if the arrest warrant or the search warrant was carried out in an unconstitutional manner and the Judge suppresses it?"

Capparelli: "And you saying the defendant would be innocent then?"

Cullerton: "No. Sometimes you can have a search warrant that's defective or that the evidence that was obtained is suppressed and, yet, the person is still convicted. My question to you is, if that's the case, there's a conviction yet the search itself was improper, would they still have to be charged for the cost of the ... of the

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search warrant or the arrest warrant?"

Capparelli: "Sound very complicated to me, but we have not addressed that in this Bill."

Cullerton: "Okay. Now, what if the guy, after having been convicted, is sentenced to county jail, as is most of the cases? How does he raise the funds to pay for this... the cost of the state going out to arrest him?"

Capparelli: "How does the defendant raise the funds?"

Cullerton: "How does he pay for it? Does it come out his bond?"

Capparelli: "I presume it will come out of any money he's got in the bank or anywhere else."

Cullerton: "I see. Okay. Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 2765 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 102 voting 'aye', 1 voting 'no' and 10 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2770, Representative Giorgi. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2770, a Bill for an Act to amend Sections of the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Giorgi, at Representative Greiman's desk."

Giorgi: "Madam Speaker, I ask leave of the House to send this back to the Order of Second for purpose of an Amendment."

Speaker Breslin: "The Gentleman asks leave to return House Bill 2770 to the Order of Second Reading for the purposes of an Amendment. Are there any objections? Hearing none, the Gentleman has leave. Are there any Amendments, Mr. Clerk?"

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

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Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, Amendment #1 provides that... it changes the language in the original Bill. The original Bill was introduced at the request of the Illinois Broadcasters' Association to allow radio stations to advertise other lotteries along our border of our state. And this Amendment says they can advertise, but they can't print tickets that have to do with gambling in other states. I move for the adoption of the Amendment and I'd like to move the Bill back to Third Reading."

Speaker Breslin: "The Gentleman moves the adoption of Amendment #1 to House Bill 2770. On that question, the Gentleman from Cook, Representative Piel."

Piel: "I'm sorry, Madam Speaker. Could the Gentleman yield for a quick question, please?"

Speaker Breslin: "He will."

Giorgi: "Go ahead."

Piel: "Zeke, what... You were talking about being able to advertise along the state lines, and, I'm sorry, I didn't hear exactly what you said."

Giorgi: "What would happen is, now, Illinois broadcasters are procluding from advertising the lottery of Iowa, Missouri, the probable lottery in Michigan, Wisconsin, Indiana and so on. This allows them to do that so that they won't be charged with a gambling violation. The people that print tickets in Illinois didn't want Illinois to become the printing capital of the world for gambling activity. So, they have excluded Illinois printers from being the printers of gambling tickets. That's what the Amendment does. This is both at the request of the printing industry and the Illinois broadcasters' industry, and it has to do with the jobs, economic vitality, economic liability. It's one hell of a Bill, and I suggest you support it."

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Piel: "We're not talking about the Bill. We were talking about the Amendment."

Giorgi: "It's all wrapped up in one package."

Piel: "Fine. Thank you very much. I have no..."

Speaker Breslin: "The Gentleman from Cook, Representative Brookins, on the Amendment."

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

Speaker Breslin: "He will."

Brookins: "Representative, this will allow other states to advertise in Illinois?"

Giorgi: "No. If they buy a radio station in Illinois, yes, or TV station or whatever."

Brookins: "Okay. This is to allow..."

Giorgi: "This is to allow Illinois broadcasters to advertise other lotteries without being afoul of the gambling laws."

Brookins: "To allow other... when you say other lotteries, what are we talking?"

Giorgi: "Well, Iowa has a lottery and we have... Many radio stations along the Mississippi that would like to advertise the Iowa lottery. But, don't fret, because no lottery of our surrounding states will ever be able to compete with Illinois' economic base and Illinois' prizes. Like, for instance, last night the prize was ten million dollars. Iowa, Missouri and some of those states will never reach that amount."

Brookins: "Nobody won it last night, Representative."

Giorgi: "Who did?"

Brookins: "Doug didn't win last night."

Giorgi: "No one won it? So, it will be 15 million by Fri... by Saturday."

Brookins: "Okay. LeFlore is after it, though."

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

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Harris: "Thank you, Madam Speaker. Questions of the Sponsor"

Speaker Breslin: "He will yield."

Harris: "Representative, did you say that printing companies would be prevented from printing tickets here in Illinois?"

Speaker Breslin: "Representative Giorgi."

Giorgi: "The Amendment was at the request of people that print the Illinois lottery tickets. And they didn't want printing companies in Illinois to be printing gambling tickets for other states that are illegal in Illinois."

Harris: "Are... are we ... In other words, we are saying that a print... if a state lottery from another state comes to an Illinois printer because they have the best deal, that printer cannot print those tickets, that is correct?"

Giorgi: "The language is, 'knowingly advertise any lottery or policy game, or drafts, prints, or publishes any advertisement of any lottery or policy game except for such activity related to lotteries, bingo games and raffles authorized by and conducted in accordance with the laws of Illinois or any other state.' That's the language the printing industry requested of us."

Harris: "So, the answer to the question then I guess is, yes..."

Giorgi: "Yes."

Harris: "That the printer could not print... Why would the printing industry say we don't want business?"

Giorgi: "I have no idea."

Harris: "Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #1 be adopted to House Bill 2770?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Giorgi now asks

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leave for immediate consideration of House Bill 2770 on the Order of Third Reading as amended. Are there any objections? Hearing none, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2770, a Bill for an Act to amend Sections of the Criminal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, this, again, is a Bill at the request of the Illinois broadcasters and amended by the Illinois printing industry. And I urge the support of it."

Speaker Breslin: "The Gentleman moves for the passage of House Bill 2770. And on that question, the Lady from Cook, Representative Pullen."

Pullen: "I'd like to ask the Sponsor a question, please."

Speaker Breslin: "Proceed."

Pullen: "I want to be sure that I understand your Bill as you've amended it whenever you did. Does this Bill authorize the advertising of other states' lotteries in Illinois?"

Giorgi: "Yes."

Pullen: "Does it..."

Giorgi: "Especially... Specifically broadcasters."

Pullen: "Does it authorize selling of tickets in Illinois?"

Giorgi: "I don't think the outlet could be in Illinois, but an Illinoisan can buy an out of state lottery ticket and not be charged with gambling."

Pullen: "Currently, someone in Illinois could buy another state's lottery ticket somewhere else and be charged with gambling?"

Giorgi: "I don't know that, but I do know that one-fifth of the Illinois lottery tickets are bought from out-of-staters. One-fifth of our tickets are bought by out-of-staters. To further that, our license and chances law allows anyone..."



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any city, for example, that is licensed to sell raffles and chances, but if a city doesn't allow the sale of raffles and chances in their environs, a person having a chance or raffle ticket in his pocket cannot be charged with gambling because he bought it from a licensed Illinois not-for-profit raffle and chance corporation."

Pullen: "Is that under current law, or is that in this Bill?"

Giorgi: "I didn't hear you? I didn't hear the... question."

Pullen: "Is that under current law or in this Bill?"

Giorgi: "That's current law."

Pullen: "So, you just threw that in."

Giorgi: "Right. That was just as an... side to explain what's going on in Illinois."

Pullen: "I mean, that doesn't pertain to what we're talking about. I would like to address the Bill, please, Madam Speaker."

Speaker Breslin: "Proceed."

Pullen: "This Bill would authorize the advertising of other states' lotteries within Illinois to entice Illinoisans to buy tickets of other states' lotteries. I'm not a big fan of the Illinois state lottery, but I do think that those people who believe that the Illinois state lottery provides worthwhile income to the state for education ought to think about the ramifications of encouraging the competition of other states' lotteries with Illinois'. Other states' lotteries could advertise, for example, that their lottery gives you a better chance to win than Illinois' lottery does. I can envision ads similar to 'Wander Indiana' and 'Escape to Wisconsin' and 'Say Yes to Michigan' saying say yes to Michigan's lottery if they have one. When you come up to Michigan on your vacation, say yes to the lottery. The Michigan lottery is a better deal, if they have one. I don't even know whether they do. The Michigan lottery is a

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better deal than the Illinois lottery, so why don't you come to Michigan this summer and buy lottery tickets while you're here. I don't think this is really terribly good for Illinois State Government. I'm, in a way, tempted to vote for it because I think it will seriously damage the Illinois lottery. But on the other hand, I don't think that it's a good idea to create this form of advertising in Illinois. And I think that it would hurt our state. And I think that people should give serious consideration to that issue. Thank you.

Speaker Breslin: "The Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker. Maybe to clarify the issue. In Rock Island, we have WHBF radio-TV that is advertising the Illinois lottery and across the river, not two miles away, is WOC radio and TV that is advertising the Iowa lottery. And everyone on the Illinois side gets the same information about the Iowa lottery as the Iowa people get about the Illinois lottery. The broadcasters in the area would like to advertise both lotteries. Everybody hears about the lotteries anyway on the radio station. So, what difference does it make? The broadcasters simply would like the opportunity to have the business of advertising in the quad city area, for example, from... from all areas. So, it's actually a broadcasters Bill to help with their advertising. So, I would be in support of Representative Giorgi's proposal here and would ask for your support also in the passage of this Bill."

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

Hallock: "Thank you, Madam Speaker, Members of the House. I think a lot of people in this chamber are probably unaware of the fact that Representative Giorgi was the Chief

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Sponsor years ago of the Illinois lottery. We all talk about it and take it for granted and the money it brings in is, of course, very essential to state programs. I would just like to commend Zeke for the Bill and his continued interest in this fine program. And I would urge a 'yes' vote."

Speaker Breslin: "The Gentleman from Morgan, Representative Ryder. Representative Ryder, do you wish to speak to this issue?"

Ryder: "Thank you, Madam Speaker. May I ask a question of the Sponsor, please?"

Speaker Breslin: "Proceed."

Ryder: "Thank you. Representative, is there now a restriction on the Illinois lottery that indicates that we cannot advertise out of state?"

Giorgi: "That's correct. It's in the Criminal Code."

Ryder: "Okay. So, for those of us that are on the borders of the state, like we here the same... in St. Louis market we hear the Missouri lottery all the time, but Illinois is prohibited from going across the river to put money out there, is that right?"

Giorgi: "We can't advertise Missouri's. We can't advertise Missouri's lottery. It's in the... it's prohibited... prohibition in the Criminal Code to advertise Missouri's lottery as the law now stands."

Ryder: "Is not the Illinois lottery prohibited from spending advertising dollars in Missouri to advertise the Illinois lottery?"

Giorgi: "I don't know the answer to that. I don't know if the Department of Revenue... I think, if we... I think we're allowing tickets to be bought by mail, aren't we now? So, we would be spending money in other states. I don't know what the law is on that. All I know is that the

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broadcasters feel it's really a restraint of interstate commerce. It's in their Criminal Code prohibiting them from advertising other states' lotteries. They want permission to. And because of our great border buildups around the Milwaukee area, Southbend, Indiana area, Louisville-Paducah area, St. Louis area, they have a real concern. There's a lot of money involved. So, they want permission, by law, to advertise other states' lotteries. I don't know what the prohibition is against Illinois, but I'm sure reciprocity will enter into this."

Ryder: "Okay. Thank you."

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

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

Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Giorgi, to close."

Giorgi: "Madam, I think the Bill has been debated enough..."

Speaker Breslin: "The question is, 'Shall House Bill 2770 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final passage. Representative Tate, one minute to explain your vote."

Tate: "Well, Madam Speaker, I had a question. I guess... maybe if Zeke could answer it. As Zeke's aware of, I've had some concern with the policy of the lottery and how it appeals to public aid recipients and poor people. Will this Bill provide any type of regulations on the type of advertising Missouri can do? Be... you know, a legitimate concern on that Bill is... is, you know, we're trying to make these advertisements... give it as much sex appeal as possible, and sometimes there has been legitimate concern about the

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taste of the commercials, the substance of what the message they're trying to say. And that would be a concern that I would have if we allow Missouri to do that. If you could..."

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

Barger: "Thank you, Madam Speaker. The Amendment to this Bill prohibits Illinois printers from printing lottery tickets outside of the state. This is an infringement on the right of free speech. It's an infringement on the press. It's a trade restriction that is counterproductive to the businesses of the State of Illinois. There are people in Illinois who have large investments in ticket printing machinery and they are forbidden the opportunity to use that to their best profit. I think this is a very, very poor Bill considering the Amendment. As far as the Bill without the Amendment, I would have no objection to it. I'm sorry I wasn't allowed to speak on the Amendment. I wasn't recognized. But this Bill is not in the best interests of the State of Illinois. Therefore, I have to vote against..."

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

Parcels: "Thank you, Madam Speaker. If we read that Amendment correctly, the... no Illinois printing company would be able to print tickets for other lotteries from out of state. Can you just shake your head yes or no? That is true. Well then, obviously this is a very special interest Bill. Although I think the idea of it is good, I know there are printers in this state who are printing lottery tickets for other states, and I think it's very unfair to limit them and they will not be able to continue their business. And, therefore, I vote 'no'."

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Speaker Breslin: "The Clerk will take the record. On this question there are 74 voting 'aye', 34 voting 'no' and 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Represe... Speaker Madigan in the Chair."

Speaker Madigan: "Ladies and Gentlemen, if we could have your attention for just a few minutes and if Members could be in their chairs and all unauthorized personnel please leave the floor. So, if Members would please be in their chairs. We are very privileged today to have an honored guest from the City of Chicago honor... or representing a foreign government. And for the purpose of introduction, let me introduce Representative Greiman."

Greiman: "Thank you, Mr. Speaker. Hr. Clerk, we last... yesterday adopted a Resolution. I would appreciate if you would read the Resolution."

Clerk O'Brien: "Senate Joint Resolution 152. Whereas, this year the State of Israel will most joyously celebrate the thirty-eighth anniversary of its founding in 1948; and whereas, the Illinois General Assembly is justly proud of its long and unyielding commitment to the State of Israel; and whereas, modern history of the State of Israel constitutes a chronology of awesome dimension; it virtually records the introduction and the evolving development of a nation; in the final analysis, is an experiment in democracy; at question are the preservation of human dignity and the inalienable right of self-determination; and whereas, alone and beleaguered, the Nation of Israel emerges as an island of democracy, as a viable and living alternative to the autocratic tyranny so prevalent throughout the world; and whereas, for the beleaguered nations of the Middle East, the State of Israel has been the estuary to the Sea of Hope, from its broad basin of

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democratic principles emanate progress and freedom; and whereas, upon the occasion of its thirty-eighth anniversary, the Illinois General Assembly is greatly moved to acknowledge the radiant contribution to the world peace rendered through the heroic efforts of the people of the Nation of Israel; and whereas, with unfettered resolve, with unbridled and courageous consignment, the people of the State of Israel have repeatedly and consistently resisted aggression, with confidence and with the righteousness of their manner and cause, the people of Israel has written a chapter of modern history unparalleled in heroic dimension; and whereas, for those who will not learn from the lessons of history, there is no hope; their end is, most assuredly, assigned; the world which they seek to undo is irrevocably anchored in the heroism of the Jewish people; this is the source of Israeli resistance to the reactionary forces of oppression, the innate love of country and the unquenchable yielding for freedom, a determination so ungracious in those traditions of religious and cultural identification which define the Jewish Heritage; and whereas, with commensurate commitment to the ideals of law and justice, to those characteristics we most readily preserve as being of democratic principles, the State of Israel was so successfully sought the affluence and preservation of human dignity; and whereas, the desire for freedom, for self-determination, upon the part of the people of Israel touches the hearts of all; it transcends the advocates of mindlessness retrenchment; it frays and shreds the mantle of indifference which seeks to rewrite the tragic history of Jewish suffering; it strikes a resonant chord upon the American bell of freedom; and whereas, it is the voice which this General Assembly hears, the voice of Israel whose sons and daughters have so

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manifestly contributed to the cause of America's freedom. Now, therefore, be it resolved by the Senate of the 84th General Assembly of the State of Illinois, the House of Representatives concurring herein, that the General Assembly pauses in its deliberations and commemorate the thirty-eighth anniversary of the State of Israel; and be it further resolved that a copy of this Resolution be transmitted to the Israeli Consulate General in Chicago, Illinois."

Speaker Greiman: "Thank you, Mr. Clerk. I would like to deliver this to the Consul General of Israel, Mr. Zvi Brosch. And I would like to give you a copy and ask you to join us and say a few words to our House of Representatives. Zvi Brosch, the Consul General of the State of Israel."

Zvi Brosch: "Ladies and Gentlemen, I am deeply honored to have this House pay so warm a tribute to our little democracy at the other end of the world. I feel privileged to be able to address a House that is as democratic, but a great deal quieter than our Parliament. This is a very special day for us. Because we are a nation that is 4,000 years old and just celebrates the thirty-eighth anniversary of its independence. It's just one of the many contradictions that make up the reborn State of Israel. For us, this past year has been a difficult one, not because of war, not because of terrorism, not even because of domestic problems of which we always have plenty, but because this has been a year of a political experiment that has yielded substantial economic results. Because of our system where we, of course, are much more democratic than you are - you only have two parties in your various Legislatures - we have 15 in our Parliament of 120 which would make for a much more lively procedure. In the last elections, neither of the two major parties achieved a workable majority and a unity



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government was formed with both right and left working together for one overriding purpose, to put our economic house in order. When the government came to power, the present one, we had an annual inflation rate of over 400 percent. And I remember just over a year ago a congressional delegation visited Israel and saw the Chairman of the House Foreign Affairs Committee, a Gentleman whom you all know, Mr. 'Eban', who believes that attack is the best form of defense; and, when these congressman came in to say, 'What you going to do about your economy', he said, 'Oh, I'm glad you're here, Gentlemen. I'd like to ask you, what's happening with your dollar? One day it's worth 1500 Israeli sheckles and the next day it's worth 2000. Please do something about it.' Seriously though, the government that is now in power, because it was able to bring the private sector together with the powerful unions in Israel, has eliminated inflation, has frozen wages and prices and the trick is to freeze wages a little more than prices, as you probably know. It has reduced the standard of living in Israel by 20 percent. And every single Israeli has contributed by major sacrifices to making us... excuse me, a going concern in the economic sense. We are not finished with the program, but we have made substantial progress. We have paid for it by a slight increase in unemployment, which has already reduced again. And the coming year for us will above all be a year of economic growth. That economic growth has, as its underlying factor, the agreement creating a free trade area between the United States and Israel signed last September, with the help of which we hope this year to make the United States our number one customer for made in Israel goods. That will be the key to attaining the economic growth that we seek, to completing

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the difficult economic program that we have underway and which, until now, has shown such good results. But we need economic strength, not only for its own sake. We need it to pursue the course of peace, because we do not believe that any of our neighbors will make peace with the weak Israel. Unfortunately, those are the facts of life today. We have made a little progress this year in almost reaching a negotiation with our neighbor to the east, Jordan. The fact that that negotiation has not yet come off isn't exactly our fault. We are persevering in trying to resolve the issue of peace with Jordan and the issue of the Palestinian Arabs to which... to that resolution, we committed ourselves at the time of the Camp David agreement back in 1978. We are ready to implement that in full today to make progress in one of the central issues, not the central issue, of the conflict in the Middle East. But overriding in its significance for us is the evergrowing and closer alliance between your great democracy and ours. We believe the bonds between the United States and Israel have become stronger this year than they have been at any time. We do not believe that that alliance is a one way street. We are grateful for the assistance that the United States lends us in the economic and defense field. But we bear in mind that by being there, by fighting for its survival, by resisting threats and attacks from all sides, Israel, as the sole democracy in the Middle East, is rendering a vital service to maintain the presence and political and strategic position of the United States and the western powers in the Middle East. So, without that presence, the western world would lose a vital area on which it depends for strategic and economic connections. Therefore, we play a role that is vital, not only to the United States, but to the western powers as a whole. In

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this coming year, with your blessing and your support, we hope to go from strength to strength and to play a greater part not only in trading with you - and I want you to remember that even though we are substantially increasing our exports to Illinois, we still buy almost twice as much from Illinois as we sell here. And we intend to continue that way. But for us, this will be a year of internal strengthening, a year of vigilance in the face of some of our neighbors who continue to threaten us and, above all, a year in which we would like to help contribute to a Middle East of peace. We think that is not a eutopian dream. We think that with your support, sometimes your mediation, we can get closer and closer to that vital goal, because it is the goal of peace that was prescribed to us in the ancient bible. It is one of the main precepts by which we live. It is in this sense that I thank you again for the generous Resolution that you have passed greeting our state. I will pass that Resolution on to our Parliament in Jerusalem and I thank you for your time and your sentiments. Thank you very much."

Greiman: "Representative Breslin in the Chair."

Speaker Breslin: "Continuing on Third Reading, on page 19 on your Calendar appears House Bill 2774, Representative LeFlore. Clerk, read the Bill. Before we go to that, Ladies and Gentlemen, I would make one announcement. Supplemental #1 has been passed out. It deals with a Special Order of Business on State Budget and Appropriations. We intend to go to that around approximately 11:00. So, look those Bills over, Supplemental #1, at approximately 11:00. Proceed, Mr. Clerk, reading House Bill 2774."

Clerk O'Brien: "House Bill 2774, a Bill for an Act in relation to surety bond guarantees for small contractors. Third Reading of the Bill."

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Speaker Breslin: "Representative LeFlore."

LeFlore: "Thank you, Madam Chairman, Members of the House. 2774 establishes a surety bond program within DCCA for small contractors. This Bill stipulates that the Director of DCCA will have at his discretion the power to guarantee surety bonds for those firms that are not able to obtain search... bonding on reasonable terms conditioned without a guarantee. At this point, I will... I'm open for any questions that the Members might have."

Speaker Breslin: "The Gentleman moves for the passage of House Bill 2774. And on that question, is there any discussion? Hearing none, the question is, 'Shall House Bill 2774 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final passage. Have all voted who wish? The Clerk will take the record. On this question there are 105 voting 'aye', 1 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2781, Representative Pangle. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2781, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Pangle."

Pangle: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The Illinois fire protection districts presented me with this Bill to present to you which would allow firetrucks to use studded tires. I'll be happy to answer any questions."

Speaker Breslin: "Representative Pangle has moved for the passage of House Bill 2781. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Breslin: "He will."

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Cullerton: "What's the position of the Department of Transportation?"

Pangle: "The Department, during the Committee, said that they were against the Bill and they would have a letter to me by the time it was on the House stating their opposition. But at this date, I have not received the letter."

Cullerton: "Is there any provision for reimbursement to local governments for any potential damage to the roads?"

Pangle: "No, there's not."

Cullerton: "Okay, thank you."

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

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

Speaker Breslin: "He will."

Piel: "Representative Pangle, our analysis states that we, if this Bill is signed into law, that we have the possibility of losing 94 million dollars in federal revenue... or federal road funds. Is this true?"

Pangle: "I was told by the Department that... In fact, during the Committee, I told them that if, in fact, there was a possibility we would lose any federal funds, that I would pull the Bill. I talked to their liaison person yesterday. He informed me he has not received a letter and, in fact, that that may not be the case."

Piel: "Okay. I have just heard from our staff. Basically, what the whole situation is, is that the Department is mildly opposed to it, because the feds will not back up their statement. They have stated in the past, you know, when we passed the legislation banning studded tires, that if we ever went with studded tires in any case at all, that they would, you know, that they would sort of stop our funds, which would mean approximately... as I stated, 94 million

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dollars in federal road funds. But they will not come out with this in writing. They said they will review the case at that time. But I think, you know, the one thing that we do have to, you know, look at here is we do have this possibility of losing these type of funds if this legislation goes through. My question to you is if that does come to be, would you be in favor of repealing this Bill if that were to, you know, come down the road to where all of a sudden we had a chance of losing this..."

Pangle: "No question about that, Representative."

Piel: "Thank you very much."

Speaker Breslin: "The Gentleman from Adams, Representative Mays, on the question."

Mays: "Thank you... Thank you very much, Madam Speaker. I rise in support of this Bill. I've had my reservations basically based on the same that have been expressed by Representative Piel just recently. But we have not been able to get anything definitive from the Federal Department of Transportation to anything in terms of jeopardizing these road funds. Indeed, Representative Pangle, in good faith, has stated that if, indeed, this were to happen, he would withdraw the Bill or see that it meets another untimely end. So, I rise in support of the measure as it stands right now. I would only add that maybe we should think of all other possible emergency vehicles so we don't have something like this floating around again."

Speaker Breslin: "The question is, 'Shall House Bill 2781 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 104 voting 'aye', 3 voting 'no' and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House

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Bill 2782, Representative Pangle. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2782, a Bill for an Act to amend Sections of the Uniform Commercial Code. Third Reading of the Bill."

Speaker Breslin: "Representative Pangle."

Pangle: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 2782 is the Bill that clarifies the legislation that was passed last year dealing with the debtor and a financial statement for a legal description of growing crops. We have had some problems with it. We have worked it out. We have the support of the Farm Bureau, the Illinois Bankers' Association, community banks and have an opinion... a favorable opinion from the Attorney General's Agricultural Law Advisory Council. I move for its passage."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2782. And on that question, is there any discussion? Hearing none, the question is, 'Shall House Bill 2782 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? The Clerk will take the record. On this question there are 112 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2784, Representative Bowman. Clerk, read the Bill. Out of the record. House Bill 2785, Representative Bowman. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2785, a Bill for an Act to amend Sections of the Juvenile Court Act. Third Reading of the Bill."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker. I ask leave of the House to return this to Second Reading for..."

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Speaker Breslin: "The Gentleman asks leave to return House Bill 2785 to Second Reading for the purposes of an Amendment. Are there any objections? Hearing none, the Gentleman has leave. Do you have any Amendments, Mr. Clerk?"

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

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker. Amendment #1 clarifies in the Bill that the continuances may be granted for a good cause shown and that the guardian ad litem acting on behalf of the minor can waive the discharge of the petition. I move its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 2785. Is there any discussion? Hearing none, the question is, 'Shall Amendment #1 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House, I will proceed with Amendment #2, although I was hoping to have a third Amendment filed, but this time of year we have to go when the Bill is called. The Amendment... Amendment #2 takes care of a problem which occurred recently in the Supreme Court of this state. The Supreme Court overturned a lower court decision which had taken a child out of its home because of an abuse situation. The child was two months old and had broken bones and the Supreme Court overturned the decision of the lower court because this two month old child had not



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personally been served with notice of hearing. It seems to me that it is ridiculous in the extreme to... to have or require service of notice upon a two month old infant. This would permit service upon a person acting in a minor's behalf, and I move its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 2785. Is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Bowman - Satterthwaite and McCracken."

Speaker Breslin: "Representative Bowman."

Bowman: "Has Amendment 3..."

Speaker Breslin: "Has it been printed and distributed, Mr. Clerk? No, it has not."

Bowman: "Okay. I'll withdraw 3 and then proceed."

Speaker Breslin: "The Gentleman withdraws Amendment #3 and now asks leave of this... The Bill moves to Third Reading. The Gentleman asks leave for immediate consideration of House Bill 2785 as amended. Are there any objections? Hearing none, the Gentleman has leave. Read the Bill, Mr. Clerk, on Third."

Clerk O'Brien: "House Bill 2785, a Bill for an Act to amend the Juvenile Court Act. Third Reading of the Bill."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill is an effort to attempt to deal with an incredible backlog of judicatory hearings in the County of Cook primarily. There are over 4000 children who are waiting to have their cases settled so that they will know

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what permanent home they will have. Some of these children have waited for four years to have a determination made as to what their permanent home would be. They are placed in temporary custody; and, in some cases, this temporary custody, as I've said, can be four years or even five years. Four or five years in the life of a youngster who may have been taken from his home at the age of two or even less is, indeed, a lifetime. And this Bill will permit the... in fact, require the dismissal of the petitions if a prompt determination is not made. However, in order to protect the children in cases where abuse is very likely to be taking place in the household, the guardian ad litem acting on behalf of the minor can waive the petition discharge as provided in Amendment #1. This Bill also, as I indicated in my discussion on Amendment #2, takes care of a pressing problem that was created when the State Supreme Court overturned a lower court decision for failure to serve service (sic - notice) on a two month old infant. I move for passage of House Bill 2785."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2785. And on that question, the Gentleman from Knox, Representative Hawkinson."

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

Speaker Breslin: "He will."

Hawkinson: "Representative, I wanted to ask a question about Amendment #2 which was directed to correcting the problem with the Supreme Court ruling that you mentioned. Right now, service on an infant or on a minor is required in many different types of cases. Does your Amendment #2 wipe out that requirement in all cases be it adoption or otherwise, or only in the type of case that was addressed in that court case?"

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Bowman: "We're only hitting Chapter 37 with this Amendment. And so, it would be just juvenile court cases and involving placement of the minor."

Hawkinson: "I guess the followup question is..."

Bowman: "Primarily involving placement..."

Hawkinson: "... if service on a two month old personal service is ridiculous in that setting, why isn't it equally so in other settings?"

Bowman: "Well, the reason that we are limiting ourselves in this case is, number one, I did... because we're using an Amendment, I did not want to go beyond the scope of the Supreme Court ruling. I wanted to leave it narrow at least for the time being. That maybe something that the Judiciary Committee may want to look at next year in terms of widening it. However, it's... in this case, it's not only ridiculous, but dangerous. What happened in this case was the child had broken bones. Clear evidence that it had been abused, molested and in the effect of the Supreme Court ruling was to return that child to its home where the abuse can probably happen again. So this... I think we need to do this now to protection children and that's why I'm offering this Amendment."

Hawkinson: "In what type... in what type of cases, specifically, will service be waived and upon whom will service be made under your Amendment?"

Bowman: "Well, let me answer the second question first while we're looking at the Amendment. The second... the answer to your second question is it will be served on the guardian ad litem acting on behalf of the minor... minor child. Be served on the guardian ad litem, Sir."

Hawkinson: "Alright."

Bowman: "So, we are not limiting the service requirement. We are just saying that it can be discharged satisfactorily under

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the law by providing service to a representative... a court appointed representative of the minor."

Hawkinson: "In the case of older minors, you're not doing anything to affect the responsibility of the guardian ad litem to consult with the minor or things of that nature?"

Bowman: "No, Sir."

Hawkinson: "Alright."

Bowman: "And we are affecting only juvenile court actions under Chapter 37."

Hawkinson: "Alright. Thank you. Madam Speaker, to the... to the Bill. I have no objection to the changes made by Amendment #2. I do stand in opposition to the underlying Bill. I do not believe that dismissal of these petitions is an appropriate response to a court backlog. I think there are alternatives to working within the court system. And to require dismissal because of a problem in Cook County could adversely affect juvenile cases elsewhere. And I would urge a 'no' vote."

Speaker Breslin: "The question is, 'Shall House Bill 2785 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Representative Bowman, to... one minute to explain his vote."

Bowman: "Yes, I didn't get a chance to close. Actually, I did want to respond to the last point, just saying that the guardian ad litem can waive the discharge of the petition so that if the best interests of the child would not be served, then the dismissal would not occur. Thank you. I see we got the..."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 74 voting... 75 voting 'aye', 29 voting 'no' and 3 voting 'present'. This Bill, having received the Constitutional Majority, is

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hereby declared passed. House Bill 2792, Representative Younge. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2792, a Bill for an Act to amend the East St. Louis Developmental Act. Third Reading of the Bill."

Speaker Breslin: "Representative Younge. Representative Younge. Mr. Electrician, would you turn on Representative Younge?"

Younge: "Thank you. Thank you very much, Madam Speaker and Members of the House. House Bill 2792 does not have any fiscal impact. It merely changes the name of the East St. Louis Development Authority to the East St. Louis Area Development Authority, and takes away a four year limitation on the Authority's ability to issue revenue bonds. This is an Agreed Bill, and it has no fiscal impact."

Speaker Breslin: "The Lady has moved for the passage of House Bill 2792. And on that question, the Gentleman from Cook, Representative Piel."

Piel: "Thank you, Madam Speaker. Will the Lady yield?"

Speaker Breslin: "She will."

Piel: "First question. Usually, when we use the comment, 'It's an Agreed Bill,' who is it agreed by?"

Younge: "The Board of the East St. Louis Development Authority and the agency under which it operates, and that's the Department of Commerce and Community Affairs."

Piel: "Okay. I was just curious, because when you said 'Agreed', I thought you meant it had been agreed by us. What is the reason for changing the... the title? You know, obviously, if we change the title, you know, from one thing, East St. Louis Area Development Act to the East St. Louis Area Development Authority, there's a reason for it, and we don't change... "

Younge: "Yes, there is a reason."

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Piel: "What's the reason?"

Younger: "In the area of East St. Louis, there's a cluster of municipalities that are on the Board of the East St. Louis Development Authority. This cluster of municipalities is known as the East St. Louis area, and the mayors on the Board want the title changed to include the name 'area'. And everyone in the area understands that."

Piel: "What is the reason for removing the four year ceiling to sell bonds?"

Younger: "The Bill was signed into law the 20th of September of 1985. Project Development is a three to four year process. The four year limitation on the issuance of revenue bonds is arbitrary, capricious and un... It's too restricting. And therefore, the limitations should be removed."

Piel: "You say it's too restrictive? In what way? To sell the bonds as far as being able to procure the money to pay off the bonds, or what seems to be the problem, there?"

Younger: "The... The restriction is that it takes several years to do project development, from the starting of the concept or the idea, through feasibility study, through public hearings, and the Authority has just gotten started, so the limitation of four years is an unreasonable limitation, and therefore, the Board is requesting its removal."

Piel: "No further questions, Madam Speaker."

Speaker Breslin: "The Gentleman from St. Clair, Representative Stephens."

Stephens: "Will the Lady yield for a question?"

Speaker Breslin: "She will."

Stephens: "Representative, your district covers areas of Washington Park. Is there a reason that the City of Washington Park, which is a depressed community and would probably benefit by being included in your legislation, is not included?"

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Younge: "Representative Stephens, I will take that issue up with the Board."

Stephens: "Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 2792 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 62 voting 'aye', 48 voting 'no', and none voting 'present'. Representative McCracken, for what reason do you rise?"

Stephens: "Verification, Madam Speaker."

Speaker Breslin: "The Gentleman asks for a verification of the Roll Call. Representative Younge asks for a Poll of the Absentees. Poll the absentees, Mr. Clerk."

Clerk O'Brien: "Poll of the Absentees. Koehler. Satterthwaite and Steczo."

Speaker Breslin: "Poll the affirmative."

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

Speaker Breslin: "Excuse me, Mr. Clerk. Representative McCracken, Representative LeFlore asks leave to be verified. Does he have leave? He does. Representative Saltsman asks the same, and that is granted. Proceed, Mr. Clerk."

Clerk O'Brien: "Krska. Kulas. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijeich. Mautino. McGann. McNamara. McPike. Nash. O'Connell. Panayotovich. Pangle. Phelps. Preston. Rea. Richmond. Ronan. Saltsman. Shaw. Stephens. Sutker. Terzich. Turner."

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Van Duyne. Washington. White. Wolf. Anthony Young.  
Wyvetter Younge and Mr. Speaker."

Speaker Breslin: "Do you have any questions of the Affirmative  
Roll, Mr. McCracken?"

McCracken: "Representative Ronan."

Speaker Breslin: "Representative Ronan. Is the Gentleman in the  
Chamber? Representative Ronan is not in the chamber.  
Remove him from the Roll Call. Representative Steczko asks  
leave to be voted 'aye'. The Gentleman votes 'aye'."

McCracken: "Representative Keane."

Speaker Breslin: "Representative Jim Keane. Is the Gentleman in  
the chamber? He is not. Remove him."

McCracken: "Representative Farley."

Speaker Breslin: "Representative Farley. Bruce Farley. Is the  
Gentleman in the chamber? He is not. Remove him."

McCracken: "Representative Giglio."

Speaker Breslin: "Repeat that, please."

McCracken: "Representative Giglio."

Speaker Breslin: "Representative Giglio. Representative Giglio.  
The Gentleman is not in the chamber. Remove him from the  
Roll Call."

McCracken: "Representative Flinn."

Speaker Breslin: "Excuse me. Representative Giglio was not...  
Was he voting, Mr. Clerk? Very good. Next one?"

McCracken: "Representative Flinn."

Speaker Breslin: "Representative Flinn. Monroe Flinn. The  
Gentleman is not in the chamber. Remove him from the Roll  
Call. Representative Giglio has returned to the chamber.  
The Gentleman wishes to vote 'aye'. Representative Flinn  
was not voting, Representative McCracken."

McCracken: "Oh, he voted... He voted 'no'. I'm sorry.  
Representative Hicks."

Speaker Breslin: "Representative Hicks is in the chamber."



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McCracken: "Representative Wolf."

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

McCracken: "Representative O'Connell."

Speaker Breslin: "Representative O'Connell. Representative John O'Connell. The Gentleman is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative Laurino."

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

McCracken: "Representative Panayotovich."

Speaker Breslin: "Representative Panayotovich. Sam Panayotovich is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative Satterthwaite."

Speaker Breslin: "Representative Satterthwaite's in her chair. Representative Satterthwaite was not voting, but she wishes to vote 'aye'. Record Representative Satterthwaite as 'aye'."

McCracken: "Representative Steczo."

Speaker Breslin: "Representative Steczo voted personally and voted 'aye'."

McCracken: "Representative Saltsman."

Speaker Breslin: "Representative Saltsman is in the chamber. Representative Ronan has returned to the chamber. Add him to the Roll Call voting 'aye'."

McCracken: "Representative Krska."

Speaker Breslin: "Representative Krska's in his chair."

McCracken: "Representative Martinez."

Speaker Breslin: "Representative Martinez. Representative Ben Martinez. The Gentleman is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative Countryman."

Speaker Breslin: "Representative Countryman. Representative John Countryman. The Gentleman is not in the chamber. Remove him from the Roll Call."

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McCracken: "Representative Hartke."

Speaker Breslin: "Representative Hartke is in the chamber."

McCracken: "Representative Nash."

Speaker Breslin: "Representative Nash. Representative Steve Nash. The Gentleman is not in the chamber. Remove him from the Roll Call."

McCracken: "Representative DeLeo."

Speaker Breslin: "Representative DeLeo. Representative Jim DeLeo. The Gentleman is not in the chamber. Remove him from the Roll Call. Representative Keane has returned to the chamber. Add him to the Roll Call voting 'aye'."

McCracken: "Representative Berrios."

Speaker Breslin: "Representative Berrios. Representative Joseph Berrios. The Gentleman is not in the chamber. Remove him from the Roll Call."

McCracken: "No further."

Speaker Breslin: "On this question, there are 56 voting 'aye', 48 voting no, and none voting 'present'. Representative Younge asks for Postponed Consideration. The Bill will be placed on the Order of Postponed Consideration. House Bill 2794, Representative O'Connell. Representative O'Connell. Out of the record. House Bill 2798, Representative Saltsman. Representative Saltsman. Representative Saltsman. Out of the record. House Bill 2802, Representative John Dunn. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2802, a Bill for an Act to amend an Act relating to the Board of Higher Education. Third Reading of the Bill."

Speaker Breslin: "Representative Dunn."

Dunn: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 2802 is legislation which would provide for the establishment of an inventor in residence program at our colleges and universities in the State of Illinois."

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The program would be limited to a maximum of \$30,000 per year per college, and it is contemplated that this is a pilot program, and the expenditure state-wide would not exceed \$150,000 in the first year of operation. Its purpose is to encourage those that have a peculiar and special talent for the creation of inventions to take up residence in our colleges and universities in this state and to participate with the faculty at those institutions in the creation of inventions to stimulate and further encourage the proliferation of business in the State of Illinois for the betterment of all of us. I urge an 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2802. And on that question, the Gentleman from Cook, Representative Preston. Representative Preston."

Preston: "Thank you, Madam Speaker. Does the Gentleman intend to return that jacket to Emory?"

Speaker Breslin: "I don't know, but I think he should. The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker."

Dunn: "See if he gets his next per diem."

McCracken: "Will the Sponsor yield?"

Speaker Breslin: "He will."

McCracken: "Representative, who are the persons who are eligible for this? Do they have to be employed by the institution, or... or how does one determine eligibility?"

Dunn: "The... I think we've gone through this before. The policies, I think, will probably be established institution by institution, and... and with... in cooperation with the Board of Higher Education."

McCracken: "So, it wouldn't be required necessarily that the person be a teacher in residence or employed by the university?"

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Dunn: "No, I don't think so. It could be someone from outside the university, and I think that's contemplated. You never know where someone will come from who has a peculiar talent that sparks invention."

McCracken: "And if all of the institutions were to utilize this to its full extent, do you know what the fiscal impact would be?"

Dunn: "\$150,000 state-wide, because it's going to be capped to see if the program works or we... before we run away encouraging everybody to sign up for the program. We want to find out if the program works."

McCracken: "Okay."

Dunn: "So, there will be \$150,000 maximum state-wide, so there will not be a lot of these people involved, until we see if the program works."

McCracken: "So, you're saying that it would apply only to five institutions?"

Dunn: "That would be the... Well, the grant can be up to... not to exceed \$30,000 per institution, and if some..."

McCracken: "And what are the eligible institutions?"

Dunn: "Any college or university in the State of Illinois."

McCracken: "Public or private?"

Dunn: "Public or private."

McCracken: "So... I have, here, that it's 166 institutions. Is that about correct?"

Dunn: "I don't know."

McCracken: "Has DCCA a similar program? Have they talked to you about this?"

Dunn: "No. No, they don't have a similar program. They think they do, but they don't. What... What DCCA has is a program that, at least in my view, is destined to be mired down in bureaucracy, because what DCCA is encouraging people to do is to come forward and say, 'I have a plan for

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the operation of a business that will make lots of money, and I just need you to help me get started, and we all know, particularly those of us who are lawyers, that clients have come in saying, 'I have a dream about manufacturing widgets, and I want a corporation.' The best advice you can give someone like that is to go back home in your garage out in back of your house and build those widgets until such time as you... the demand for them exceeds your capacity to build them. Then, come see us about loans and advice about starting up a flourishing business and perhaps a corporation. And I think DCCA, in that sense, is trying to put the cart before the horse, because they're setting in motion all the machinery to start up another General Motors before we're sure we have a good idea."

McCracken: "Okay."

Dunn: "The thrust of this legislation is entirely different. The thrust of this legislation is to encourage those who have the spark of invention to invent, to get patents, and then let private enterprise take its course, which is what I think we all believe in, in this state and in this nation."

McCracken: "Okay. Do you know if the Board of Higher Education has a position on this?"

Dunn: "I do not know. It is not a part of their regular program, but I presume they would be interested in things that would help the economy of the State of Illinois, which this certainly will do."

McCracken: "Okay, to the Bill. Thank you. I am advised by the Governor's staff that the Board of Higher Education is opposed to this and a similar proposal made last year. The theoretical economic impact would be 166 institutions in Illinois for a total of over \$4,900,000. Now, I understand that the Bill provides that all grants will be prorated if

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the program is not fully funded by appropriation. The fact of the matter remains that the exposure to this is almost \$5,000,000. I don't agree with the Gentleman that DCCA's program is not adequate for this purpose. They have engaged in the attempts to bring business to Illinois. They have engaged in attempts to encourage this type of entrepreneurial spirit and inventiveness and to lodge it with the institutions of higher education, I think is inapt. We don't even set standards for eligibility. We don't require necessarily by this Bill, that the person already be an employee of the institution and be given something similar to a sabbatical for the purpose of working on his invention. So, I... I must disagree with the Sponsor, and I respectfully oppose the Bill."

Speaker Breslin: "Representative Dunn, to close."

Dunn: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Don't let the previous speaker fool you. We're not talking about a \$5,000,000 Bill, we're talking about \$150,000, and the reason we're talking about \$150,000 is, this legislation is identical, word for word, to a Bill which was filed last year in this General Assembly, both Senate and House Bills, both of which passed the Senate, both of which passed the House, and both of which were vetoed by the Governor for the reason stated by the Gentleman on the other side of the aisle. We're not talking about large sums of money, because the commitment was made at that time to cap the expenditure at \$150,000, and I'm making that same commitment now. If this Bill passes, we will make that commitment, and we will try a little pilot program, here, to see if this works. It's worth trying, and to put your head in the sand about this is a Neanderthal approach, and it's part of the reason we have difficulty here in the State of Illinois. We're not

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willing to do what is needed to spark invention. I've seen inventors. I'm a licensed patent attorney, probably the only one in the General Assembly. I think I am the only one. I've seen inventors close up. They... They come from all walks of life. They come from all economic levels, and they have within them, somehow, those who invent things that are practical, profitable and start up new businesses, they have some kind of a spark of creative genius. It needs to be encouraged. We don't need to say to someone, 'Come to our place where we have a bureaucracy set up for you.' We need a place for them to sit, to think about inventing. This program contemplates a matching grant for every dollar the State of Illinois invests, the institution itself, the college or university, public or private, the State of Illinois must match dollar for dollar. The program is capped and will be capped \$150,000 state-wide, so all it costs is \$150,000 for a year to find out if someone in this state will invent something that will generate a nice, new business for the taxpayers of the State of Illinois, and I think that's a good idea, and I would ask for your support and urge a favorable vote on this fine piece of legislation."

Speaker Breslin: "The question is, 'Shall House Bill 2802 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Representative Satterthwaite, one minute to explain your vote."

Satterthwaite: "Madam Speaker and Members of the House, this legislation would provide an opportunity for an inventor to be in residence at a university for a particular year and to receive half of their compensation with limits for the time that they spent there. It seems to me that it is not only the fact that the inventor will have the opportunity

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of associating with people at the university to help them become more innovative and inventive, but there is also the possibility for them to interact with graduate students, undergraduate students and other people who may then, eventually become innovators and inventors in our society. It is not simply what the particular... "

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 50 voting 'aye', 53 voting 'no', and 3 voting 'present'. Representative Dunn, do you wish Postponed Consideration? No. The Bill has failed to reach the necessary Constitutional Majority, and thus, is declared lost. Ladies and Gentlemen, we are now going to Supplemental #1, under Special Orders of Business, to deal with the State Budget and appropriation Bills. I will tell you that we are also preparing Special Subject Matter Calls, and they will be distributed shortly so that you will be able to have those before you, and we will be working on those Bills on those Special Subject Matter Calls that are on Second Reading to move those Bills from Second to Third. Excuse me. Those are Special Order of Businesses. Representative McCracken, for what reason do you rise?"

McCracken: "Point of Order, Speaker, maybe more in the nature of a request. We have not yet come to the point of deadline. As a matter of fact, on these Orders of Business, I believe the deadline is next week. Why is it that we have to go to these Special Orders now? Can't we just go through the Calendar and give everybody an opportunity to have his Bill heard?"

Speaker Breslin: "The Speaker has decided that the proper management of the House dictates that this is the... the most expeditious manner in which to move the House. Representative Hoffman, for what reason do you rise?"



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Representative Piel, do you seek recognition?"

Piel: "Maybe just a point of clarification. Maybe I don't know if the Speaker was back in town yesterday, but you could tell him that we went through eight pages in the Calendar just by going Bill by Bill yesterday without going to Special Orders."

Speaker Breslin: "Speaker Madigan is very much aware of how this House is managed. Representative Hoffman, for what reason do you rise?"

Hoffman: "Thank you, Madam Speaker. It was my understanding that there was some agreement to move the Bills from Second to Third, but there was no indication that we were going to use a Subject Matter of Call. Is that correct?"

Speaker Breslin: "That is correct. I understand now that they are Special Orders of Business, they are not Subject Matter Calls."

Hoffman: "But I... But, it's my understanding that... that we had agreed just to go down through the Calendar rather than categorizing them. Is that correct?"

Speaker Breslin: "I don't believe that is correct, Sir."

Hoffman: "Well, it seems to me that, you know, if we want to continue to work in an orderly fashion, as we have the last two days, there ought to be some common understanding, and there appears to be some communication problem in reference to this. It's no intention on our part, you know, to tie up or to slow down the operation of the... the House, and I think that's one of the reasons why it's necessary to keep these lines of communication open, and I would trust that we would continue to do that."

Speaker Breslin: "I will certainly encourage further communication on the issue, but I do believe that this procedure has already been agreed to. I will make further inquiry on it, however. In the meantime, we will go to the

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Special Order of Call dealing with State Budget and Appropriation Bills. We will take those Bills on the Order of Second Reading that need to be addressed in order to move them to Third Reading so that they will be in a position for final passage. The first Bill is House Bill 444, which appears on page four on your Calendar. Representative Younge. Clerk, read the Bill."

Clerk O'Brien: "House Bill 444, a Bill for an Act making appropriation to the Department of Public Aid. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 2578 appears on page five on your Calendar. Representative Preston. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2578, a Bill for an Act making appropriation to the Illinois Supreme Court. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative... Representative Hastert."

Hastert: "Thank you, Madam Speaker. I move to withdraw Amendment #2."

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

Clerk O'Brien: "No further Amendments."

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Speaker Breslin: "Third Reading. House Bill 2580, Representative Preston. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2580, a Bill for an Act making appropriation to the State Attorney Appellate Service Commission Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Hastert."

Hastert: "Move to withdraw Amendment #2."

Speaker Breslin: "Withdraw Amendment #2. Any further Amendments?"

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

Speaker Breslin: "Representative Preston."

Preston: "Thank you, Madam Speaker, and Ladies and Gentlemen of the House. This Amendment is purely technical in nature. It was introduced at the request of LRB. It changes the name of the Department to the Office of State's Attorney's Appellate Prosecutor, which is the new and correct name for that Department. It used to be the Appellate Service Commission, and the name has been changed."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to House Bill 2580. And on that question, the Gentleman from Cook, Representative Piel."

Piel: "Question of the Chair, Madam Speaker. Has this Amendment been printed and distributed?"

Speaker Breslin: "Yes, it has been."

Piel: "And you say this was... this was recommended by the LRB?"

Preston: "That is correct."

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Piel: "And it does what, exactly?"

Preston: "It's a technical Amendment. The... The appropriation was to the Department of the Appellate Service Commission. We, in the General Assembly, got rid of all the Commissions, and the name of that Department has been changed to the Office of the... the State's Attorney's Appellate... Excuse me. The State's Attorney's... Office of the State's Attorney's Appellate Prosecutor, is the new name. So that's the... That's all that was done with this Amendment."

Piel: "Fine. Thank you very much."

Speaker Breslin: "The question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Hastert."

Hastert: "Thank you, Madam Chairman. I move to withdraw Amendment #4."

Speaker Breslin: "Withdraw Amendment #4. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2878 appears on page seven on your Calendar. Representative Leverenz. Clerk, read the Bill."

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

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "Amendment #1 lost in Committee. Floor Amendment

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#2, offered by Representative Hastert."

Speaker Breslin: "Representative Hastert."

Hastert: "Thank you, Madam Speaker. I move to withdraw Amendment #2."

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

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

Speaker Breslin: "Representative Leverenz for Representative Breslin."

Leverenz: "Thank you, Madam Speaker. This would eliminate \$16,100. These are recommended cuts by the fiscal officer of the agency. I would move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to House Bill 2878. Is there any discussion? Hearing none, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2983 appears on page seven on your Calendar. Representative Hastert. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2983, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Health Care Cost Containment Council. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 2984, Representative Hastert. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 2984, a Bill for an Act making appropriations for the ordinary and contingent expense of the Guardianship and Advocacy Commission. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Friedrich, Amendment #2."

Friedrich: "Yes, Madam Chairman. You might remember last year that the House, in its wisdom, abolished the total appropriation for this agency. In the last days of the Session, it was put back into Conference Committee. I have a whole folder full of horror stories that this agency has aggravated and harrassed the schools all over Illinois, and not only cost them endless amounts of attorney fees, but have kept their classroom teachers in court, and so on. I think it is absolutely wrong for us to fund an agency - a tax agency... supported agency to harrass schools or other tax... "

Speaker Breslin: "Excuse me, Representative Friedrich. I have been notified that this Amendment has not been printed and distributed."

Friedrich: "Well, it's been there long enough. That's not my problem. Ask the Speaker why not. It's been in for a week."

Speaker Breslin: "I will certainly inquire, but the fact remains that the Amendment has not been printed and distributed. Representative Hastert, this is your Bill. What is your pleasure? Representative Friedrich."

Friedrich: "Well, I wish you'd hold the Bill. Otherwise, then, the Speaker's Office can control any Amendments by just not

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printing them."

Speaker Breslin: "Representative Hastert, what is your pleasure?"

Hastert: "I move to table the Amendment."

Speaker Breslin: "The Gentleman moves to table Amendment #2 to House Bill 2984. Is there any discussion on that question? There being none, the question is, 'Shall Amendment #2 be tabled?' Representative Friedrich, on the question of the tabling Motion."

Friedrich: "Well, I think everyone's entitled to their turn at bat. This Bill got out of Committee, and I filed the Amendment immediately. I think I'm entitled to have it printed and considered. Again, let me tell you that this agency does have some necessary functions which could be transferred to other places. I've not attempted to do that, because they do need to be taken care of with someone. We do need to get this agency off the backs of the schools and people down our way."

Speaker Breslin: "Representative Hastert."

Hastert: "Inquiry of the Chair."

Speaker Breslin: "State your inquiry."

Hastert: "Representative Friedrich says he did have this Amendment filed, and could you find out where that Amendment is, and I'll take this out of the record if we can bring it back."

Speaker Breslin: "Mr. Clerk, would you please try to locate that Amendment? We will take the Bill out of the record for the moment and return. By the time we get to the end of this Order of Business... I see. Representative Friedrich, the Clerk tells me that the Amendment was brought in yesterday, not a week ago, but we will certainly... prior to today. I see. Okay, we will try to find the Amendment and see what has happened to it. House Bill 2985, Representative Hastert. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 2985, a Bill for an Act making certain appropriations to the Governor's Purchase Care Review Board. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 2987, Representative Hastert. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2987, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Alcoholism and Substance Abuse. Second Reading of the Bill. Amendments #1, 4 and 6 were adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 2990, Representative Barnes and Hastert. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2990, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Financial Institutions. Second Reading of the Bill. Amendments #1, 2 and 3 were adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Leverenz on Amendment #4. The Gentleman withdraws Amendment #4. Are there any further Amendments?"

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



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Barnes and Hastert."

Speaker Breslin: "Representative Hastert."

Hastert: "Thank you, Madam Chairman... Speaker. Amendment #5 is a technical Amendment. I understand it's an Agreed Amendment, and move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #5 to House Bill 2990. On that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #5 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2994, Representative Hastert. Appears on page eight on your Calendar. Mr. Clerk, read the Bill. Excuse me. 2995."

Clerk O'Brien: "House Bill 2995, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Public Aid. Second Reading of the Bill. Amendments #1 through 10 were adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Hastert."

Hastert: "Thank you, Madam Chairman, Ladies and Gentlemen of the House, Amendment #2 to House Bill 2995 is a rather significant Amendment. What happened in Committee... "

Speaker Breslin: "It's Amendment #11 that you're on."

Hastert: "I'm sorry. That's... I was going Roman numerals. Thank you. Amendment #11 is a significant Amendment. What happened in Committee was that all vacancies which were in

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excess of 100 were stripped out of the bill and the appropriation. When you have a Department the size of Public Health.. Public Aid with over 9,000 positions, it's rather ordinary to have people in flux and in transit within that Department, and that's the reason for those vacancies. We think it's common sense and a good fiscal policy to restore those vacancies so that we do have those positions and so that we can move forward and serve those people that need to be served by this Department. I'd ask for the positive adoption of this Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #11 to House Bill 2995. And on that question, the Lady from Cook, Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. I rise in opposition to the Gentleman's Amendment. All we're doing... All we did in Committee was to cut vacant positions from the Department of Public Aid..."

Speaker Breslin: "Excuse me, Representative Currie. We have found that that Amendment has not been printed and distributed either, Representative Hastert."

Hastert: "When was it filed? May we take this Bill out of the record and come back to it?"

Speaker Breslin: "Surely. Out of the record. House Bill 2996, Representative Hastert. It appears on page eight on your Calendar. Mr. Clerk, read the Bill. House Bill 2996."

Clerk O'Brien: "House Bill 2996, a bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Public Health and the Governor's Council on Health and Physical Fitness. Second Reading of the Bill. Amendments #1, 5, 6, 7, 8, 9, 10, 11, 12, 13 and 16 were adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

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Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #17, offered by Representative Anthony Young."

Speaker Breslin: "Has the Amendment been printed and distributed?"

Clerk O'Brien: "Yes, it has."

Speaker Breslin: "It has been. Representative Young, on Amendment #17."

Young: "Withdraw it."

Speaker Breslin: "Withdraw #17. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #18, offered by Representative Johnson and Currie."

Speaker Breslin: "Representative Johnson. Representative Currie, would you like to present that Amendment?"

Currie: "Thank you, Madam Speaker and Members of the House. The Amendment would provide dollars for the organ transplant program, several Bills of which have already passed this House. The total increase would be \$60,000."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #18 to House Bill 2996. And on that question, is there any discussion? Representative Hastert."

Hastert: "Yes, could the Lady... spoke awful softly. I know she is a soft-spoken person, but I had a hard time understanding what she said. My understanding of the Amendment... May I question? My understanding of the Amendment is that you break things out here for advertising and not actual delivery of services. Could you make your explanation maybe a little louder, and then also address that question, please?"

Currie: "I'm sorry. I did not hear his question. He spoke so softly."

Speaker Breslin: "Repeat the question."

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Hastert: "Madam Chairman... or Madam Speaker and Madam Vice-Chairman of the Appropriation Committee, I couldn't hear what you said. Now, my understanding of this Amendment is that you break some of the service money out for advertising on this organ dispersal thing... transplant... "

Currie: "That's right."

Hastert: "Could you please explain your Amendment so we could all hear, and then answer my question if you could, too, please."

Currie: "That's right. Okay, what the Amendment does is to reduce the present grant line for organ transplant services by \$65,000 because that money is not likely to be expended in the original amount allocated for that program. We take \$25,000 of that money to provide for a public awareness campaign operated by the Department of Public Health about the organ transplant program, and we provide \$100,000 to house family members during the time that a patient is in an experimental organ transplant program. So, the total dollar change represented by Amendment 18, although there are some reductions here and reductions there, the total dollar change is a \$60,000 increase."

Hastert: "Thank you, Madam Speaker, and to the Amendment. I understand that there will be some money lapsed. I understand that there are a lot of good programs, and we have different ways around the state to make people aware of those programs. I understand, too, that in the appropriation process, sometimes we do have money left over at the end, and it doesn't really behoove us that we have to spend every dollar that we appropriate in this state. I understand Representative Currie and Representative Johnson's motivation in doing this, but in... at least in the fiscal integrity of this appropriation Bill, I would

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ask that... for a negative vote."

Speaker Breslin: "The Gentleman from Champaign, Representative Johnson, to the Amendment."

Johnson: "What is unique and special about the needs of the organ transplant program in this state and around the country is the fact that thousands of people are dying, not because there aren't organs potentially available or donors potentially available, or even a mechanism in place, but a lack of awareness about that mechanism and the lack of awareness about the... about the whole subject area of organ transplants is, according to the experts in this area, the most pressing crucial problem that we have, so it makes it unique in the sense that making the public aware, making potential would-be donors, and in some cases, donees' families aware of this program can save thousands and thousands of lives at a minimal cost. I think this is a good Bill... or a good Amendment to a good Bill. We've already substantively authorized it in another Bill in any event, and I would ask for the adoption, please, of this Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #18 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #19, offered by Representative Matijevich."

Speaker Breslin: "Representative Matijevich."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House, Amendment #19 was requested by the Illinois Police Association, the Policemen's Benevolent and Protective Association. It appropriates \$250,000 for the purpose of replace... replacement of present antiquated breathalyzers.

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There are presently 250 model A-1000 breathalyzers still in operation after 12 years of use, when the state law mandating the use of those breathalyzers was enacted. This is now considered an obsolete testing device, and this appropriation is the first in what they feel must be five years in annualized appropriation to... to change those obsolete devices. I move the adoption of Amendment 19."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 19 to House Bill 2996. On that question, the Gentleman from Kendall, Representative Hastert."

Hastert: "Well, to the Amendment, Madam Speaker. Last... I believe it was March, one of the last Supplementals that we moved out of the House and Senate last year, I sat and put on \$250,000 for breathalyzers and to update this. Otherwise, this need, as far as I'm concerned and to my knowledge, and nobody came to me and talked about it, we've fulfilled this. We put it on in a Supplemental last year or this... for this Calendar Year - \$250,000. And it was to buy updated equipment so the police departments across the State of Illinois could follow the law. This is duplicative and, I think, unnecessary. Now, John, I'm not trying to get crossways with you, but why double our effort? We did put the \$250,000 on the Supplemental last year."

Matijevich: "No, Dennis, the 250,000 is needed annually for five years to meet this requirement, so this is for the next fiscal year so that... that requirement is met. I just got the Amendment yesterday from the law enforcement people, and it's... so that we live up to our commitment for the every five years."

Speaker Breslin: "Representative Alexander, on the Amendment."

Alexander: "Thank you, Madam Speaker. John, I'm going to ask a very important question that came to my mind just now. I'm

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in accord with your Amendment. With the advent of the disease AIDS, will these breathalyzers that we're proposing now be the kind that are disposable after a single use?"

Matijevich: "I really don't know. I haven't..."

Alexander: "I think it should be thought about."

Matijevich: "I haven't kept up with the latest techniques in the breathalyzers, Ethel, but I'll check into that."

Alexander: "Would you please?"

Matijevich: "Sure would."

Alexander: "I think it's very important."

Matijevich: "Alright."

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

Bowman: "Yes. Just very briefly, I would like to point out that at the present time, when the breathalyzers go bad or become broken, we cannibalize existing other breathalyzers, thereby depleting our stock of breathalyzers, and this is necessary not only to maintain the... the stock of breathalyzers we have, but also to modernize, and I believe in response to Representative Alexander's concern, the modern techniques, because of concern about all kinds of infectious diseases, these breathalyzers - the modern kind - are... have a disposable apparatus... part of the... I move for it..."

Speaker Breslin: "Representative Matijevich to close. Representative Matijevich to close."

Matijevich: "Madam Speaker, I'd appreciate the support in the adoption of the Amendment. It is not duplicative, and it is at the request of the law enforcement organizations for municipalities throughout the State of Illinois. Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #19 to House Bill 2996 be adopted?' All those in favor vote 'aye',

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those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 94 voting 'aye', 9 voting 'no', and 1 voting 'present', and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #20, offered by Representative Tate."

Speaker Breslin: "Representative Tate."

Tate: "Thank you, Madam Speaker."

Speaker Breslin: "Representative Bowman, for what reason do you rise. Excuse me. Representative Bowman."

Bowman: "On a point of order. I don't believe this Amendment has been printed and distributed."

Speaker Breslin: "Has the Amendment been printed and distributed? It has not, Representative."

Tate: "Madam Speaker, then if the Sponsor of the Bill would like to move... go ahead... I think this is the last Amendment. If you'd like to go ahead and move this Bill to Third, I... I won't object as long as he will allow this Amendment... or to bring it back to Second to at least entertain this Amendment. This Amendment has been proposed by the plumbing union contractors in the state because there's been a great deal of concern."

Speaker Breslin: "Excuse me, Representative Tate. Representative Hastert, would you agree to table this Amendment with the agreement that when the Bill comes up on Third Reading, you would entertain the Amendment at that time? It's the last one... "

Hastert: "It's not been distributed, so I would ask that maybe if Representative Tate would withdraw the Amendment this time, and if we would bring the Bill back to Third next week on the Special Order for the purpose of adding this Amendment."



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Speaker Breslin: "Okay. Representative Tate withdraws Amendment... Representative Tate withdraws Amendment #20. It will have to be refiled, then. And then, are there any further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2997, Representative Hastert. Appears on page eight on your Calendar. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2997, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Department of Rehabilitation Services. Second Reading of the Bill. Amendments #1, 2, 3, 4 and 5 were adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Mr. Clerk, have we heard what happened to Representative Friedrich's Amendment on House Bill 2984? Okay, they are trying to get it printed now, Representative. In the meantime, we are going to go to Third Reading on all House Bills dealing in... in the Special Order of Call dealing with the State Budget and Appropriation Bills. Excuse me. I find that there are other Bills still on Second Reading on this page. The next Bill is House Bill 3001, Representative Hastert. It appears on page nine on your Calendar. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3001, a Bill for an Act making appropriations for the Department of Human Rights. Second Reading of the Bill. Amendments #2 and 3 were adopted in Committee."

Speaker Breslin: "Any Motions filed?"

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Clerk O'Brien: "A Motion to table Committee Amendment #3, offered by Representative Flowers."

Speaker Breslin: "Representative Flowers."

Flowers: "Madam Speaker, I move to table Amendment #3."

Speaker Breslin: "The Lady moves to table Amendment #3 to House Bill 3001. And on that question, is there any discussion? Hearing none, the question is, 'Shall Amendment #3 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is tabled. Are there any further Amendments?"

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

Speaker Breslin: "Representative Hastert. Amendment #4."

Hastert: "Withdraw."

Speaker Breslin: "Withdraw Amendment #4. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Flowers and Brookins."

Speaker Breslin: "Representative Flowers."

Flowers: "Amendment #5 is adding 43 new positions to the Department of Human Rights to eliminate its backlog, and I move for the adoption of the Amendment."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #4 to House Bill 3001. And on that question, the Gentleman for Cook, Representative Bowman. Excuse me, Amendment #5, Representative Bowman."

Bowman: "Thank you. Ladies and Gentlemen of the House, I rise in support of the Lady's Motion. In fact, the reason for this Amendment is because Amendment #3, which we just tabled, was defective. There's no difference in dollar amount between this Amendment and Amendment #3, which was put on in Committee. This Amendment merely cleans up the intent

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of the previous one by providing the right kind of employees, in other words, investigators as opposed to other... other personnel. So, this is no additional dollars over Amendment 3, I support the Lady's Motion."

Speaker Breslin: "Representative Greiman in the Chair."

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

Hastert: "Thank you, Chairman... Speaker. I'm having problems today. You know just how it is. A question, first of all. Is this Amendment distributed?"

Speaker Greiman: "Mr. Clerk, has the Amendment been distributed? We are advised by the Clerk that it has not been distributed."

Flowers: "Mr. Speaker?"

Speaker Greiman: "Yes, Ms. Flowers?"

Flowers: "I have it on my desk. I've had it since yesterday."

Speaker Greiman: "Apparently, the Amendment has not been distributed. Yes, Mr. Hastert? Mr. Hastert."

Hastert: "Mr. Speaker, what we did in the other agreement, if we go to Third, I'll agree to bring it back."

Speaker Greiman: "Alright. So, the understanding is that this Bill will be brought back by you, Mr. Hastert, on the... on that basis if she... so we'll have to... she'll have to refile her Amendment, because we will be, I believe, tabling this. Yes, Ms... Yes, Ms. Flowers. Ms. Flowers withdraws Amendment #5 on the understanding, Mr. Hastert, that you will return this Bill to the Order of Second Reading. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the... Special Call - Appropriations appears House Bill 3002. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3002, a Bill for an Act making appropriations for the ordinary and contingent expense of

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the Human Rights Commission. Second Reading of the Bill.

Amendments #1, 3 and 4 were adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to those Amendments?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of Appropriations - Special Call appears House Bill 3004 on the Order of Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3004, a Bill for an Act making appropriations for the ordinary and contingent expense of the Medical Center Commission. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of Special Call - Appropriations appears House Bill 3050. Mr. Clerk, read the Bill on the Order of Second Reading."

Clerk O'Brien: "House Bill 3050, a Bill for an Act making appropriations to the State Board of Education. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendments 1 and 2?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of Special... Special Call - Appropriations, Order of Second Reading

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appears House Bill 3071. Out of the record. On the Order of House Bills Special Appropriations Call, Second Reading appears House Bill 3090. Mr. Clerk, read the bill."

Clerk O'Brien: "House Bill 3090, a Bill for an Act making appropriations to the State Board of Education. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Greiman: "Are there any Motions with respect to Amendments 1 and 2?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp, on Amendment #3."

Ropp: "Thank you, Mr. Speaker and Members of the House. This is a appropriation of \$5,000,000 for a line item to go for agriculture education in the State Board. The substantive Bill is... "

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

Bowman: "On a point of order. In this instance, I think the Amendment is probably out of order, and I'd like to ask if the Parliamentarian could examine the Bill and the Amendment."

Speaker Greiman: "We will examine the Amendment. Just a moment, Mr. Ropp. Mr. Leverenz."

Leverenz: "Is the Amendment even printed and distributed?"

Speaker Greiman: "Well, we may not have to get to that issue. With respect to Mr. Bowman's inquiry, the Amendment is out of order because it refers to a page that has been and items that have been deleted from the Bill by a previous Amendment. The Amendment is out of order. Further

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Amendment?"

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

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

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, Committee Amendment #1 made certain deletions of House Bill 3090 so that the school reform monies could be incorporated into one Bill. By inadvertency, the State Task Force on Hispanic Student Dropouts was also deleted. Amendment #4 corrects that error in the House Amendment #1 and appropriates those funds. I would move for its adoption."

Speaker Greiman: "The Gentleman from Lake moves for the adoption of Amendment #4 to House Bill 3090. On that, is there any discussion? The Gentleman from Winnebago, Mr. Mulcahey."

Mulcahey: "Will the Sponsor yield for questions?"

Speaker Greiman: "Indicates he'll yield for questions."

Mulcahey: "Representative Matijevich, would you go through that one more time? The Amendment?"

Matijevich: "Yes, Representative Mulcahey, inadvertently in Committee Amendment #1, we deleted the funds for the State Task Force on Hispanic Student Dropouts. This Committee... Floor Amendment #4 puts those monies back into House Bill 3090."

Mulcahey: "And how much is that, John? How much is that?"

Matijevich: "390,000."

Mulcahey: "Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Amendment be adopted? Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment 35, offered by Representative Braun."

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Speaker Greiman: "The Lady from Cook, Ms. Braun, on Amendment #5."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #5 adds \$1,000,000 to the State Board of Education for the purpose of providing grants to school boards for parent education classes. This has to do with the legislation... substantive legislation which was passed already regarding child abuse and preparation of young people with regard to parenting and child development. So, I'd encourage your support for the Amendment."

Speaker Greiman: "The Lady from Cook has moved for the adoption of Amendment #5 to House Bill 3090. And on that, the Gentleman from Kendall, Mr. Hastert."

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The previous Amendment was something that was legitimately left out. It was a mistake. It was a technical. This is a million dollar add-on. It's a million dollar add-on on parenting, and I'm not sure that I don't think Representative Braun really gave us a definition of what parenting is. We can add on and add on and add on to this budget and it's going to die under its own weight. I would stand up and oppose this Amendment, and I would like to ask Representative Braun, what is parenting education?"

Speaker Greiman: "Yes, Ms. Braun, will you yield for that question?"

Braun: "Yes, thank you, Mr. Speaker. Representative Hastert, in direct response to your question, parenting education is defined in the School Code, in Section... Chapter 122, Section 27-23.1. But more to the point, and with regard to your specific question, we're talking about giving young people the tools to deal with some of the major problems that we've been talking about in this General Assembly -

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having to do with teenage pregnancy, having to do with giving kids the educational skills, the educational and informational skills so that they don't wind up being a burden on the state. This is not... This appropriation, again, is consistent with what is already the law. It may be an add-on, but it's certainly one that the General Assembly, I think, should support if we're really serious about doing something about the epidemic of young people having children in our state."

Speaker Greiman: "Mr. Hastert."

Hastert: "Yes, another question, then. Don't we have already... already have these programs - Parents Too Soon, and through DCFS and those other agencies? Are we already paying for these things?"

Braun: "No, we're not. No, we're not, and that's the very purpose of this Amendment. We're not paying for these things already. The initiative that the Department of Children and Family Services has under taken - one which I certainly support, the Parents Too Soon is an... is a effort to link up efforts by DCFS with the churches in a given community and the like. We have not, however, had a comprehensive approach that reaches the young people themselves directly, and that's what this appropriation would do."

Hastert: "Mr. Speaker, to the Bill. Now, I think the fact is that we do have an appropriation for Parents Too Soon in the Department of Public Health. We have programs across the state that we're already funding to do this, and I think this is duplicative and would stand opposed and ask for a Roll Call vote."

Speaker Greiman: "Further discussion? There being none... Yes, Mr. Vinson, the Gentleman from DeWitt."

Vinson: "Yes, Mr. Speaker, Ladies and Gentlemen of the Assembly,



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I would rise in opposition to the Amendment for one reason and one reason alone, and that is if you believe that we should spend money on reading, writing and arithmetic - the basics of education - then, given the limited resources we have in the state, you don't believe you've got to spend money on this."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of the Lady's Motion. I believe that anybody who has been following the newspapers and magazines in the last couple of years should realize just how extreme the problem of teenage pregnancy is, how serious it is, and that we should begin addressing this problem in our schools, and I believe the Lady's Amendment does just that. I'm pleased to support it and ask for an 'aye' vote."

Speaker Greiman: "The Lady from Cook, Ms. Braun, to close."

Braun: "Yes, thank you. I'll be brief. You can't teach reading, writing, arithmetic or anything else when young people are not in school, and when we have a dropout problem such as we have when we have a problem of young people having to leave the schools and becoming burdens on everybody else and the taxpayers of this state because of their lack of information, because of their lack of education regarding the most important job they will undertake - that is, to be parents in their lives - I think that this appropriation isn't only appropriate, but it is well overdue, and I would encourage your support."

Speaker Greiman: "The question is, 'Shall Amendment #4 be adopted?' All those in favor signify... #5 be adopted?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On

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this question, there are 62 voting 'aye', 47 voting 'no', none voting 'present', and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Speaker Madigan in the Chair."

Speaker Madigan: "Please hold the applause from the rear. Ladies and Gentlemen, again, if I can have your attention, and would everyone please be seated? We have another honored guest representing a foreign government with us today, so if you could take your seats, we have been joined by Mr. 'Roger Carrick', who is the British Consul General for the Midwest, assigned to the City of Chicago. He has been joined by his wife, Hillary. He has joined us today, and he has a few remarks to offer to the Body, so Ladies and Gentlemen, I give you Mr. 'Roger Carrick'."

'Roger Carrick': "Mr. Speaker, Members of the House of Representatives of the State of Illinois, thank you. I am most grateful for and honored by the invitation and the opportunity to address this distinguished and august Body of Legislators. Anglo-U.S. relations have been in the news lately. The discussion has been against the background, as I've seen it, of the cornerstone of those relations, which is security, and it is security in a few different forms that I should like to address briefly today. Cooperation over security, and in security matters, brings Britain and the U.S close, very close. I have been privileged to be involved in such close and productive cooperation, both when I served in the Royal Navy and much more recently, when serving in the British Embassy in Washington, so I know well, and want to acknowledge, the deep debt of gratitude we owe to the U.S. Government and people for the fundamental role they play in guaranteeing the security of Britain and our other allies in NATO. I also know the U.S.

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is NATO for the defense of Europe, certainly, but also for the forward defense of the United States, and that the U.S. contribution to our defense is matched by the European contribution to NATO. While the recent example of Anglo-U.S. cooperation over Libya was not a NATO matter at all, it, too, was a matter of security - security in the face of the modern scourge of the free world - terrorism and state sponsored terrorism in particular, the free world is the terrorists' favorite hunting ground, and among democracies, the old adage that one man's terrorist is another man's freedom fighter is, I believe, a nonsense. One democracy's terrorist is another democracy's terrorist. Britain took strong measures against Libya in 1984. We were glad that last month, the democracies meeting at the Economic Summit in Tokyo took some similar steps to those. One of the Tokyo points designed to improve our collective security against terrorism was to make our extradition arrangements more effective. The British Government attaches high priority to the U.S.-U.K. Supplemental Extradition Treaty to which we hope the U.S. Senate will very soon give its advice and consent, and in doing so, contribute to Western counter-terrorism efforts by denying the murderers of the IRA and other terrorist groups safe haven in the U.S.A. The Libyans have long supported the IRA, for example, with a considerable quantity of arms. There cannot, I submit, be two standards, one for Libyans and another for the IRA, who regularly depict themselves as allies of the Libyan regime. That IRA terrorists can be given refuge in this country through the U.S. courts finding their murderous activities to be politically motivated is not acceptable to the British people or their government. Neither is it acceptable to the U.S. administration. I hope that the U.S. Senate will show that

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It is also unacceptable to the American people. Security - security in the United Kingdom and the security of your travel to the United Kingdom is following the Libyan affair again, evidently, a matter of deep concern in this country. We Brits have been astonished and dismayed at the large number of Americans cancelling visits to the United Kingdom this year. Britain is a safe country. London and the other British international airports have proud and good records of safety. Late last month, it was Her Majesty the Queen's 60th birthday, and she strolled around London on a walkabout among a large and totally unselected crowd. Statistical evidence to show that Americans can feel safe in western Europe is overwhelming, and I was very pleased to see a distinguished midwesterner, Charles Price, the American Ambassador in London, who of course is professionally concerned with the safety of Americans in Britain. I was pleased to see him recently urging American businessmen and tourists to come to Britain and enjoy themselves, confident that they will be well care for and appreciated. Not to travel may well give Khadaffi his only victory. Security for me includes economic security. It's clear that there is, this year, a risk of trade battles across the Atlantic. I believe that this has... at least some of this has a good deal to do with protectionism, against which the U.S. administration has firmly set its face. The debate in this country often seems to me to assume that the United States is free of protectionism. This, of course, is demonstrably untrue. The U.S. steel, textiles and other manufacturing industries benefit from a range of protectionist measures. There is 'State by America' legislation in many states, and the latest farm Bill provides some 54 billion dollars over three years of protection for U.S. agriculture. And there

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is some protectionism in Europe, too. Despite famine in parts of Africa, it's clear that both American and European farmers produce more than we can eat. The European common agriculture policy will cost some 13 to 16 billion dollars over each of the next three years, so the figures are broadly the same as for the United States. I think it's very important, indeed vital, that everyone should recognize this and recognize the consequential need for negotiated reform of our trade arrangements, the trade arrangements among the free world. So, I very much hope that the next 'GAT' round of multilateral trade negotiations will provide some, indeed many, lasting answers. I believe it is the job of diplomats and perhaps also of political leaders to present such facts as these and to present their logical conclusions. We should not be bandying accusations across the Atlantic about protectionism or trade retaliation. We should, instead, be working out acceptable solutions and deals, and we should be doing that for the sake of our mutual economic health and security. We must indeed resist the present risk of falling into a cycle of retaliation and counter-retaliation that could, as in the 1930's, ultimately bring economic growth to a stop and end our joint hope of sustained expansion of world trade, and therefore, of our economic well-being. Finally, it is so good that one is able, here, to address such issues as these so frankly. This is, I believe, not only because directness is a virtue in this great country of yours, but also because the relationship between our two countries, sometimes stormy historically and sometimes stormy today, is, at base, such a sound and solid and secure one. The Atlantic Ocean may, indeed, often be rough on the surface, but its great depths and strengths are steady and binding. Friends, like families,

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differ among themselves at times, but holding to our conviction that the United States and NATO are our ultimate defensive shields, the guarantor of the Western World and the best hope for the world's oppressed. The British Government and people are confident that any differences between us will always be infinitely less important than the purposes and loyalties that bind us together. I am most grateful to have been allowed to say these words in this Assembly. Thank you for the privilege, and very much for your attention."

Speaker Greiman: "Representative Greiman in the Chair. On the Order of House Bills Second Reading, Special Call - Appropriations appears House Bill 3091. Mr. Clerk, call the Bill. Read the Bill."

Clerk O'Brien: "House Bill 3091, a Bill for an Act making appropriations to the Department of Mental Health and Developmental Disabilities. Second Reading of the Bill. No Committee Amendments. Correction. There's Amendment #1 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment #1?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments."

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

Speaker Greiman: "The Gentleman from McHenry, Mr. Klemm, on Amendment #2."

Klemm: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Floor Amendment #2 adds to the Bill what was taken out, basically, earlier in the Committee. And what it does is, allows for \$11,931,400 to be added as a supplementary... state aid payment to elementary districts. Many of you recall that last year, we passed S3 1267, which allowed this supplementary payment to elementary districts

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while we were working on a new state aid formula. This present formula... state aid formula that we are in existence today will sunset in August of 1987. Therefore, we are working through our task force and the State Board of Education with coming up with a fair and equitable state aid formula for all of our school districts."

Speaker Greiman: "Excuse me. Yes, Mr. Bowman? Would you have any... As to whether it... As to whether it had been distributed?"

Bowman: "No, I was waiting to debate. Well, yes, Mr. Speaker, as a matter of fact. Has it?"

Speaker Greiman: "Mr. Clerk, has this Amendment been distributed? Mr. Klemm, I'm advised by the Clerk it has not been distributed. Yes, Mr. Klemm?"

Klemm: "While we're waiting, could I ask leave to have it brought back so we could add the Amendment to it or at least discuss it? The Amendment had been filed, I think, Tuesday, and since this affects 74 Legislators in the House that have districts that have elementary school districts, I think it's certainly of importance enough to discuss in debate."

Speaker Greiman: "Yes, Mr. Steczo?"

Steczko: "Thank you, Mr. Speaker. I would be willing to bring the Bill back for the purposes of entertaining that Amendment."

Speaker Greiman: "Well, alright. Mr. Klemm, Mr. Steczo has apparently agreed that he would bring this Bill back to the Order of Second Reading to allow you an opportunity to put your Amendment particularly since the Amendment apparently was filed in due time for it to be on the desks. So that Amendment #2, accordingly, is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills

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Second Reading, Special Call appears House...  
Appropriations appears House Bill 3092. Mr. Clerk, read  
the Bill."

Clerk O'Brien: "House Bill 3092, a Bill for an Act making  
appropriations for the Common School Fund to the State  
Board of Education. Second Reading of the Bill. No  
Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Greiman: "Third Reading. On the Order of House Bills  
Second Reading Special Call - Appropriation, appears House  
Bill 3101. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3101, a Bill for an Act making an  
appropriation to the Capitol Development Board. Second  
Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Floor Amendments?"

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

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

Leverenz: "Was I adopted? Withdraw it."

Speaker Greiman: "No. #1... Amendment #1 is withdrawn. Yes,  
pardon, Mr. Vinson, your light is not on. Did you wish  
recognition? What is your question?"

Vinson: "We adopted #1 last week. Then we moved the Bill back to  
Second Reading First Legislative Day."

Speaker Greiman: "The Clerk says..."

Vinson: "Thursday last."

Speaker Greiman: "No. Well, apparently, they're checking that.  
That's not what the Clerk's records indicate. Yes, Mr.  
Vinson."

Vinson: "Representative Leverenz is correct. We adopted the Fire  
Marshal on a Bill last week. It wasn't this one, I'm



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sorry."

Speaker Greiman: "Are you confessing error before us all, Mr. Vinson?"

Vinson: "Yes. Yes, I'm confessing error."

Speaker Greiman: "Mr. Clerk, mark the day. Alright. Further... Amendment #1, Mr. Leverenz... has withdrawn Amendment #1. Further Amendments?"

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

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

Hastert: "May I withdraw that, please?"

Speaker Greiman: "Amendment #2 is withdrawn. Further Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Leverenz, on Amendment #3."

Leverenz: "Thank you, Mr. Speaker. The Amendment would change the title of the appropriations Bill to various agencies. I would ask for the adoption of Amendment #3."

Speaker Greiman: "Alright. The Gentleman from Cook moves for the adoption of Amendment #3. And on that is there any discussion? The Gentleman from Kendall, Mr. Hastert."

Hastert: "Would the Sponsor yield?"

Speaker Greiman: "Indicate... yield for questions."

Hastert: "Representative Leverenz, is this a vehicle?"

Leverenz: "No. Shouldn't say that word."

Hastert: "I'm sorry."

Leverenz: "You told me this morning the code was beep-beep. It doesn't have wheels, but this is a beep-beep."

Hastert: "Alright. So, this is your... this is your Bill in case we need to cleanup."

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Leverenz: "Our vehicle. One of."

Hastert: "Thank you."

Speaker Greiman: "Mr. Vinson, the Gentleman from DeWitt."

Vinson: "Yes, Mr. Speaker, point of parliamentary inquiry. Does the Amendment have the effect of changing the title of the Bill?"

Speaker Greiman: "Well, I'll look at it. Yes, Mr. Vinson, that's precisely the effect of the Bill. Mr. Vinson, it does have that effect."

Vinson: "Thank you."

Speaker Greiman: "Further Amendments? Further discussion? There being none, the question is, 'Shall this Amendment be adopted?' Those in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading, Appropriation - Special Call, appears House Bill 3133. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3133, a Bill for an Act to make an appropriation to the Department of Corrections. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

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

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

Leverenz: "Amendment #1 would... Yes, Amendment #1 would delete the title and everything after the enacting clause. It would insert, 'an Act making certain appropriations', provides for the ordinary and contingent expenses of the Office of the Adjutant General in the Military and Naval Department. ... back... Let me back up and withdraw Amendment 1."

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Speaker Greiman: "Amendment #1 is withdrawn. Further Amendments?"

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

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

Hastert: "Thank you, Mr. Speaker. I would request to withdraw that Amendment."

Speaker Greiman: "Amendment #2 is withdrawn. Further Amendments?"

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

Speaker Greiman: "The Gentleman from Kendall, Mr. Hastert, on Amendment #3."

Hastert: "Request to withdraw."

Speaker Greiman: "#3 is withdrawn. Further Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Leverenz, on Amendment #4."

Leverenz: "Thank you. The Amendment would make... enacts... making certain appropriations a beep-beep, as we had a few minutes ago."

Speaker Greiman: "The Gentleman from Cook, Mr. Leverenz, moves for the adoption of Amendment #4 to House Bill 3133. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' Further Amend... All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading, Special Call - Appropriations, appears

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House Bill 3191. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3191, a Bill for an Act making appropriations to the Department of Mental Health and Developmental Disabilities. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading, Special Call - Appropriations, appears House Bill 3206. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3206, a Bill for an Act appropriating money to the Department of Public Aid. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman. Yes, Mr. Bowman, on Amendment #1."

Bowman: "My light... My microphone was not on. Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment does much the same thing that we've doing with Representative Leverenz's Amendments to his Bill, and after this Amendment is adopted it, too, will go beep-beep."

Speaker Greiman: "The Gentleman from Cook, Mr. Bowman, has moved for the adoption of Amendment #1 to House Bill 3206. And on that, the Gentleman from Kendall, Mr. Hastert."

Hastert: "Yes, would the Gentleman please explain what this Bill does?"

Bowman: "Well, the Amendment changes the title of the Bill, and we're debating the Amendment."

Hastert: "Well, the Amendment just changes the title."

Bowman: "It just changes the title."

Hastert: "To various... from 'various agencies' to 'Public Aid', or what does it do exactly?"

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Bowman: "Okay. After the Amendment is adopted, it will read... the title will read, 'an Act making certain appropriations... certain unspecified appropriations.'"

Speaker Greiman: "Mr. Hastert. Alright. Mr. Bowman, anything further? The question is, 'Shall this Amendment be adopted?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Representative Braun in the Chair."

Speaker Braun: "On the Special Order of Business - State Budget and Appropriations Bills, appears House Bill 3253, Representative Leverenz."

Clerk O'Brien: "House Bill 3253, a Bill for an Act making appropriations to the Department of Commerce and Community Affairs and certain other agencies. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Third Reading. House Bill 3255, Representative Leverenz. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3255, a Bill for an Act making appropriations to the Attorney General. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Third Reading. House Bill 3257, Representative Matijevich. Mr. Clerk, read the Bill."

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Clerk O'Brien: "House Bill 3257, a Bill for an Act making appropriations to the Supreme Court. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Braun: "Representative Matijevich, on Floor Amendment #1."

Matijevich: "Yes, Madam Speaker, Ladies and Gentlemen of the House, Amendment #1 to House Bill 3257 was a specific request from a Supreme Court Justice, asking that we increase the FY '87 appropriation by 33,053 dollars to add a staff attorney in the appellate research of the 2nd District, and I would move its adoption, appreciate your support."

Speaker Braun: "The Gentleman has moved the adoption of Floor Amendment #1 to House Bill 3257. And on that, is there any discussion? There being none, all in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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

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

Mays: "Thank you very much, Madam Speaker. Floor Amendment #2 would reduce the contractual line item for the judicial conference by about 190,000 dollars. These are items that we had requested additional information from the... from Mr. 'Madden' of the Supreme Court. We were told that we would get additional information because, on the contractual forms, it says, simply otherwise classified for contractual, not elsewhere classified big lump sums. And

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we had asked for additional information on those line items to this date, and we held off on putting these Amendments in until this morning, because we asked them to get back with us and told them we would do so until... we would hold off until they got back with us. They did not, so we put this Amendment in simply to clarify what the contractual services line items that they're requesting for the judicial conference, what purpose those would be used for. So, I move for its adoption."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #2 to House Bill 3257. On that, is there any discussion? The Chair recognizes the Gentleman from Lake, Representative Matijevich."

Matijevich: "Madam Speaker, I was not able to be in... even though I'm the Sponsor of the Bill, I was called to serve on Appropriations II Committee, and I wasn't in Committee when this Bill was heard. The Chairman handled the Bill for me. I have not discussed it with Mr. 'Madden' nor anybody in the Supreme Court. I do know, just by the amount that's cut, that it would severely hamper the quality of the conference used for the Judges throughout the State of Illinois. I would say to Representative Mays that I will not only oppose it, but I will do every effort that I can to provide this information for you. I just became aware of that, because I wasn't in Committee, but this is too severe of a cut. And I would ask the Members to oppose this Amendment."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Adams to close."

Mays: "Did... was... Gordy going to speak."

Speaker Braun: "There are no lights on right now."

Mays: "Okay. To close..."

Speaker Braun: "The Chair recognizes the Gentleman from McLean,

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Representative Ropp."

Ropp: "Thank you, Madam Speaker. There was a lot of discussion on this particular item, and as I understand it, there's going to be some additional money put in for the judicial conference. And this was just to more clearly identify the needs and how those monies are to be spent. And we think this is a good Amendment and should be supported."

Speaker Braun: "Is there further discussion? Representative Mays, to close."

Mays: "Thank you very much, Madam Speaker. I really had hoped that I would not have to offer this Amendment, because I had hoped that the Supreme Court would try to provide the Appropriations Committee Members, both Republican and Democrat, with a detail that was requested on this particular item and on the subsequent Amendment that we will be offering regarding the JHIS item. So, it is reluctantly that I offer this. Had they cooperated in furnishing the detail, this very well may not have been necessary."

Speaker Braun: "The Gentleman moves the adoption of Amendment #2 to House Bill 3257. All in favor say 'aye', opposed 'nay'. All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question, there are 53 voting 'aye', 59 voting 'no'. The Amendment fails. Further Amendments?"

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

Speaker Braun: "The Gentleman from Adams, Representative Mays, on Amendment #3."

Mays: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. The rationale behind Amendment #3 is basically the same as that behind the previous Amendment. Over the last two years, we have spent about



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seven million dollars for the Judicial Management Information System to be brought onto line. In those... In that period of time, they have brought on the Supreme Court, they've brought on the Appellate Court districts, to a certain degree; although, in Appropriations Committee, they acknowledged that the program that they'd bought just two years ago, they knew was inadequate, and they're going to have to buy another one. And that's some additional information. Then they're going to also be trying to get this thing down to the Circuit Clerk... Circuit Court levels. And they're trying... with the money we've already appropriated, they have started a pilot project in the 13th Circuit. Now, we asked repeated questions about things like, you know, are we really getting what we have paid for in regards to this? How much longer are we going to be asked to come back in with these dollars for this purpose? We expressed our interest in this program as a constructive type of thing, because we want the ebb and flow of judicial information to be as good as possible, but we want to know more about what's going on with JHIS - why it takes so much money to get so little, from what we've gotten so far, and how much more for how long more, are we going to have to be doing this. Those were questions we had asked. We had requested additional information. We were not provided that. So, I reluctantly offer this Amendment and that's all I've got to say."

Speaker Braun: "The Gentleman offers Floor Amendment #3 to House Bill 3257. And on that, is there any discussion? The Chair recognizes the Gentleman from Lake, Representative Matijevich."

Matijevich: "Yes, Madam Speaker and Ladies and Gentlemen of the House. I oppose Amendment #3 to House Bill 3257. Again, I wasn't in Committee, but I was led to believe that there

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was some discussion in Committee over the hiring of 19 new employees in this division. What this Amendment does, it doesn't touch those 19 new employees, but it doesn't give them anything to work with -- none of the equipment and nonpersonnel monies that are available in the Bill. So, as long as we are going to have the employees, we surely ought to give them the tools to work with. Now, the Supreme Court, I think, probably was slower than State Government in turning into an automated system. And because of that, we are catching up in the Supreme Court to make sure that it is automated. From my experience in the Appropriations Committee, I know that there's supposed to be a statewide study over the electronic data processing, and automated equipment, and the dollars spent in all of State Government. I don't think we ought to single out the State Court... Supreme Court that has been behind, you might say, in being automated. What we ought to do is to make sure that they do provide a good automated system, and I appreciate your opposition to this Amendment."

Speaker Braun: "Is there further discussion? The Gentlemen from... The Chair recognizes the Gentleman from Marion, Representative Friedrich."

Friedrich: "Madam Speaker and Members of the House, I'm not surprised at what Representative Mays says, that he can't get information out of the Supreme Court. They've been stonewalling the Auditor General for years, saying that the Disciplinary Fund was not subject to audit. They contend that what they do is their business and none of ours. Fortunately, here's a place that is some of ours and we have a chance to take a shot at an appropriation and cut them back a little bit. But on this other matter, I want to tell you it's still in court. They refused to hear it themselves. It's in Federal Court now. Be anxiously

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waiting to see what the Federal Court says about their...  
our authority to audit funds that the Supreme Court has."

Speaker Braun: "Is there further discussion? If not, the Chair recognizes the Gentleman from Adams, to close."

Mays: "Just to echo what Representative Friedrich has said. I also sit on the Audit Commission, and we've had that problem that he enunciated. And I thought that in the budget process that the Legislature was to be deliberative. We were to ask some questions, and we have done it with a pretty even sweep. We've asked some pretty critical questions on a bipartisan basis, in those cases where they're merited, and we've gotten answers, for the most part. To my knowledge, no staff, Republican or Democrat, has gotten any answers on either the contractual line items or on this program, that we have requested in the Appropriations Committee, and that's why I'm offering this Amendment. I move for its passage."

Speaker Braun: "The Gentleman has offered... The Gentleman moves for the passage of Floor Amendment #3 to House Bill 3257. The Chair recognizes the Gentleman... All in favor say 'aye', opposed say 'nay'. All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Chair recognizes the Gentleman from Cook to explain his vote, Representative Leverenz."

Leverenz: "Well, I reluctantly oppose the Amendment, but I agree in part with what Representative Mays says. The Supreme Court is embarrassing Members of this General Assembly. We ask questions, they do not answer us. We ask for information, they do not provide it to us. We are, apparently, to audit them, and they fight us all the way to the U. S. Supreme Court. The agency has not filed any affirmative action program, nor does it have any personnel plan, and I think that we should get those answers by the

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time we hear this Bill on Third Reading, or the Supreme Court is really embarrassing the two Sponsors of this Bill."

Speaker Braun: "Have all voted who wish? The Clerk will take the record. On this question... Sorry, for what reason does the Gentleman from Lake, Representative Matijevich, rise?"

Matijevich: "Well, I appreciate the Chairman of the Committee helping me out so much - like I always helped him, but I'd appreciate if the people on this side of the aisle would give us a 'no' vote on this. I'll do every effort that I can to provide this information before the Bill is called."

Speaker Braun: "Representative Leverenz, for what reason do you rise?"

Leverenz: "Well, I want to verify the affirmative."

Speaker Braun: "Okay. Alright, here we go. Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Capparelli and Terzich. No further."

Speaker Braun: "Representative Leverenz has requested a verification of the affirmative vote. Proceed, Mr. Clerk."

Clerk O'Brien: "Barger. Black. Churchill. Countryman. Cowlshaw. Curran. Daniels. Davis. Deuchler. Didrickson. Dunn."

Speaker Braun: "Mr. Clerk, excuse me. The Lady from Lake requests permission to change her vote from 'aye' to 'no'. The Gentleman from Effingham, Represent... I'm sorry, Representative Stern, the Lady from Lake. The Gentleman from Effingham, Representative Hartke, changes his vote from 'aye' to 'no'. Are there further changes? For what reason does the Gentleman from Adams, Representative Mays, rise?"

Mays: "At the appropriate time, Madam Speaker, I'd like to request a verification of the negative."

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Speaker Braun: "Yes. The Chair recognizes the Gentleman from Cook, Representative Leverenz."

Leverenz: "Apparently, I withdraw my affirmative verification."

Speaker Braun: "You withdraw your request for Verification of the affirmative. Representative Mays, however, has requested a verification of the negative vote. Proceed, Representative... Proceed with the verification of the negative vote."

Clerk O'Brien: "Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Christensen. Cullerton. Currie. Daley. DeJaegher. DeLeo. Farley. Flinn. Flowers. Giglio. Giorgi. Greiman. Hartke. Hawkinson. Homer. Huff. Johnson. Keane. Kulas. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. Mautino."

Speaker Braun: "Mr. Clerk, excuse me. Representative Brookins, requests leave to be verified. Leave is granted."

Clerk O'Brien: "Continuing the Poll of the Negative. McGann. McPike. Nash. O'Connell. Panayotovitch. Pangle. Phelps. Rea. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Steczo. Stern. Sutker. Turner. Van Duyne. Washington. White. Wolf. Anthony Young. Wyvetter Young. Mr. Speaker."

Speaker Braun: "Representative Mays, any questions of the negative vote?"

Mays: "Yes, thank you very much, Madam Speaker. Representative Alexander."

Speaker Braun: "The Lady is in her chair."

Mays: "Representative Berrios."

Speaker Braun: "Representative Berrios. The Gentleman is in his chair."

Mays: "Representative Keane."

Speaker Braun: "Representative Keane. Representative Keane. Is the Gentleman in the chamber? He is not. Remove him."

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Mays: "Representative Kulas."

Speaker Braun: "Representative Kulas. Is the Gentleman in the chamber? He is not. Remove him."

Mays: "Representative Ronan."

Speaker Braun: "Representative Ronan. Is the Gentleman in the chamber? He is not. Remove him."

Mays: "Representative Farley."

Speaker Braun: "Representative Farley. Is the Gentleman in the chamber? He is not. Remove him."

Mays: "Representative Giglio."

Speaker Braun: "Representative Giglio. Is the Gentleman in the chamber? He is not. Remove him."

Mays: "Representative Richmond."

Speaker Braun: "Representative Richmond. Representative Richmond. Is the Gentleman in the chamber? He is not. Remove him."

Mays: "Representative Saltsman."

Speaker Braun: "Representative Saltsman. The Gentleman is in the aisle."

Mays: "Representative McGann."

Speaker Braun: "Representative McGann is at his seat."

Mays: "Representative Flowers."

Speaker Braun: "Representative Flowers. The Lady is in the front of the chamber."

Mays: "Representative Hicks."

Speaker Braun: "Representative Hicks. Representative Hicks. Is the Gentleman in the chamber? He's not. Remove him. Representative Capparelli

seeks recognition. Representative Capparelli would like to be recorded as voting 'no'. Representative Capparelli votes 'no'."

Mays: "Representative Steczo."

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Speaker Braun: "Representative Steco. The Gentleman is in his chair."

Mays: "Okay. Representative..."

Speaker Braun: "Representative Terzich votes 'no'. Representative Terzich votes 'no'. Representative Laurino votes 'no'."

Mays: "Representative Brookins."

Speaker Braun: "Representative Brookins was verified earlier."

Mays: "Okay. Representative DeLeo."

Speaker Braun: "Representative DeLeo. The Gentleman is in his chair. Representative Preston seeks to change his vote from 'aye' to 'no'."

Mays: "Representative Bowman."

Speaker Braun: "Representative Bowman. The Gentleman is in the chamber."

Mays: "Representative Homer."

Speaker Braun: "Representative Homer. The Gentleman is in the aisle."

Mays: "Where's... where's Homer?"

Speaker Braun: "Representative Giglio has returned to the chamber and votes 'no'."

Mays: "Representative Breslin."

Speaker Braun: "Representative Giglio votes 'no'. Representative Breslin. The Lady is in the chamber."

Mays: "Representative..."

Speaker Braun: "Representative Dunn changes his vote from 'aye'... Oh, Representative Dunn, the Gentleman from Macon."

Dunn: "Representative Dunn has authorized me as doorkeeper to change his vote from 'aye' to 'no'."

Speaker Braun: "Representative Dunn, votes 'no'. Further questions of the negative, Representative Mays."

Mays: "No further questions, thank you."

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Speaker Braun: "No further questions. On this question, there are 52 voting 'aye', 56 voting 'no', the Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On the same Order of Business on page 12 of the Calendar, appears House Bill 3343, Representative Leverenz. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3343, a Bill for an Act making appropriations for the Attorney General. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Hastert and Barnes."

Speaker Braun: "The Chair recognizes the Gentleman from Kendall, Representative Hastert."

Hastert: "Thank you, Madam Speaker. I move to withdraw."

Speaker Braun: "Amendment #1 is withdrawn. We're having technical difficulties here for a minute. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. On page 12 of the Calendar, appears House Bill 3347, Representative Currie. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3347, a Bill for an Act making an appropriation to the Department of Public Aid. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. On page 12 of the Calendar,



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appears House Bill 3348, Representative Madigan.  
Representative Cullerton. Representative Leverenz."

Clerk O'Brien: "House Bill 3348, a Bill for an Act making an appropriation to the Illinois Criminal Justice Information Authority. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 3368, Representative Younge. Is the Lady in the... Oh, Representative Younge. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3368, a Bill for an Act making an appropriation of the State Board of Education. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 3373, Representative Levin. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3373, a Bill for an Act making an appropriation to the Department of Children and Family Services. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. House Bill 3388, Representative Leverenz. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3388, a Bill for an Act to appropriate money to the Department of Conservation. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1."

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Speaker Braun: "The Chair recognizes, Representative Leverenz, on Floor Amendment #1."

Leverenz: "Thank you, Madam Speaker. The Amendment would change the title to read, 'an Act making appropriations to various agencies'. I would move for the adoption of the Amendment. Beep-beep."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #1 to House Bill 3388. On that, is there any discussion? There being none, all in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, the Amendment is adopted. Further Amendments?"

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

Speaker Braun: "Representative Hastert, on Amendment 2."

Hastert: "Thank you, Madam Chairman. I move to withdraw Amendment #..."

Speaker Braun: "The Gentleman withdraws Amendment #2. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill 3389, Representative Cullerton. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 3389, a Bill for an Act making an appropriation to the Supreme Court. Second Reading of the Bill. No Committee Amendments."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Braun: "Third Reading. We will now move to the Order of Third Reading same Order of Call - State Budget and Appropriation Bills. Before we proceed with Third Reading Bills, there are two Bills on the Order of Third Reading, which were taken out of the record... on the Order of Second Reading, that were taken out of the record because the Amendments were not prepared. We will return to them."

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House Bill 2984 on page 3 of your Calendar on the Order of Second Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2984, a Bill for an Act making an appropriation to the ordinary and contingent expense for the Guardianship and Advocacy Commission. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Dwight Friedrich."

Speaker Braun: "The Gentleman from Marion on Floor Amendment #2."

Friedrich: "Thank you, Madam Speaker. I made a misstatement a while ago about the time I introduced the Amendment. Actually, I brought the Amendment to the well and found out this Bill had not been read a second time... or had been read back in the Committee, and the Amendment... it had been amended in the House. I did not amend... introduce this until Tuesday, so, I stand corrected on that. This Amendment is a very simple Amendment. All it does is reduce the appropriation for the Guardianship and Advocacy Commission from 3,461,000 to 2,195,000. I wonder if I could have a little order, Madam Speaker. I can't hear it myself."

Speaker Braun: "Can we give the Gentleman the courtesy of quiet, if not attention, please? Can we have order in the chamber, so the Gentleman may proceed with his Amendment?"

Friedrich: "Now, last year, in the wisdom of the House, we eliminated the appropriation completely for this agency, and then, in the Conference Committee it was returned. There are some functions done by this agency which are necessary. If they're not continued with the agency, it has to be done by some other agency and I've taken that into account. But the amount in reduction is about

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2,000,000 dollars. Now, my reason for doing this is very simple. We have been appropriating tax money to support this agency, when, as a matter of fact, they're spending their time going around and harrassing the public schools, and particularly special education districts in my area, and costing them unbelievable amounts of time and money. I have a whole file of things that have been brought to my attention. In one case, it costs us, the school district, about 7,000 dollars for attorney's fees and on and on. And it not only takes money for the schools to pay these attorney fees and... but it takes people out of the classroom to the point where they cannot carry on their work. The irony of it is, they have not attempted to settle these matters where there are some conditions that exist, but they resort to taking them to court, and if, again, you're spending your tax money on both ends - one end to support this agency, and on the other end, you're paying for the schools so they can get into court for these matters. I have talked to the Chairman of Appropriations in the Senate. He finally understands what the problem is and is willing to go along with a reduction of this kind. So, I would appreciate it. This is one place you can save a couple million dollars and not hurt anybody... or a million and a half, actually. I think this is a good place to cut back in government and get it back where it ought to be, instead of spending money to arrest another tax supported agency. I'd appreciate your support."

Speaker Braun: "The Gentleman has moved the adoption of Floor Amendment #2. On that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think the Gentleman made his intent quite clear. He wants to emasculate this agency. He probably would try

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to kill the Bill, if he thought he could scrape up enough votes, but he's adopting the strategy that requires only a simple Majority to succeed. So, rather than just trying to kill the Bill outright, he's trying to emasculate it by cutting its budget by more than half. This agency is a small agency. It may not sound like a... 2,000,000 dollars may not sound like a whole lot of money, but for an agency whose budget is under 4,000,000 dollar, this is a... an enormous cut. It would completely emasculate the agency. They are doing basically what they were set up by law to do. Now, if the Gentleman doesn't like what they're doing, if he feels they're pursuing their mandate too vigorously, what he ought to do is to propose substantive legislation affecting the mandate of the agency. If he's got some specific problem in his district, then he should try and work out that specific problem. But to try and send them a message by emasculating the agency, I think is unfair, it is unwarranted, and we should defeat this Amendment."

Speaker Braun: "Is there further discussion? The Chair recognizes the Lady from Lake, Representative Friedrich."

Frederick: "Frederick, Madam Speaker."

Speaker Braun: "Frederick, I'm sorry."

Frederick: "Ladies and Gentlemen of the House, I rise in support of the Gentleman's Motion. In my district, we also have had some serious problems with this agency, and I think there could be a more efficient way to spend taxpayers dollars and actually achieve the same results. My recommendation is a 'no'... 'yes' vote."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to Amendment #2. The mandate

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of this agency is to protect the rights of the handicapped and the children... to a special education. And the experience has been that special education does a marvelous job. It takes kids who would otherwise be dependent on the state for the rest of their lives, who would be in psychiatric institutions, be in correctional institutions, and it gives them the ability to straighten themselves out and become productive tax-paying citizens. That is not to say that special education is not expensive, but it's a well... it's well worth the investment. But it is very easy for many bureaucracies to figure they can save a few bucks, by saving... by denying children who need a special education that special education. Accordingly, we set up the Guardianship and Advocacy Commission to intercede on behalf of these children in the long-term benefit of society, and in the long-term financial benefit of the state so that these children will not be dependent - will be independent. So, I think this agency performs an important function. There may be some abuses which need to be dealt with on an individual basis, but it... overall, I think this agency performs a very important function, and we ought to defeat this Amendment."

Speaker Braun: "The Chair recognizes the Gentleman from Marion, to close."

Friedrich: "Madam Speaker, if what these people, the opponents of this Amendment had said were true, I wouldn't be standing here with a letter from the Williamson County Special Education District, the Tri-County Special Education District, the Hudsonville District, the Kaskaskia Special Education District, the East Richland District, and the Centralia Special Education District. Now, these people are really interested in educating kids. They're not interested in spending all their time in the courtroom,

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brought on by these people, who refuse to negotiate, refuse to settle, as things should be settled when a complaint is brought, but their first step is go to court. And I can tell you some of the money... the amounts that these cost these districts, and you're voting for appropriations for these schools to run the schools and then turning around and costing them money to fight our own agency that we've created. I can tell you this will not abolish it, which I would be delighted to do, but it will restrain into those activities for which they were intended. I appreciate your vote. This is a good place to save a million and a half."

Speaker Braun: "The Gentleman moves the adoption of Floor Amendment #2 to House Bill 2984. All in favor say 'aye', opposed say 'nay'. All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 51 voting 'aye', 55 voting 'no', 2 voting 'present', and the Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. House Bill... On page 8 of the Calendar, appears House Bill 2995, Representative Hastert. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2995, a Bill for an Act making appropriation for the ordinary and contingent expense to the Department of Public Aid. Second Reading of the Bill. Amendments #1 through 10 were adopted in Committee."

Speaker Braun: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

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

Speaker Braun: "The Chair recognizes the Gentleman from Kendall,

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Representative Hastert."

Hastert: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is an Amendment that we started to discuss earlier this morning. What it does is add... well, there was 193 vacant positions cut out of the Department of Public Aid's budget. It was cut out because the... well, first of all, the Department has over 9,000 positions. Many of those positions are... people retire or they quit and there... and with a Department that big, there is a significant amount of vacancies. They're not vacancies that have sat vacant for a long period of time; it's merely people in transition. If we're going to provide the services for those people who use the services of the Department of Public Aid, then we have to have to have the people to provide those services. And it's absolutely ludicrous to try to cut out 193 positions of people who are transit, and then, come back and ask the Department, why haven't you done the job that we expect you to do? I would ask that we restore these positions so the Department of Public Aid can do the job that we mandated to do, and ask for your support."

Speaker Braun: "The Gentleman has moved the adoption of Floor Amendment #11 to House Bill 2995. And on that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Amendment. I would like to just point out, for the benefit of the Membership, a pattern which has existed in most of the state agencies that we have reviewed in the Appropriations Committee. There are tons of vacancies in... spread out through the various agencies, and what this does is it gives the Governor a nice little cushion. He knows that the money is



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not going to spend. In fact, it will probably have more vacancies by year's end, and then he comes in in the fall with the supplemental appropriation request and drops 100,000,000 dollars on our desks or maybe 200,000,000 dollars on our desks to vote for, and he knows the money is there, because he's been withholding it. Now, so these vacancies are a sham, a chimera, a mirage. They... The jobs are not going to be filled now, ever, and in fact, we can probably expect even more vacancies in the future. These vacancies were vacant all year, and I think the Gentleman... the effect of the Gentleman's Amendment is simply to pad the budget. And so, I would stand in opposition to the Amendment."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Leverenz."

Leverenz: "Will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Leverenz: "The 193 positions that are open or that you were trying to again make whole by this Amendment, how long have those vacancies existed?"

Hastert: "Representative, my understanding is that they vary from one to six months. Otherwise, this represents people who leave the Department, there's a position vacant for a month, or two months, or three months. They are... hire somebody else to take their spot at any one time. This represents about less than about two-tenths of one percent of the employees of that Department, and I understand that that's a fairly good record. If you have two-tenths of one percent of your employee slots open because of transition, you know, that's not a bad record at all, and that's what this represents."

Leverenz: "Would the... the Gentleman indicate... there was a

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rumor, the 500 or 450 people that were laid off in the Department of Employment Security were promised, whether it's a good promise or a bad promise, that they would be hired in the Department of Public Aid. Is that a practice that can happen? Can they move from the Department of Employment Security, if they're laid off and just go over to the Department of Public Aid, and maybe the Gentleman from the Department of Public Aid will come back here and answer that for me?"

Hastert: "My understanding... First of all, I don't want to make any statement based on rumor. I don't know if I've heard the same rumor as you have. However, I understand that there are negotiations between CMS and the Department of Labor to see if any type of transfers can take place."

Leverenz: "Well, I understand there's a rider to the AFSCME agreement. Is that true? Can you explain that?"

Hastert: "I can't explain that. I don't know."

Leverenz: "I understand 153 people by... that were laid off in the Department of Employment Security are going to be picked up in the Department of Public Aid, apparently, whether they need them or not, if the vacancies have been open for months and months and months. And then to the Amendment, I guess we better just support the Amendment until we get the answer."

Hastert: "Well, can I answer the question?"

Leverenz: "Sure."

Hastert: "Yes, I understand that... a Gentleman just told me that 67 of those employees are coming on board tomorrow. And again, what I said, there are varying times that these vacancies represent. It represents a flux of the Department people coming and going, leaving and being rehired in less than two-tenths of a percent."

Leverenz: "They're coming on tomorrow. That seems very

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appropriate. Then if we support this Amendment, I would think they are terminated then, at the end of the fiscal year. Would that be correct?"

Hastert: "Oh, my understanding, these are hiring freeze positions that are being lifted."

Leverenz: "Okay. To the Amendment. I would ask for the support of the Democratic side of the aisle to support resisting this Amendment and not restoring the funds, because 148 of those positions have been open all year. Apparently, they're not necessary. If we defeat, then, the Amendment to restore, we could give some increase to the recipients, rather than just fill vacancies."

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

Hoffman: "Thank you very... Thank you very much. Will the Sponsor of this Amendment yield to a question?"

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

Hoffman: "On the basis of the discussion that we're talking about, two-tenths of one percent of the agency's total staff, is it a correct statement to make that these positions are, in terms of numbers, are rolling positions? In other words, as one... as one vacancy is filled, another one becomes open because somebody leaves and then that's filled and another one opens? In other words, is it a correct statement to assume that there are not single positions which are standing open, but the number stays relatively constant just by the nature of the business?"

Hastert: "That's correct."

Hoffman: "Did you say that was correct?"

Hastert: "My understanding, that's correct."

Hoffman: "Alright, thank you very much. Let me just make one observation very quickly, and that is that if it's two-tenths of one percent of the jobs which are vacant at

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any one period of time, is a most... I think a very admirable... admirable number. When you realize that these people are rolling through these positions, that they don't stand vacant alone by themselves, I think it would be unreasonable to expect it to be any lower than that. And I commend the Department for the fine job they've been doing."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Huff."

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

Speaker Braun: "He indicates he will."

Huff: "Yes, Representative Hastert, you stated that these positions are in a state of transition. Would you care to explain what constitutes transitional employees? You were stating that these positions, 193, were in a state of transition. I'd like for you to explain to me, what does that mean?"

Hastert: "That's correct. If somebody leaves, it takes three months to replace those people."

Huff: "Alright. These employees that are going to be put on from the Bureau of Employment Security, will it take them three months to familiarize themselves with the rules and regulations relevant to Public Aid?"

Hastert: "I think it's part of a union agreement."

Huff: "Let me ask you this. Do you also teach these employees how to conduct themselves with regards to the recipients? I get a lot of complaints from my constituents, who have the misfortune of being on Public Aid, in which they complain that they are treated unlike humans, that the employees of this particular agency shows no compassion, no empathy, and are very arbitrary with the rules with reference to their rights."

Hastert: "Representative, was that a question? I understand some

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of these people are going into Project Chance."

Huff: "Yea, but that doesn't answer my question. Let me speak to the Amendment. I believe Representative Leverenz touched on something that is very germane. I think we should resist this Amendment, Ladies and Gentlemen, and put this money into increasing the benefits and maybe the employees of this Department. This will be a lesson in humility, if not finance. Thank you."

Speaker Braun: "Further discussion? The Chair recognizes the Gentleman from Adams, Representative Hays."

Hays: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. It's my understanding that if this Amendment does not get adopted, it will impact severely some of the major programs and major initiatives that this General Assembly has determined that the Public Aid Department ought to be getting itself involved in. Programs such as Project Chance, which help people get jobs, who are currently on the Public Aid. Now, if that's what you want to do with this type of thing, you can go right ahead and do it. This Amendment, however, will keep that kind of thing from happening, and that's why I rise in support of Representative Hastert's Amendment #11."

Speaker Braun: "Is there further discussion? The Chair recognizes the Lady from Cook, Representative Currie."

Currie: "Thank you, Madam Speaker, Members of the House. This Amendment, these jobs, have nothing to do with Project Chance nor any of the other initiatives planned by the Department of Public Aid in fiscal year 1987. These jobs do not reflect an efficiently run Department of Public Aid. In fact, 148 of these 193 vacancies have been vacant ever since the jobs were first available. We're in the middle of a hiring freeze in State Government, colleagues in the Illinois House of Representatives. We're in the middle of

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some kind of financial problems, as we go into Fiscal 1987. If you want to support a personnel slush fund in the Department of Public Aid for Fiscal Year 1987, even as we are not efficiently meeting the needs of our constituents, then go ahead and vote for Floor Amendment 11 to House Bill 2995. But if you think your responsibility to the people who send you here is to run an efficient State Government, a State Government that can manage itself, then the proper vote on this Amendment is a resounding 'no'."

Speaker Braun: "Is there further discussion? There being none, the Gentleman from Kendall to close."

Hastert: "Well, thank you, Madam Chairman (sic - Madam Speaker). I guess we've heard the whole gambit of this discussion. I think that this comes down to pure and simple common sense. If we're going to have a Department and we're going to mandate to provide services to people, people not only on this side of the aisle, but on the other side of the aisle, then we're going to have to have the head count and we're going to have to have the people to be able to provide those services. We're talking about the Department that is in excess of 9,000 people. We're talking about two-tenths of one percent that are being cut out because there's vacancies, because there's people that come and go in those Departments. And it only makes common sense, if you're going to ask them to carry out the projects that we've asked them to do, they have to have the people to do it. If you want to vote 'no', go ahead and vote 'no', but let's not come back and say, 'Oh, the Department is not filling its mandates'. I ask you for a positive vote. It's necessary to make sure that we carry out those things in that Department that we've been... asked them to do, and a 'yes' vote is appropriate."

Speaker Braun: "The Gentleman moves the adoption of Amendment #11

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to House Bill 2995. All in favor vote 'aye', opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 57 voting 'aye', 51 voting 'no', and none voting 'present'. The Chair recognizes the Gentleman from Cook, Representative Bowman."

Bowman: "I'd like a poll of the affirmative vote, please. First, let's get a Poll of the Absentees, that would be a good idea."

Speaker Braun: "Mr. Clerk, Poll of the Absentees and then, verify the affirmative, please."

Clerk O'Brien: "Poll of the Absentees. Capparelli. DeJaegher. Didrickson. Pangle. And Tuerk."

Speaker Braun: "Poll the affirmative. The Chair recognizes the Gentleman from Peoria... Representative Tuerk, votes 'aye'. The Lady from Cook, Representative Didrickson, votes 'aye'. Further changes? Representative McNamara asks leave to be verified."

Clerk O'Brien: "Poll of the Affirmative. Barger. Berrios. Black. Churchill. Countryman. Cowlshaw. Curran. Daniels. Davis. DeLeo. Deuchler. Didrickson. Ewing. Virginia Frederick. Dwight Friedrich."

Speaker Braun: "The Gentleman... Excuse me, Mr. Clerk. The Gentleman from McDonough, Representative Slater, changes his vote from 'no' to 'aye'."

Clerk O'Brien: "Continuing the Poll of the Affirmative. Goforth. Hallock. Hannig. Harris. Hasara. Hastert. Hawkinson. Hensel. Hoffman. Johnson. Keane. Kirkland. Klemm. Koehler. Krska. Kubik. Mays. McAuliffe. McCracken. McGann. McMaster. McNamara. Nash. O'Connell. Olson. Parcells. Parke. B. Pedersen. W. Peterson. Piel. Pullen. Rea. Regan. Ronan. Ropp. Ryder. Slater.

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Stephens. Tate. Tuerk. Vinson. Wait. Weaver.  
Williamson. And Wojcik."

Speaker Braun: "Representative Bowman, any questions of the affirmative? Representative Keane, changes his vote from 'aye' to 'no'. Representative Bowman. Representative McGann, for what reason do you rise?"

McGann: "To 'no'."

Speaker Braun: "Change his vote from 'aye' to 'no'. Representative O'Connell."

O'Connell: "From 'aye' to 'no'."

Speaker Braun: "Changes his vote from 'aye' to 'no'. Further changes? The Chair recognizes Representative Bowman. He's at Representative McPike's desk."

Bowman: "Representative McNamara. Was he verified already?"

Speaker Braun: "He was verified, yes."

Bowman: "Okay. What is the Gentleman..."

Speaker Braun: "Representative Hastert."

Hastert: "Inquiry of the Chair. Did Representative Bowman receive a promotion?"

Speaker Braun: "He deserves one. Continue, Representative Bowman."

Bowman: "Representative Deuchler."

Speaker Braun: "Representative Sue Deuchler. The Lady is in her chair."

Bowman: "Representative Pullen. Oh, I see her in the aisle there. Thank you very much. Representative Slater."

Speaker Braun: "Representative Slater. The Gentleman is in the chamber."

Bowman: "Actually, I don't recognize Representative Black, yet. Is Representative Black in the chamber?"

Speaker Braun: "Representative Black. The Gentleman is in the chamber."

Bowman: "Oh, okay. I cannot see Representative Barnes... chair



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from here. Is Representative Barnes in the chamber?  
She's not voting, I beg your pardon. Representative  
McAuliffe. Representative McAuliffe."

Speaker Braun: "Representative McAuliffe. The Gentleman is in  
his chair."

Bowman: "Representative Goforth."

Speaker Braun: "Representative Goforth. The Gentleman is in his  
chair."

Bowman: "Thank you. Representative Wojcik."

Speaker Braun: "Representative Kay Wojcik. The Lady is in her  
chair."

Bowman: "I'm sorry, there's quite a group of people in the aisle,  
and I can't see over there very well. Hensel. Is Hensel  
there?"

Speaker Braun: "Representative Hensel. The Gentleman is in his  
chair."

Bowman: "And how about Stephens?"

Speaker Braun: "Representative Stephens. Representative  
Stephens. Yes, the Gentleman is in his chair. The Chair  
recognizes the Gentleman from Macoupin, Representative  
Hannig. For what reason do you rise?"

Hannig: "Please record me as 'no', please."

Speaker Braun: "The Gentleman changes his vote from 'aye' to  
'no'. Representative from Franklin, Representative Rea."

Rea: "'Aye'"

Speaker Braun: "Is voting 'aye'."

Rea: "I mean... No, I mean 'no'."

Speaker Braun: "Changes his vote from 'aye' to 'no'.  
Representative Jim Rea. That was Jim Rea changes his vote  
from 'aye' to 'no'."

Bowman: "Representative Ewing."

Speaker Braun: "Representative Tom Ewing. Tom Ewing.  
Representative Ewing. Is the Gentleman in the chamber?"

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Appears not to be. Remove him. What reason does the Gentleman from DeWitt, Representative Vinson, rise?"

Vinson: "Leave to be verified."

Speaker Braun: "Representative Vinson requests leave to be verified. Leave is granted. Representative Bowman."

Bowman: "Cowlshaw."

Speaker Braun: "Representative Cowlshaw. Representative Cowlshaw. is the Lady in the chamber? She appears not to be. Remove her."

Bowman: "Barger."

Speaker Braun: "Representative Barger. The Gentleman is in his chair."

Bowman: "No further."

Speaker Braun: "No further. On Floor Amendment 11, there are 53 voting 'aye', 55 voting 'no'. The Amendment fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #12, offered by Representative Hastert."

Speaker Braun: "The Chair recognizes the Gentleman from Kendall on Amendment #12."

Hastert: "Well, thank you, Madam Speaker, Ladies and Gentlemen of the House. We just cut off about 200 people, roughly 200 people, out of the Department of Public Aid. But there were Amendments to add on, in one area, a 12,450,000 dollars of add ons onto the Department - add ons to programs we already have in place, 2.75 million to increase personnel needs allowance, 3,000,000 dollars in GRF funds for an increase to emergency assistance that was already covered by DCCA and other programs, 1,500,000 GRF dollars for transitional payments to recipients, 2.7 million dollars added on for homeless shelter programs, which we already have in place, and 1.5 million dollars added on for state funded work incentive payments. I think it's simple.

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It makes common sense. We cut the jobs. We won't have the personnel in place to carry out the programs that we ask them to do now. Here is 12 and a half million dollars of add ons basically for programs we already have in place. It's very plain and simple that we don't have the people now to carry out these programs. So, I'm asking to cut this, and I ask for an affirmative vote on this Amendment."

Speaker Braun: "The Gentleman has moved for the passage of Floor Amendment #12... for the adoption of Floor Amendment #12. On that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would just like to point out to the Membership that this money that is in jeopardy is a result of Amendment #12 - it goes directly to clients. The money is clearly needed. We are talking about such items as personal needs allowance for people who live in nursing homes who have not received any increase in ten years. We're talking about a personal needs allowance for these people in nursing homes. We're talking about emergency assistance. We're talking about transitional payments for recipients subject to retrospective budgeting who experience decreases in income, in other words, people who maybe get a job at Christmas time or for a couple of weeks in the summer doing outdoor work and are cut off of public aid, and then, they've got to go back on public aid when they lose that job. But because of the way the Department accounts income, it takes them two months to get back on public aid. We want to encourage people to take part-time jobs and that's what this money does. This Amendment cuts out money for shelters for homeless persons. And I might add, this particular part of the Amendment was supported by the Illinois Coalition for the Homeless, a group headed by

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a downstate person, because there are terrible unmet needs downstate and in the suburban areas, as well as in Chicago. And lastly, the work incentive payments. I mean these are payments to recipients - needy people. And if the Department can't move another 3,000,000 dollars out the door with the thousands of people they already have on board, it's not a very efficiently run Department. So, I would suggest that they have the people on board. All we are doing is providing some needed support for selected target populations, and I would urge defeat of this Amendment."

Speaker Braun: "Is there further discussion? There being none, the Gentleman from Kendall to close, Representative Hastert."

Hastert: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. What we're talking about is programs... you know, the spending never stops. We add on. We add on. We add on. You have a constant spiral. You know, a couple of years ago, we began to beat inflation, but we don't beat inflation in this House; we just keep adding onto programs. There's 12,500,000 dollars added on that we're trying to take off in this Amendment. Programs that are already in place, this just adds on. Money that's already appropriated, we're adding on. Programs that are already there for people, we're adding on. It's time that we stand up and say, 'no', that we say, 'no', to run away spending inflation in this House. It's time that we say, 'Let's begin to look at the fiscal integrity of this House.' Let's... It's time to say, 'Listen, we can only spend more money than we got and we can't open our pocketbook every time somebody has a good idea or it may be a not-so-good idea.' I ask for a 'yes' vote for this Amendment."

Speaker Braun: "The Gentleman moves the adoption of Floor

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Amendment #12 to House Bill 2995. All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this... The Chair recognizes the Gentleman from Winnebago, Representative Mulcahey."

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

Speaker Braun: "The Gentleman votes 'aye'. The Gentleman from Fulton, Representative Homer. Representative Homer."

Homer: "Thank you, Madam Speaker. Is it appropriate stage for explanation of vote?"

Speaker Braun: "No. On this Amendment, there's 51 voting 'aye', 52 voting 'no', the Amendment fails. Further Amendments?"

Clerk O'Brien: "Yes, Representative Hastert."

Hastert: "For a Poll of the Absentees. I had my hand up. I had my light on."

Speaker Braun: "Representative Hastert, the result has been declared. And quite frankly, I've been watching the board, your light was not lit at the time. I'm sorry, Representative Hastert, your light was not on. It's still not on. Okay, now it's on, and I did not see your hand. I would have certainly allowed you to ask for a poll before the vote was declared, but it has been declared, and I'm afraid the Amendment has lost. Yes, Sir. Yes, please turn on the microphone for Representative Hastert."

Hastert: "Madam Speaker, you know, I'm kind of hard to miss. I was trying to get, you know, recognition here. I had my button pushed, whether you saw my light or didn't see my light, it was on. Now, we've went through the same thing yesterday. Yesterday, you let people... you know, I'm asking for a Poll of the Absentees. I think that's within my right..."

Speaker Braun: "I suppose we could do that, but I don't think

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it'll affect the result because it's already been declared. But, Mr. Clerk, go ahead and poll... Yes... Yes, it has. Yes, it has been declared."

Hastert: "Well, that's contrary to your ruling yesterday in the Chair."

Speaker Braun: "No, the result was declared. Not just the record was taken, the result... the record was taken and the result was declared. Your light was not on, I would have granted you recognition. There are a number of lights on the Republican side of the aisle lit up. If you want, we can listen to remarks from everyone, but it was no unfairness intended Representative Hastert. His light was not on. Yes, Sir, Representative Hastert."

Hastert: "You know, my light comes on and my light goes off. I mean, but it was on at that time, I was seeking recognition and, you know, I think in fairness from the ruling of yesterday. I mean I'm asking - it's within my right - to ask for a Poll of the Absentees."

Speaker Braun: "Representative Hastert, the difference is that yesterday I had asked the Clerk to take the record, but the result had not been declared. Certainly, at that time, it would have made a difference. At this point, however, the result has been declared. A Poll of the Absentees would do no good, because the Amendment has lost. It has been declared lost. Representative McCracken."

McCracken: "Thank you, Madam Speaker. It is at this stage that the form is glorified over the substance. Is there some magic to your words? I don't think that's the case. The intent of declaring a result is to put the issue behind us. You had a Member of the House down here, the prime Sponsor of the Bill - the prime Sponsor of the Amendment, raising his hands seeking recognition. There is nothing written in the rules that tells us how to properly seek recognition of

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the Chair. His hand was raised. He put his light on. There is nothing that says you cannot take that vote or recognize him now. Just open it up. Let's go through the polling process and put it behind us."

Speaker Braun: "In the interest... In the interest of the orderly conduct of business of this House, we'll dump the Roll Call and start over. Dump the Roll Call, Mr. Clerk. On Floor Amendment #12, all in favor vote 'aye', opposed vote 'no'. The voting is open. Now, Representative Hastert, if you want to be recognized, please push a button because your light is not lit up, up here. Okay. Now, you want to be recognized. The Chair recognizes the Gentleman from Kendall, Representative Hastert."

Hastert: "Thank you, Madam Speaker. I request a Poll of the Absentees."

Speaker Braun: "Alright. On this question there are 50 voting 'aye', 57 voting 'no', the Amendment... 57 voting 'no'.... Mr. Clerk, poll the absentees."

Clerk O'Brien: "Poll of the Absentees. Berrios. Laurino. Mautino. Ronan. And Wolf."

Speaker Braun: "Mr. Hastert, is there anything else? Alright. On this question, there are 51 voting 'aye', 57 voting 'no', the Amendment fails. Further Amendments?"

Clerk O'Brien: "Floor Amendment #13, offered by Representative Hastert."

Speaker Braun: "The Chair recognizes the Gentleman from Kendall on Floor Amendment #13."

Hastert: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. The final Amendment that I bring before you on the Public Aid budget is Amendment #13. During our Committee Hearing, there was an Amendment put on in Committee by a 10 to 11 vote, that actually appropriated 37,000,000 dollars for half a fiscal year next year to

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raise the amount of dollars... whether we put in public aid payments, specifically - the FDC grants and GA grants - 37,000,000 dollars. If you will analyze this, we are, in this one Amendment that was put in, and I'm asking to strike out, we are adding to the public debt next year what we have to pay as taxpayers, 72,000,000 dollars annualized cost. So, what we're doing, by the Amendment that was put on in Committee, was to increase our spending next year 37,000,000 dollars, and for every year thereafter, 72,000,000 dollars increase. Now, what I'm asking to do is to delete that Amendment. It was an Amendment that was passed by a 10 to 11 vote in Committee. I think it's something that we should discuss on this House floor. It's a major policy decision by this General Assembly. It's one of the appropriation decisions that we talked about last year, and I would ask that you would vote 'yes' on this Amendment to cut spending in this state, 37,000,000 dollars on an annualized basis, every year thereafter, 72,000,000 dollars."

Speaker Braun: "The Gentleman moves for the adoption of Floor Amendment 13. And on that, is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Number one, 15,000,000 dollars of this... of the appropriation for the grant increase is federally reimbursable. So, the Gentleman's figures that he's trying to use to scare you with are significantly inflated, because the Federal Government supports this program, the FDC Program, by 50 percent. And so, half of the AFDC appropriation is federally reimbursable. Second point I want to make, Ladies and Gentlemen, I want to remind you all that the General Assembly, this House and the Senate



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concurring, have, in the last 12 months, three times passed a Public Aid grant increase. Three times, this House and the Senate have passed the same thing and sent it to the Governor. And three times, the Governor has vetoed the amount. Ladies and Gentlemen of the House, the Governor has just... continues to jam his thumb in the eye of the General Assembly and to flaunt the will of the Legislature. And I think that we should reject this Amendment and send the Bill to the Governor's desk with the same appropriation that we have been... that we have passed three times previously. So, this will keep the people at 52 percent of the standard of need. That is the standard that we have been using in our previous appropriations. The... And this Amendment would kill any chance for 52 percent of the state earned need for this Session, and I urge strong and resounding rejection of this Amendment."

Speaker Braun: "Is there further discussion? There being none, the Gentleman... the Chair recognizes the Gentleman... Representative Hastert, to close."

Hastert: "Well, thank you, Madam Speaker, Ladies and Gentlemen of the House. I was interested by my colleague across the aisle's remarks, that, you know, part of this money just doesn't come out of our pocket, it comes from the Federal Government and that comes from Santa Claus. You know, it's a reality that we spend and spend and spend. If we add to the cost base of State Government, you're going to have to raise taxes. Now, if you want to add on, I'm talking adding on an annualization of 72,000,000 dollars, then vote against this Amendment. If you want to hold the line on spending in the State of Illinois, if you want to, you know, have a part in the process of the appropriation process and be able to go back home and say, 'Yes, you know, we made decisions, we made tough decisions, but some

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lace along this whole process we have to hold the line. And yes, I stood up and I voted to hold the line on spending in the State of Illinois. This is your chance, and I ask for a 'yes' vote."

Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Leverenz. I'm sorry... to close."

Leverenz: "I'll explain my vote."

Speaker Braun: "Representative Hastert, your button, if you would just keep it on when you're presenting legislation, it would be helpful. The Gentleman has moved... the Gentleman has moved the pass... the adoption of Floor Amendment #13. All in favor vote 'aye', opposed vote 'no'. The voting is open. The Chair recognizes the Gentleman from Cook, Representative Leverenz, to explain his vote."

Leverenz: "I encourage your red vote so that we can defeat the Amendment, the money we put in the Committee, and this would be a match for the Helmut John's Memorial in Chicago."

Speaker Braun: "Further discussion? The Gentleman from Cook, Representative Huff, one minute to explain your vote."

Huff: "Thank you, Madam Speaker. Just briefly, I just wanted to remind the Members of this House who these people are who constitute the recipients. They are the unemployed textile workers, they are the unemployed mine workers, they're unemployed steel workers. And I think that we don't give them enough. I'm voting 'no'."

Speaker Braun: "Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this there are 50... on this there are 55 voting 'aye', 43 voting 'no'. The Chair recognizes the Gentleman from Cook, Representative Bowman."

Bowman: "First of all, a Poll of the Absentees and then, a poll

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of the affirmatives."

Speaker Braun: "Gentleman requests a Poll of the Absentees and a verification of the affirmative vote. Mr. Clerk."

Clerk O'Brien: "Poll of the Absentees. Capparelli. Christensen. DeJaegher. DeLeo. Flinn. Laurino. Mautino. Nash. Pangle. Richmond. Ronan. Terzich. Van Duyne. And Wolf."

Speaker Braun: "Representative LeRoy Van Duyne, Will County, votes 'no'. Representative Richmond votes 'no'. Proceed, Representative Bowman. Mr. Clerk, poll... the verification of the affirmative vote, please."

Clerk O'Brien: "Barger. Black. Breslin. Churchill. Countryman. Cowlishaw. Curran. Daniels. Davis. Deuchler. Didrickson. Ewing. Virginia Frederick. Dwight Friedrich. Goforth. Hallock. Harris. Hasara. Hastert. Hawkinson. Hensel. Hicks. Hoffman. Homer. Johnson. Kirkland. Klemm. Koehler. Krska. Kubik. Mays."

Speaker Braun: "Excuse me, Mr. Clerk. The Lady from LaSalle, Representative Breslin."

Breslin: "Change me to 'aye'."

Speaker Braun: "You have voted 'aye'."

Breslin: "I mean, to 'no'... to 'no'."

Speaker Braun: "Representative Breslin changes her vote from 'aye' to 'no'. Proceed, Mr... Representative Curran."

Curran: "How am I recorded?"

Speaker Braun: "Recorded... The Gentleman's recorded as voting 'aye'."

Curran: "Change my vote to 'no'."

Speaker Braun: "Changes his vote from 'aye' to 'no'. Representative Flinn. Monroe Flinn votes 'no'. Proceed, Mr. Clerk."

Clerk O'Brien: "McAuliffe. McCracken."

Speaker Braun: "Excuse me, Mr. Clerk. Representative Christensen

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votes 'no'. Proceed, Mr. Clerk."

Clerk O'Brien: "McMaster. McNamara. Mulcahey. Olson. Parcells. Parke. B. Pedersen. W. Peterson. Piel. Pullen. Regan. Ropp. Ryder. Slater. Stephens. Tate. Tuerk. Vinson. Wait. Weaver. Williamson. And Wojcik."

Speaker Braun: "Representative Bowman. Representative Bowman, at McPike's desk. Thank you."

Bowman: "Representative Williamson."

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

Bowman: "Representative Barger."

Speaker Braun: "Representative Barger. The Gentleman's in his seat."

Bowman: "Representative Parcells."

Speaker Braun: "Representative Parcells. Is the Lady in the chamber? Yes, in the center chamber... center aisle."

Bowman: "I'm sorry, it's very hard to see over there. Representative Barnes."

Speaker Braun: "Representative Barnes."

Bowman: "Oh, I'm sorry. She's excused. I'm sorry. She's not voting. I beg your pardon. Hoffman."

Speaker Braun: "Gentleman from Effingham, Representative... Representative Hartke votes 'aye', changes from 'no' to 'aye'. And Representative Williamson has returned to the chamber and return her vote to the Roll Call."

Bowman: "Representative Tuerk."

Speaker Braun: "Representative Tuerk. The Gentleman is in the chamber."

Bowman: "Representative Wojcik."

Speaker Braun: "Representative Wojcik. The Lady is in her chair."

Bowman: "It's hard... hard to see all the way over there on the right. Representative Johnson."

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Speaker Braun: "Representative Johnson. Is the Gentleman in the chamber? He is not. Remove him. Where? Oh, yes, I'm sorry. The Gentleman is in the chamber."

Bowman: "Representative Friedrich."

Speaker Braun: "Representative Friedrich. Dwight Friedrich. Is the Gentleman in the chamber? He is not. Remove him."

Bowman: "I just want to compliment the Republicans on their attendance. Representative Vinson. Or is he... Did he have leave? I don't recall he had... I think he... He got leave on the last one, but not on this one."

Speaker Braun: "Representative Vinson. Representative Sam Vinson. The Gentleman in the chamber? He is not. Remove him."

Bowman: "Representative Tate. Oh, I see him. I'm sorry. His back was turned."

Speaker Braun: "Representative Stern asks leave to be verified. Representative Ryder, for what reason do you seek recognition?"

Ryder: "Leave."

Bowman: "Representative..."

Speaker Braun: "Representative Ryder requests leave to be verified."

Bowman: "Leave. Representative Olson."

Speaker Braun: "Representative Olson. The Gentleman is in his chair."

Bowman: "Representative Hartke."

Speaker Braun: "Representative Hartke. Representative Hartke. The Gentleman is not in the chamber. Remove him. For what reason does the Gentleman from Cook, Representative Piel, rise?"

Piel: "If you'll remember, Madam Speaker, if you'll remember yesterday - in fact, you were in the Chair at the time - the same situation was brought up about Representative

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Steczo, he went on orally, Representative Hartke went orally and cannot be verified in that situation. That was your ruling yesterday."

Speaker Braun: "You are correct. You're correct, Representative Piel. Return Representative Hartke because he did vote and return also Representative Vinson to the Roll Call."

Bowman: "Welcome, Representative Vinson, we missed you."

Speaker Braun: "Representative Vinson and Hartke return to the Roll Call. The Chair recognizes the Gentleman from Cook, Representative Laurino. Representative Laurino."

Laurino: "Vote me 'no'."

Speaker Braun: "Representative Laurino votes 'no'."

Bowman: "Representative Homer."

Speaker Braun: "Representative Homer. Is the Gentleman in the chamber? He is."

Bowman: "What was the ruling about Representative Hartke? He's not here."

Speaker Braun: "Representative Hartke voted orally after the verification had proceeded and so his vote has been verified, and so he remains a green vote unless he comes back and orally changes that vote."

Bowman: "Excuse me, could I... I'm sorry, Madam Speaker, to challenge the ruling, but I would like to ask if the... if you could cite the rule by which that took place. I don't think it's in the Rule Book."

Speaker Braun: "We're looking into it. Hold your horses. Representative Bowman has asked for a ruling by the Parliamentarian and we're looking at... Representative Piel."

Piel: "Fine, Madam Speaker. You can give him a thing, but he has to continue with his verification in the meantime. He's just wasting time and he knows it."

Speaker Braun: "Representative Hastert, are you seeking

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recognition?"

Hastert: "No. You just told me to keep my light on. So, you know, I'm prepared."

Speaker Braun: "Representative Dwight Friedrich has returned to the chamber. Return him to the Roll Call. For what reason does the Gentleman from Lake, Representative Matijevich, rise? Representative Matijevich"

Matijevich: "Well, I understand somebody, and I don't know, I'm not taking sides on the issue, but I understand that somebody got up and voted but wasn't subject to a verification and then left. My interpretation of the rule is that anybody, once they leave, if their name wasn't called on the verification, they can thereafter be called on the verification, unless they seek leave to be verified. I think that's... that's always been the interpretation of the rules that I know of."

Speaker Braun: "Representative Matijevich, the Parliamentarian has referred to Rule 58 under verifications. Representative Hartke voted after the verification process had started. As such, his was a vote made during a verification and is a verified vote. It can only be changed if he comes back into the chamber and changes it. Had the verification process not started, the result would have been otherwise as you suggest, but we had started the verification when Representative Hartke voted orally for the first time. Yes, Representative Bowman."

Bowman: "Well, okay. I stand corrected, but let me then just renew my request to verify Representative Homer who I believe I asked about - and he is not in his chair - and he was not taken off."

Speaker Braun: "Representative Homer has been verified, Representative Bowman. I'm sorry."

Bowman: "He was verified?"

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Speaker Braun: "Representative Hicks, the Gentleman from Jefferson, you seek recognition?"

Hicks: "Yes, Madam Speaker, would you change me from 'yes' to 'no', please?"

Speaker Braun: "Representative Hicks votes 'no'. Alright. Are there further challenges, Representative Bowman? Representative Bowman, are there further challenges... further changes? Gentleman from Cook, Representative Krska. Representative Krska votes 'present'. Are there further changes?"

Bowman: "There may be."

Speaker Braun: "Representative Sam Wolf. What reason does the Gentleman seek recognition? Representative Wolf changes his vote from 'aye' to 'no'. He's voting... I'm sorry, not recorded for his voting, Representative Wolf votes 'no'. Representative Hartke has returned to the chamber and Representative Hartke votes 'no' for real this time. Further changes? Representative Hartke's vote needs to be changed on the... Representative Hastert, you're not seeking recognition, or are you? You are seeking recognition? Yes, Sir?"

Hastert: "In the case of the affirm... I would like to verify the negatives."

Speaker Braun: "Certainly. Alright. On this question... on this question there are... Alright, would you like to proceed the... without declaring the result? Right now, we're at 51 'aye' and 52 'no'. Representative Hastert has requested a verification of the negative vote. Proceed, Mr. Clerk."

Clerk O'Brien: "Alexander. Berrios."

Speaker Braun: "One second. Representative Stern asks leave to be verified. I think she was given it already, Representative Hastert. Go ahead. Yes, Sir. Turn on the microphone for Representative Hastert."



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Hastert: "Madam Speaker, you know, this is confusing. There are a lot of people in and a lot of them out. I would ask that... let's count the people, let's keep them in here and so we're not playing those games again, then. I ask them not to be excused."

Speaker Braun: "Alright. Alright, if that's your wish, proceed."

Clerk O'Brien: "Bowman. Braun. Breslin. Brookins. Brunsvold. Christensen. Cullerton. Curran. Currie. Daley. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Greiman. Hastert. I'm sorry. Hartke. Hicks. Huff. Keane. Kulas. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. McGann. McPike. O'Connell. Panayotovich. Phelps. Preston. Rea. Richmond. Saltsman. Satterthwaite. Shaw. Steczo. Stern. Sutker. Turner. Van Duyne. Washington. White. Wolf. Anthony Young. Wyvetter Younge. And Mr. Speaker."

Speaker Braun: "Representative Hastert, have any challenges of the negative vote?"

Hastert: "Thank you, Madam Speaker. Representative Cullerton."

Speaker Braun: "Representative Cullerton. Is the Gentleman in the chamber? He's not. Is he in the chamber? Remove him."

Hastert: "Representative Brunsvold."

Speaker Braun: "Representative Brunsvold. Right there in the front."

Hastert: "Representative Phelps."

Speaker Braun: "Representative Phelps. The Gentleman is in his chair."

Hastert: "Representative Giorgi."

Speaker Braun: "Representative Giorgi. The Gentleman's at the well."

Hastert: "Beg your pardon?"

Speaker Braun: "The Gentleman is here in the front."

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Hastert: "Representative Breslin."

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

Hastert: "Representative Christensen."

Speaker Braun: "Representative... the Gentleman is in the  
chamber."

Hastert: "Representative Farley."

Speaker Braun: "Representative Farley. Representative Farley.  
Is the Gentleman in the chamber? No. He's not. Remove  
him."

Hastert: "Representative DeJaegher."

Speaker Braun: "Representative DeJaegher is not voting. He's in  
his chair."

Hastert: "Thank you. Representative O'Connell."

Speaker Braun: "Representative Steczo, I'm afraid Representative  
Hastert has refused to allow for any leaves to be  
verified."

Hastert: "Representative O'Connell."

Speaker Braun: "I'm sorry. Representative O'Connell.  
Representative O'Connell. The Gentleman in the chamber?  
Remove him."

Hastert: "Representative Hartke."

Speaker Braun: "Representative Breslin has returned to the  
chamber. She's right here at the well. Return her...  
Representative Breslin to the Roll Call. Now,  
Representative Hartke was the next one?"

Hastert: "Representative Laurino."

Speaker Braun: "Representative Laurino. Representative  
Laurino... Is the Gentleman in the chamber? Is the  
Gentleman in the chamber? If not, remove him."

Hastert: "Representative Panayotovich."

Speaker Braun: "Representative Panayotovich. Representative  
Panayotovich. Is the Gentleman in the chamber? If not,

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remove him."

Hastert: "Representative Pangle."

Speaker Braun: "Representative Pangle. Representative Pangle. Is the Gentleman in the chamber? Representative O'Connell has returned to the chamber. Return him to the Roll Call. Representative Laurino has returned. Return him to the Roll Call. Representative Pangle is not voting."

Hastert: "Representative Preston."

Speaker Braun: "Representative Preston is in... at his desk."

Hastert: "Representative Berrios."

Speaker Braun: "Representative Berrios is in the chamber."

Hastert: "Representative McPike."

Speaker Braun: "Representative McPike. Representative McPike. I think Rep... Representative McPike is our Majority Leader. He's not... There is no agreement on that this year. Okay. Representative McPike. Is the Gentleman in the chamber? Is the Gentleman in the chamber? He appears not to be. Remove his vote. Return Representative Panayotovitch to Roll and return Representative Cullerton to the Roll."

Hastert: "Representative Van Duyne."

Speaker Braun: "Representative Laurino should be returned to the Roll Call."

Hastert: "He already was."

Speaker Braun: "Oh, he was. And Representative McPike has returned to the chamber. Representative Hastert."

Hastert: "Representative Van Duyne. Representative Van Duyne. Thank you."

Speaker Braun: "Representative Van Duyne is in his seat... at his chair."

Hastert: "Didn't see or hear. Is... Representative Hannig."

Speaker Braun: "Representative Hannig is in the aisle. He's voting 'present' in any event."

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Hastert: "Representative Satterthwaite."

Speaker Braun: "The Lady is in her chair."

Hastert: "Representative White."

Speaker Braun: "Representative... Pardon me? I'm sorry, I didn't hear you, Representative."

Hastert: "White. Representative White."

Speaker Braun: "Representative White. The Gentleman is in his chair."

Hastert: "No further questions."

Speaker Braun: "The Chair... For what reason does the Gentleman from Cook, Representative Ronan, rise?"

Ronan: "I want to be recorded as voting 'no'."

Speaker Braun: "Record the Gentleman as voting 'no'. Representative Hartke. Representative Hartke votes... 'aye'. You're voting 'aye'? Representative Hartke votes for real this... 'aye', changes his vote to 'aye'. Representative Homer. Representative Homer changes his vote from 'aye' to 'no'. On this question there are 51 voting 'aye', 52 voting 'no', 2 voting 'present'. The Amendment fails. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. The Chair recognizes the Gentleman from Cook, Representative Giglio."

Giglio: "Madam Speaker, Ladies and Gentlemen of the House, the Democrats request a Caucus immediately in Room 114 for approximately a half hour."

Speaker Braun: "The Chair recognizes Representative... 114 for one half hour, which means, we will return to the chamber at 2:35. Representative Pullen. Representative Pullen."

Pullen: "Representative Friedrich is here now. Would you recognize him please?"

Speaker Braun: "I'm sorry."

Pullen: "Thank you."

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Speaker Braun: "Yes. Representative Friedrich. Friedrich."

Friedrich: "We'd like a Republican Conference in Room 113, please?"

Speaker Braun: "The Republicans will have Conference in Room 118 until... And we will return at 2:35 to resume the business. Thank you. The House has recessed until the hour of 2:35."

Speaker Greiman: "The House will be in order. We... We'll now move to the Special Subject Matter of Call, Special Order - Criminal and Civil Law, on the Order of House Bills Second Reading, appears House Bill 3262. Mr. Clerk. You wish that called at this time, Ms. Pullen? It's on page 11 of the Calendar. Yes, Ms. Pullen, do you wish to proceed with that Bill?"

Pullen: "I defer to him for the moment."

Speaker Greiman: "Who's him?"

Pullen: "Representative Vinson."

Speaker Greiman: "Representative Vinson."

Vinson: "Speaker, I don't think I tracked what it was that you said. What Order you're going to?"

Speaker Greiman: "We're on the Special Call - Criminal and Civil Law, on the Order of Second Reading appears House Bill 3262, on the... on page 11 of the Calendar."

Vinson: "But what you're really doing is going to a Subject Matter of Call that will move the Bills that are on that Special Order of Call next week to Third Reading?"

Speaker Greiman: "Well, that will move it to... right now to Third Reading, as a matter of fact. We'll move it to Third Reading at this... If..."

Vinson: "You're going to go to a Criminal and Civil Law Call?"

Speaker Greiman: "It's on the Special Order, yes. We're going to call those Bills that are on Second Reading on those Orders of Call."

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Vinson: "Where is that listed on the Calendar, that Special Order?"

Speaker Greiman: "Yes. Mr... Mr. Vinson, you still have any difficulties with..."

Vinson: "Yeah, I am. What I thought you responded to me in saying was that you were going to a Special Order of Call, Criminal and Civil Law and that you were going to deal with those on Third Reading there."

Speaker Greiman: "No. The Bills I deal with deals on Second Reading."

Vinson: "Okay. Then I have no problem with that. But you said, Third Reading."

Speaker Greiman: "No. I called the Bill on Second Reading, Mr. Vinson. Now, Ms. Pullen has deferred to you. I don't know who you care to defer to. Do you want to proceed with the Bill? Well, on the Special Order of Call appears House Bill 3522. Mr. Slater, do you wish to proceed with that Bill? Mr. Slater. Mr. Clerk, call the Bill. Mr. Clerk, call the Bill."

Clerk Leone: "House Bill 3522, on page 14, a Bill for an Act in relationship to prisoners and persons convicted of criminal offenses. Second Reading of the Bill. Amendment 01 was adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment 01?"

Clerk Leone: "There are no Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Slater."

Speaker Greiman: "Gentleman from McDonough, Mr. Slater, on Amendment #2."

Slater: "Thank you, Mr. Speaker. Amendment #2 merely adds an immediate effective date to the legislation. I move its adoption."

Speaker Greiman: "The Gentleman from McDonough moves for the

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adoption of Amendment #2 to House Bill 3522. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Greiman: "Third Reading. For what purpose does the Gentleman from Winnebago, Mr. Hallock, seek recognition?"

Hallock: "Thank you, Mr. Speaker. For the sake of the Membership, is it your intention at this point in time, to go through all the Special Orders and move those Bills which are on Second to Third so we'll be prepared for next week's call?"

Speaker Greiman: "We'll advise you as to the Chair's intention as we go along. At this..."

Hallock: "Well, Mr. Speaker, the reason why I asked, because you skipped to Thursday's Order of Call instead of starting with Tuesday's Order of Call and I thought... our side would like to know where we're going to start and where we're going to finish."

Speaker Greiman: "Well, we're on this Order of Business. I have called Mr. Slater's Bill. Mr. Countryman's Bill is the next Bill and I... Ms. Pullen has asked that we return to her Bill and I had told her we will return to her Bill. And on that, Representative Breslin, in the Chair."

Speaker Breslin: "We moved 3522 to Third Reading, Mr. Clerk? Representative Slater, what do you want to do on this Bill? House Bill 3522. There are no more Amendments filed. Is that correct, Mr. Clerk? Correct. What do you want to do? Do you want this Bill to move to Third Reading?"

Slater: "Yes."

Speaker Breslin: "Okay. Move the Bill to Third Reading. House

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Bill 3585, appears on page 15 on your Calendar, Representative Countryman. Clerk, read the Bill."

Clerk Leone: "House Bill 3585, a bill for an Act to amend certain Acts in relationship to jurors. Third... Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Breslin: "Third Reading. House Bill 3590, Representative Kirkland. Clerk, read the Bill."

Clerk Leone: "House Bill 3590, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "No Motions filed with respect to Amendment #1."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Homer - Johnson - Hawkinson."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker. Ladies and Gentlemen, last year the House passed a House Bill which raised the filing fees for answers in certain cases; but, when the Bill went to the Senate, the Senate added an Amendment that instituted a thirty-six dollar fee to be charged annually for the collection and dispersement of child support payments from ex-spouses. That Bill ultimately passed and was signed by the Governor into law. The effective date of that thirty-six dollar fee was January 1 of 1986. Since the implementation of the Bill, I am sure, along with a number of others of you, have heard from your circuit clerks and perhaps, parties who are required now for the first time to pay a thirty-six dollar fee to the clerks about the... about the inadvisability of the action last year. So, House Amendment #2 would serve to repeal that



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thirty-six dollar fee and I would ask for your favorable support for the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 3590. And on that question, the Gentleman from Knox, Representative Hawkinson. Representative Hawkinson."

Hawkinson: "Thank you, Madam Speaker. I rise in support of this Amendment. Also, I know my office has been deluged with calls from people who indicate their feeling that this thirty-six dollar annual fee is extremely unfair. An argument that they commone make, for which there is no good reply, is that they are forced through court order to make these payments through the clerk for the convenience of the court as well as the convenience of the... convenience of the payee and that for the court's convenience in record keeping, they should not be charged this entire fee. And I would urge the adoption of the Amendment."

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

Cullerton: "Yes, will the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "With regard... We're on Amendment #2. Is there a... Does Amendment #2 make a distinction between certain counties?"

Homer: "It does not make a distinction. However, I understand, Representative Cullerton, that by rule of Cook County Circuit Court, that Cook County currently imposes a thirty-six dollar fee. The Bill, therefore, would not have impact in Cook County because that fee is imposed pursuant to Circuit Court rule, but it would remove the thirty-six dollar fee from all other counties where no such similar rule is imposed."

Cullerton: "Well, you're saying that there is a statute now which

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specifically states that the thirty-six dollars must be collected?"

Homer: "Yes. It was passed last year."

Cullerton: "And the question is... the question I have... I see, it's on page seven of the Amendment, the question is, can... will Cook County still be able to have this fee if we're striking the statute which requires it?"

Homer: "Yes. They had the fee prior to the adoption of the statute."

Cullerton: "Okay. Fine. Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #2 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 101 voting 'aye', none voting 'no', and 5 voting 'present'. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Kirkland."

Speaker Breslin: "Representative Kirkland."

Kirkland: "Madam Speaker, please withdraw Amendment #3."

Speaker Breslin: "Withdraw #3. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, Kirkland."

Speaker Breslin: "Representative Kirkland."

Kirkland: "Thank you. Amendment #3, by the way, was just technically incorrect and Amendment #4 does what was intended by Amendment #3, which is to clarify the wording of the original Bill to clarify the intent of the original Bill to allow prospective attorneys' fees in various situations in domestic relation cases."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to House Bill 3590. And on that question, is there any discussion? Hearing none, the question is,

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'Shall Amendment #4 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, Johnson."

Speaker Breslin: "Representative Johnson."

Johnson: "We have two Amendments. Let me see which... I think there are two that are duplications. Let me... Could I... Can we just have one second to look at this and make sure where we're at on the Amendment? There's two and I don't want to enter one on the wrong form here."

Speaker Breslin: "Representative Johnson, on Amendment #5."

Johnson: "Amendment #5 was suggested by Judge Fleck, who used to be the presiding Judge of the Domestic Court in Chicago, now practices domestic law in Cook County area, and provides that the date of evaluation of assets in dissolution cases to be the date of petition filing... petition dissolution; although, for good cause, the Judge can evaluate the assets at a later date, but only after the date of the trial on the grounds for dissolution. His feeling is and the feeling of the people that practice in the field that this will go a long ways towards preventing litigation delays and that sort of thing. I think it's agreed by the Sponsor."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #5 to House Bill 3590. Is there any discussion? Hearing none, the question is, 'Shall Amendment #5 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #6, Johnson."

Speaker Breslin: "Representative Johnson."

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Johnson: "I think... Withdraw Amendment #6."

Speaker Breslin: "Withdraw #6. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. With leave of the body, we'll go back now to Representative Pullen's Bill, House Bill 3262. Mr. Clerk, read the Bill."

Clerk Leone: "On page 11, House Bill 3262, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. Amendment #1 was tabled in Committee. Amendment #2 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #3, offered by Representative Davis."

Speaker Breslin: "Representative Davis. On Amendment #3, Representative Davis. Withdraw Amendment #3. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, offered by Representative Pullen."

Speaker Breslin: "Representative Pullen."

Pullen: "Thank you, Madam Speaker. Floor Amendment #4 is simply a technical Amendment to correct some Section references, and I move its adoption."

Speaker Breslin: "The Lady moves for the adoption of Amendment #4 to House Bill 3262. Is there any discussion? Hearing none, the question is, 'Shall Amendment #4 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, Cullerton."

Speaker Breslin: "Representative Cullerton. Withdraw Amendment

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#5. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #6, Anthony Young."

Speaker Breslin: "Representative Young. Representative Anthony Young. Representative Young, you are recognized on Floor Amendment #6 to House Bill 3262."

Young: "Amendment #6. Thank you, Madam Speaker, Ladies and Gentlemen of the House... I have an inquiry of the Chair. I have also Amendment #8 and I don't know whether it's been printed and distributed."

Speaker Breslin: "Mr. Clerk, can you tell us if Amendment #8 has been printed and distributed? The answer is yes. It has been printed and distributed."

Young: "If that's the case, I withdraw Amendment #6."

Speaker Breslin: "Withdraw #6. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #7, Cullerton."

Speaker Breslin: "Representative Cullerton. Withdraw Amendment #7. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #8, Anthony Young."

Speaker Breslin: "Representative Young."

Young: "Thank you, Ladies and Gentlemen of the House and Madam Speaker. Floor Amendment #8 is an attempt to plug the hole that presently exists in our fetus... feticide statute. House Bill 3262 attempts to address this problem, but in so doing, it creates a problem that is even greater, in my opinion, than the problem it attempts to correct. House Bill 3262 will provide inadequate protection for members of the medical profession who are attending pregnant women. By not including genetic testing and newer experimental medical techniques in the range of protected activity, this Bill subjects physicians to criminal prosecutions for providing medical testing and treatment that is desired and consented to by pregnant women. Okay. By focusing upon the woman, the pregnant woman protection Amendment avoids

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any conflict with traditional English common law which did not recognize the fetus as having a status equivalent to live born for purposes of law. Okay. It's my contention and it has been that the Bill as it stands at this point cannot withstand the continental scrutiny of Roe v. Wade. I know there are arguments that this Bill will, in fact, withstand that scrutiny, but any time you redefine the definition of human life, as this Bill does with this unborn child definition, it brings the Supreme Court's holding of Roe v. Wade into question. What Amendment #8 will do, is it creates, and I don't have the Amendment in front of me, but aggravated... it creates the crime of aggravated assault upon a pregnant woman. In this way, all of the so-called gaps in our feticide statute as they now exist will, in fact, be closed. Pregnant women will be protected. The unborn child will be protected. We will not have to strike the statutes that we have on the books right now. And we will in no way come in conflict with the United States Supreme Court and its holding in Roe versus Wade. And at this point, I would be glad to answer any questions about the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #8 to House Bill 3262. And on that question, the Lady from Cook, Representative Pullen."

Pullen: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. It is touching that the Gentleman is so concerned about the medical profession, but I can assure this Body that the Medical Society has already amended the Bill in a fashion that is satisfactory to them. So, I don't think that they need his Amendment in order to take care of them. As to the balance of his comments, I wish to inform the House that the purpose of the Amendment, as I see it, is actually to gut the Bill, which is what it would do. And

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this Bill was approved by the House Judiciary Committee. Many Members of that Committee had very good input, and I welcomed their suggestions, and we did take the suggestions of many Members of that Committee to put the Bill into the form before the House at this time. This Amendment is not needed and it is harmful to this Bill. I would urge the Members of the House to defeat the Amendment and allow me to present the Bill in a form in which it is satisfactory to me as Sponsor and to the House Judiciary Committee. Thank you."

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

Preston: "Thank you, Madam Speaker. Would the Gentleman yield for some questions?"

Speaker Sreslin: "He will."

Preston: "Representative Young, I'm confused on what the Amendment does and what organizations, if any, have looked at it and signed off on it? Has the ACLU looked at your Amendment?"

Young: "Yes, they have, Representative. First, what the Amendment does, it creates the new criminal offense of aggravated battery of a pregnant woman. Secondly, as far as the organizations who support this Amendment, the American Civil Liberties Union supports the Amendment, Chicago NOW supports the Amendment, Illinois NOW, Illinois Planned Parenthood, Illinois Women's Political Caucus, Midwest Women's Political Caucus, most of the major women's organizations in this state support this Bill. As a Member of the Committee, you heard the testimony in Committee as to why some legislation in this area is necessary to plug the gap in our feticide statute. This Amendment was drafted to plug those gaps where there is, in fact, injury done to the pregnant woman or to the fetus, but is not

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covered by our present statute."

Speaker Breslin: "Representative Preston."

Preston: "Thank you. Representative, does your Bill... you said that your... that this Amendment makes the... creates the crime of aggravated battery of a pregnant woman. Is that correct?"

Young: "That is correct."

Preston: "And do you commit that crime when, with intent to commit or cause great bodily harm to that pregnant woman who you know to be pregnant, the harm you cause ends in the termination of that pregnancy?"

Young: "The termination of that pregnancy, among other things."

Preston: "What are the other things?"

Young: "Alright. The Amendment reads, 'Great bodily harm includes acts which cause a permanent disability or disfigurement to the pregnant woman or which result in a spontaneous abortion, a stillborn delivery or a live born infant with a permanent disability or disfigurement caused by the battery.'"

Preston: "Tony, one... one of the problems that were brought up in Committee was that it is possible to -- and some of the examples given in that Committee -- show that it is possible to intend to do great bodily harm, not to the pregnant woman, but to the fetus. And, in fact, there were examples given where the fetus was destroyed and people were found not guilty of crimes since their intent was to destroy the fetus and not to, in any way, harm... or at least not do great bodily harm to the mother and there were some horrendous examples given. Would this Bill, this Amendment, make it the crime of aggravated battery to intend to destroy or greatly harm the fetus and not to intend to harm the mother and yet, be found guilty of aggravated battery of a pregnant woman."



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Young: "Yes, you would be found guilty under this Amendment, Representative Preston, because it does state that if the conduct to the woman causes a certain result which affects the fetus, it would, in fact, be the aggravated battery on a pregnant woman and the only standard... the standard of knowledge is looser in the Amendment than in the actual Bill. It does not say, 'knew she was pregnant', it is 'knew or should have known'."

Preston: "And what's the penalty that goes along with committing this crime?"

Young: "The new crime is a Class II Felony."

Preston: "And what kind of a sentence does that carry?"

Young: "Three to seven years."

Preston: "I see. Thank you."

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

Vinson: "Yes, Madam Speaker, I wonder if the Gentleman would yield for a question?"

Speaker Breslin: "He will."

Vinson: "Representative, did I hear you correctly, that the ACLU, the American Civil Liberties Union supports this Amendment?"

Young: "That's correct."

Vinson: "I'm sorry?"

Young: "That is correct."

Vinson: "Okay. Thank you. To the Amendment. First of all, I think the Membership ought to look at this issue on its own merits and for its own weight and as to how it best deals with the problem. Too often, groups on both sides of the human life issue attempt, in my judgment, to go out and drag issues that are not legitimately related to it into the issue. A couple of years ago, Representative Curran had a Bill which dealt with the living will issue. In my

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judgment, pro-life groups made a mistake by suggesting that that was a pro-life matter. In this instance, I think groups that are on the pro-choice side of the issue are making a very severe mistake by suggesting that this is a human life issue - at least, that this somehow relates to the controversy regarding the Supreme Court's decision in Roe versus Wade. In my judgement, it does not. It stands alone and it is an issue on its own and should be addressed on its own. I don't believe Amendment #8 best addressed that issue. It has been said on the floor that the Bill, as amended by Representative Pullen's Amendment, creates a problem for the medical profession. Since that was said, I have checked with the Illinois State Medical Society, specifically, to ask if they have any problem with the Bill in the posture she would wish to put it in. They do not. They have no problem with her Amendment. They do not require this Amendment to put the Bill in any proper form. They're satisfied. Number two, I think if you look at the issue in and of itself, you ought to compare whether we should deal with somebody who, whether in your philosophical terms, kills the life of an unborn baby or who, in your philosophical frame of reference, is responsible for preventing life, I think you ought to consider whether that person ought to be punished in the same fashion that a person who simply offensively touches a police officer is punished. I think the penalty for causing a woman's fetus to be killed ought to be substantially stronger than the penalty for simply offensively touching a police officer. And that, in fact, is the penalty proposed in this Amendment. I think that's a mistake. That is the primary reason why I oppose this Amendment. I don't think, in this particular case, that we ought to be discussing the Roe versus Wade decision. We

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ought to be discussing appropriate penalties for what is a very major and what should be a very major crime. The penalty in this Amendment is simply inadequate and for that reason, I would urge a 'no' vote."

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

Bowman: "Yes, to the Amendment, Madam Speaker. I found the previous Gentleman's remarks very interesting about how the United States Supreme Court would view this legislation, whether they would view it as being able to stand alone and independent of Roe versus Wade. The only problem, of course, is the Gentleman is not a member of the United States Supreme Court. That is a matter for them to decide. In my opinion, it is a risk that should not be taken; because, if you genuinely care about the health and viability of the fetus and if you really want to put a law on the books that protects the unborn child, then you want to vote for this Amendment because if you don't vote for Representative Young's Amendment - and Representative Pullen is able to pass her Bill in the form that she is seeking to pass the Bill - I predict that the whole thing will be struck down by the courts and we'll be right back to ground zero again. If you really want to protect the unborn child, you will vote for Representative Young's Amendment and make sure that we have a piece of legislation that will protect unborn children that will withstand constitutional scrutiny. I support the Amendment."

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

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

Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the

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opinion of the Chair, the 'ayes' have it and the main question is put. Representative Young, to close. Representative Young. Mr. Electrician."

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I'd like to echo some of the comments of my colleague from the other side of the aisle, Representative Vinson, because to me this is a very simple vote. If you care about the harm done to unborn fetus, if you want to plug a gap that currently exists in our law, you will vote for this Amendment. The Bill as it stands now is in direct violation of the United States Constitution, not the Constitution, but the Supreme Court's holding in Roe v. Wade. The Gentleman from the other side of the aisle said that this is not a Wade issue. Well, I beg to differ. I knew this would come up today, so I brought the case of Wade with me. The Bill as it stands right now defines conduct against an unborn child and defines an unborn child from the moment of fertilization. In Roe v. Wade, the United States Supreme Court said - and this is still present law - in areas other than the criminal abortion, the law has been reluctant to endorse any theory that life, as we recognize it, begins before live birth or to accord legal rights to the unborn, except in narrowly defined situations and except when rights are contingent upon live birth. They go on to say that the fetus represents the potentiality of life. It's clear that this particular Bill will be challenged on a constitutional basis. It's clear that this particular Bill, without this Amendment, is... is directly opposed to the holding in Roe v. Wade. So, the decision this Body has is quite simple. If you want to plug the gaps and protect pregnant women and the unborn fetus, you will vote for this Amendment. If, on the other hand, the purpose of this Bill is a human life issue, then

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I would suggest that you ought to find another vehicle to raise that issue and not put our feticide statute and the protection of pregnant women and the unborn child in jeopardy, and I'd urge an 'aye' vote."

Speaker Breslin: "The question is, 'Shall Amendment 28 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Hawkinson, one minute to explain your vote."

Hawkinson: "Thank you, Madam Speaker. Again, the Sponsor of the Amendment is inappropriately interjecting the issue of Roe versus Wade into this debate. And in terms of putting the feticide issue and crime at risk, there is no severability clause in this Bill. And if it were struck down for some reason, the feticide statute, as it presently exists, would be restored and I urge a 'no' vote."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 20... there are 29 voting 'aye', 70 voting 'no', and 5 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Ladies and Gentlemen, under Special Order, dealing with environment, there appears House Bill 2946. It appears on page seven on your Calendar. Mr. Clerk, read the Bill. House Bill 2946."

Clerk Leone: "On page seven, House Bill 2946, a Bill for an Act in relationship to Lake Clinton and public safety. Second Reading of the Bill. Amendments #1 and 2 were adopted previously."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #3, Vinson."

Speaker Breslin: "Representative Vinson, on Amendment #3.

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Representative Vinson."

Vinson: "Yes, Madam Speaker, Ladies and Gentlemen of the Assembly, what Amendment #3 does is to ensure that the Bill which is designed to make sure or to provide a disincentive to Conservation and Public Health to ban swimming in Lake Clinton. What Amendment #3 does is to ensure that after Public Health and Conservation get out of that activity, that the Environmental Protection Agency won't jump into the activity. It's a simple Amendment that simply makes the Bill more comprehensive, and I would ask Members to favorably act upon the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to House Bill 2946. Is there any discussion? Hearing none, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, Vinson."

Speaker Breslin: "Representative Vinson."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. What Amendment #4 to this Bill would do is to also make explicit and clear the fact that while this General Assembly has questions about the appropriateness of banning swimming in Lake Clinton, that it does not seek to discourage the relevant agencies from advising the public and informing the public as to the level of risk that may be associated with that activity. I think that in this field, we ought to be vigilant in advising and informing the public and then let the public make the decision as to whether they wish to assume that risk or not. And for that reason, I would ask for your favorable action on Floor Amendment #4."

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Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to House Bill 2946. Is there any discussion? Hearing none, the question is, 'Shall Amendment 24 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. House Bill 2950, Representative Madigan - Cullerton. Representative Cullerton, for what reason do you rise?"

Cullerton: "Yes, with regard to Representative Vinson's Bill, 2946."

Speaker Breslin: "Yes?"

Cullerton: "Did you move that to Third Reading?"

Speaker Breslin: "Yes."

Cullerton: "Yes. I wanted to... I don't think I withdrew my request for a fiscal note, but I wish to do that at this time."

Speaker Breslin: "Withdraw the request for the fiscal note, Mr. Clerk."

Cullerton: "I see that maybe Tony missed that one."

Speaker Breslin: "Let's go onto House Bill 2950, Representative Madigan. Clerk, read the Bill."

Clerk Leone: "House Bill 2950, a Bill for an Act creating Public Health Information and Community Right To Know Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Williamson - Pullen."

Speaker Breslin: "Representative Williamson."

Williamson: "Thank you, Madam Speaker and Members of the House. Amendment #1 includes airports as a business under the House Democratic Community Right To Know Bill. All

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airports would be included in the State of Illinois and it adds several substances as priority - hazardous substances only - for the purpose of monitoring emission at airports."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #1 to House Bill 2950. And on that question, the Gentleman from Cook, Representative Bowman."

Bowman: "Well, I stand in opposition to the Amendment. I think the Lady is confused. This is not an O'Hare Airport Bill. She's trying to make it into one and there are plenty of other vehicles around that have wheels and even wings on them. And so, I think, if the Lady wishes to pursue her legislation, that she would be better off putting it onto a Bill that is an O'Hare Airport Bill. This is an environmental piece of legislation, this Community Right to Know Bill. We would like to keep this Bill clean in its current form. Please do not pollute this Bill with the Lady's Amendment. I urge a 'no' vote."

Speaker Breslin: "Representative Williamson, to close."

Williamson: "Representative Bowman, this does not deal with O'Hare Airport. It would deal with hazardous emissions that are... come out of all aircraft and it would help the entire State of Illinois. So, it's not an O'Hare Airport Bill. This Community Right to Know Bill is simply asking for the State of Illinois to let the residents and municipalities know of hazardous substances. This Amendment simply includes several hazardous substances that would affect Illinois residents and not O'Hare Airport. Thank you. I ask for a favorable vote."

Speaker Breslin: "The question... the... The question is, 'Shall Amendment #1 to House Bill 2950 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Gentleman from Will, Representative Davis, to explain his vote. One



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minute."

Davis: "Yes, Madam Speaker, to explain my vote. I think it's ludicrous of the opposition speaker to this Amendment to suggest that the burning of hydrocarbons falling out of the air every day over 400,000 suburban Republicans, does not carry toxic chemicals and toxic cancer causing agents and this is a Community Right To Know Bill. Do they not have that right? And if it is the case that it's not a problem, why in the world are we having auto emission testings for sulfur dioxide, carbon monoxide and other residues are hydrocarbons. Now jets burn kerosene which is a hydrocarbon and has highly toxic levels of pollutants in the air every day being poured on four, five hundred thousand people at low levels. And if you don't believe it, go sit in Penny Pullen's back yard on a Sunday afternoon and let it fall all over you. Now, this is Community Right To Know, Representative Bowman. And that community doesn't have the right to know, has no need to know what's..."

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

Leverenz: "Well, in following with the previous speaker, if this stuff is falling on four hundred... 400,000 suburban Republicans, maybe the right thing is happening and that maybe we should or shouldn't know about it and maybe the other Representative bought property in the wrong place. I was more interested in Representative Williamson's airplane submissions that are falling on everybody."

Speaker Breslin: "The question is... The Clerk will take the record. On this question there are 53 voting 'aye', 56 voting 'no' and 1 voting 'present'. And the Amendment fails. Are there any further Amendments? Representative Pullen, for what reason do you rise?"

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Pullen: "To tell you that Representative Vinson is seeking recognition."

Speaker Breslin: "Representative Vinson nor Representative McCracken had their lights on, Madam. Representative Vinson, for what reason do you rise?"

Vinson: "To request a verification."

Speaker Breslin: "Very good. There will be a verification of the Roll Call. Would you read the affirmative, Mr. Clerk. Excuse me, the Negative, Mr. Clerk. Quickly, please."

Clerk Leone: "Poll of the Negatives. Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Christensen. Cullerton. Curran. Currie. Daley. DeJaegher. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Greiman. Hannig. Hartke. Hicks. Keane. Krska. Kulas. Laurino. LeFlore. Levin. Martinez. Matijevich. McGann. McNamara. McPike. Mulcahey. Nash. O'Connell. Panayotovitch. Pangle. Phelps. Preston. Rea. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Steczo. Terzich. Turner. Washington. White. Wolf. Anthony Young. Myvetter Younge. And Mr. Speaker."

Speaker Breslin: "Any questions of the negative, Mr. Vinson?"

Vinson: "Representative Currie."

Speaker Breslin: "Representative Currie. The Lady is not in the chamber. Remove her from the Roll Call."

Vinson: "Mr. Daley."

Speaker Breslin: "Representative Daley. John Daley. The Gentleman is in the chamber."

Vinson: "Mr. Farley."

Speaker Breslin: "Representative Farley. Bruce Farley. Is the Gentleman in the chamber? He is not. Remove him."

Vinson: "Representative Steczo."

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

Vinson: "Mr. Phelps."

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Speaker Breslin: "Representative Phelps is in his... by his seat."

Vinson: "Mr. DeJaegher."

Speaker Breslin: "Representative DeJaegher is in his chair. Representative Huff. Representative Huff."

Huff: "Yes, Madam Speaker, how am I recorded?"

Speaker Breslin: "You're not recorded as voting, Sir."

Huff: "Record me as voting 'no'."

Speaker Breslin: "The Gentleman wishes to be recorded as voting 'no'. Representative Farley has returned to the chamber. Add him to the Roll Call as voting 'no'."

Vinson: "Representative Braun."

Speaker Breslin: "Representative Braun. The Lady is not in the chamber. Remove her from the Roll Call."

Vinson: "Representative Alexander."

Speaker Breslin: "Representative Alexander is not in the chamber. Remove her from the Roll Call."

Vinson: "Representative LeFlore."

Speaker Breslin: "Representative LeFlore is not in the chamber. Remove him from the Roll Call."

Vinson: "Representative Flowers."

Speaker Breslin: "Representative is not in the chamber. Remove her from the Roll Call."

Vinson: "Representative Young."

Speaker Breslin: "Representative Young. Anthony Young is in the chamber."

Vinson: "Representative Wyvetter Younge."

Speaker Breslin: "Representative Wyvetter Younge is not in the chamber. Remove her from the Roll Call."

Vinson: "Representative Turner."

Speaker Breslin: "Representative Turner is not in the chamber. Remove him from the Roll Call."

Vinson: "Representative Brookins."

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Speaker Breslin: "What was the last one, Sir?"

Vinson: "Brookins."

Speaker Breslin: "Representative Brookins has returned to the chamber. Add him to the Roll Call as voting 'no'. Mr. Clerk, add Representative LeFlore as voting 'no', Representative Flowers as voting 'no', Representative Wyvetter Younge voting 'no', Representative Turner as voting 'no', Representative Alexander as voting 'no'. And Representative Shaw and Washington ask leave to be verified, Mr. Vinson. Is that acceptable?"

Vinson: "Shaw and Washington."

Speaker Breslin: "Shaw and Washington."

Vinson: "Sure."

Speaker Breslin: "Representative LeFlore, you have been verified if you have voted in person. Representative Currie wishes to be... is present. She's returned to the Roll Call. Add her as voting 'no'."

Vinson: "Where is she? Where is she?"

Speaker Breslin: "She is right in the center of the room."

Vinson: "Oh, I thought it was a Page."

Speaker Breslin: "Do you have any further questions?"

Vinson: "Yeah."

Speaker Breslin: "Carol Braun has returned to the chamber. Add her to the Roll Call voting 'no'. Do you have any further questions?"

Vinson: "Yeah. Yeah, I'm going ahead with some. Representative Terzich."

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

Vinson: "Where?"

Speaker Breslin: "In his chair."

Vinson: "I don't see him there. Oh, that's Capparelli's Bill book in the way. I'm sorry. Representative Hicks."

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Speaker Breslin: "Representative Hicks is in the chamber."

Vinson: "Representative Pangle."

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

Vinson: "Representative Flinn."

Speaker Breslin: "Representative Flinn. Representative Flinn is  
in the chamber."

Vinson: "Mr. Panayotovich."

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

Vinson: "Mr. Mulcahey."

Speaker Breslin: "Representative Mulcahey is in his chair.  
Representative Homer, for what reason do you rise?"

Homer: "Would you please record me as 'no'?"

Speaker Breslin: "Record Representative Homer as voting 'no'.  
Any further questions, Mr. Vinson?"

Vinson: "Representative White."

Speaker Breslin: "Representative Jesse White is in his chair.  
Any further questions?"

Vinson: "Yeah. Representative Giorgi."

Speaker Breslin: "Representative Giorgi is in the chamber. Any  
further questions?"

Vinson: "I'm looking around. Representative LaPaille."

Speaker Breslin: "Representative LaPaille is not a Member of this  
chamber."

Vinson: "Ooooh!"

Speaker Breslin: "Any further questions?"

Vinson: "...Questions."

Speaker Breslin: "Okay. The Gentleman has no further questions.  
Representative Johnson, did you wish to be recorded on this  
Roll Call? On this question there are... Representative  
Cullerton, for what reason do you seek recognition?"

Cullerton: "I want to tell Representative Vinson that  
Representative LaPaille can't afford the cut in pay."

Speaker Breslin: "On this question there are 54 voting 'aye', 58

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voting 'no', and the Amendment fails. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 3036, Representative Matijevich. Clerk, read the Bill."

Clerk Leone: "On page nine, House Bill 3036, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk Leone: "No Motions filed with respect to Amendment #1."

Speaker Breslin: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Matijevich."

Speaker Breslin: "Representative Matijevich."

Matijevich: "Madam Speaker, Ladies and Gentlemen of the House, Floor Amendment #2 would provide that units of local government, which operate treatment plants producing sludge, shall file semi-annual reports identifying the volume of sludge, the sludge hauler and the disposal site. This was worked out so there is... that there is some record to show what is happening to the sludge. And I would move for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 3036. Is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, McPike - Hallock."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Mr. Speaker (sic - Madam Speaker) and Ladies and Gentlemen of the House. Amendment #3 has been agreed to by Representative Hallock and I hope by all the Members

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of both sides of the aisle. We tried to take a look at the Bills that had been introduced into the Environmental... Energy, Environment Committee and come up with those that appear to be noncontroversial and put them into this Amendment. Very briefly, it contains House Bill 2633, by Klemm, releases units of local government from certain liabilities that result from inspection activities conducted pursuant to a delegation agreement with the Illinois EPA. 2870, by Hicks, which extends the time period that sanitary landfills may be monitored from three to five years. 2877, by Leverenz, exempts the gas stations from the \$75 air pollution permit fees established last year. 2888, by Jack Davis, the issuance of bonds by local governments to pay for sewage treatment projects. It makes them subject to municipal approval rather than mandatory. House Bill 3151, by Olson, provided certain federal rules under the Clean Air Act to be adopted by reference. 3538, by Hallock, made numerous cleanup changes to the Chemical Safety Act we passed year... that we passed last year. And the last was an Act that clarified the Pollution Control Board's authority to issue site specific rules for individual pollution sources. I think the Amendment is agreed to. I move its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment 23 to House Bill 3036. On that question, the Gentleman from Winnebago, Representative Hallock."

Hallock: "Thank you, Madam Speaker. I rise in support of the Amendment. It includes some of the better environmental Bills of this Session. I would ask that it be supported."

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

Levin: "Yes, would the Sponsor yield or Representative Hallock, if that would be appropriate?"

Speaker Breslin: "Representative McPike will yield."

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Levin: "Pardon?"

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

Levin: "Okay. Okay. Representative, much of the Amendment are amendments to the Chemical Safety Act. It's my understanding that these provisions have all been agreed to by both the environmental groups and the business community that were the results of negotiations."

Hallock: "Yes, you're right."

Levin: "And what... what does the Amendment provide as far as business liability? Because I know that was a big issue."

Hallock: "This issue doesn't really affect business liability."

Levin: "In terms of court proceedings, in terms of evidence, in terms of reports."

Hallock: "If you're talking about the Pollution Control Board Amendment, we had some testimony we want to get into the record for legislative intent, but we'll do that when we pass the Bill on Third."

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

Vinson: "Yes, I wonder if the Sponsor might yield for a question, Madam Speaker."

Speaker Breslin: "He will."

Vinson: "Representative, is there anything in the Amendment - I haven't had a chance to fully page through it - that permits landfills or refuse collection sites to be located closer to municipalities than they currently are?"

Speaker Breslin: "Representative McPike."

McPike: "No. No, there's not."

Vinson: "Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further



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Amendments?"

Clerk Leone: "Floor Amendment #4, McPike - Zwick - Brunsvold."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I would differ with Representative Hallock's remark on the last Bill when he said that it incorporated all the good provisions. Basically, they were noncontroversial provisions, and usually when you have noncontroversial provisions, they don't really do a lot. And that's really what the last Amendment did. It didn't do a lot. We made a few mistakes last year. For example, in... Representative Leverenz's Bill cleaned up a mistake that was never intended. His Bill dealing with the Chemical Safety Act was really a cleanup Bill. And most of those... most of the Bills I mentioned were very... relatively minor Bills. So, no one pretends that Amendment #3 was... was a monumental change in the environmental policies of this state. Amendment #4 probably should have been a part of the agreed Bill... of the agreed Amendment also. Unfortunately, I think, in a knee-jerk reaction, the Manufacturers' Association was opposed to Amendment #4, not because it affects anyone that they represent, but that they see it as a... as setting a precedent, and they are very fearful of any precedents. Amendment #4 deals only with landfills. We have had numerous complaints in every county, probably in every Legislative District in this state, dealing with local landfills, whether or not there is garbage blowing about, or whether or not the proper amount of dirt fill is required or whether or not they're operating at midnight or three o'clock in the morning in violation of their license - numerous complaints from every landfill in, I'm sure, every Legislative District in this state. The truth is that the... the EPA doesn't have the

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personnel to inspect. They have 102 counties to police and a thousand... at least a thousand landfills, a thousand plus landfills. And when they do show up and they issue a ticket or issue a citation, the landfill then... or excuse me, the Attorney General is required to prosecute that citation in front of the Pollution Control Board. The Attorney General may choose not to do so, because the citation may be worth 200 dollars, and he doesn't have the personnel to process the citation. Or it may take six months to a year to process it. So that, any authority that the EPA has to try to police these landfills is badly diluted through the system itself. So, the administration, the Thompson administration, the Republican administration got a couple of Republican Members to sponsor Bills last year to deal with the situation and a Democrat put in a similar Bill. But because the administration was opposed by the Manufacturers' Association, the Republican side of the aisle decided to back away and decided to let us handle the Amendment. That doesn't mean that it's a bad Amendment. It's a good Amendment. It's a good idea. What it says is that the EPA will have the authority, when they find a violation, to issue a fine, a fine, a set... a set fine of 500 dollars. And if the landfill operator wants to protest that in front of the PCB, he may do so. But he will not get the fine reduced from 500 dollars to 400, or 300 or 200. The question before the PCB will be whether or not there will be a violation. And we suspect that in that case there won't be very many appeals, because it will be clear that there was a violation, and the fine will be paid and some of the problems will be corrected. We have taken this a step farther because I think there are three counties currently that are authorized by EPA to ... to administer the Act, and we're going to say that those

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counties and any counties in the future that apply to EPA and get approval from EPA to administer that portion will then have the same authority that EPA will have to issue a citation, a 500 dollar fine, if you will, and perhaps we can get some control over some of the abuses of the landfills. As I said, I think this should be an agreed Amendment, because every person... every Legislator has had this problem. You've had calls from numerous constituents and here, finally, is a chance not just to enforce the law, but perhaps, for once, to make EPA some friends. If, in fact, the people of this state think that the EPA is their friend and that the EPA does have the ability to control some of the abuses of the local landfills, then I think that it's going to be better for everyone. I move the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to House Bill 3036. On that question, the Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker. I stand in support of Representative McPike's Amendment. The situation in my district - I have two landfills very close together. One is a model landfill. The other is not. This Bill... this Amendment was originally House Bill 3188 which I sponsored with the support of Representative Klemm. The two landfills I have - one you can follow the trucks with the garbage along the road. The other one, you can't even tell it's there. There's no litter along the roads. There's no seepage, no complaints. Very little problem with one landfill and the other one is a nuisance at all times. And we need to give the power to the EPA to control these nuisance problems that seem to be... can't be handled by some landfills, but can be handled by others. So, I stand in strong support of Representative McPike's Amend..."

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Speaker Breslin: "The Gentleman... Representative Hallock, on the Amendment."

Hallock: "Thank you, Madam Speaker, Members of the House. I'll stand on what I said before and that's the first Amendment we offered, Amendment #3 did, in fact, incorporate some of the better ideas in this area of the Session. Obviously, what's good is a matter of interpretation. I believe that that was a good Amendment, and this is a bad Amendment. Essentially what this will do is delete the process whereby a landfill operator may appeal the citation he's been given to the Pollution Control Board. It also provides for an automatic 500 dollar fine. What's going to happen in most cases is that you're going to have these operators who really can't afford to appeal the decision and so they're paying 500 dollars out each time without really any good cause of action shown. This is a bad Amendment. It's bad for the business community. It's bad for our citizens. It's bad for jobs. I hope you'll defeat it."

Speaker Breslin: "Representative Klemm, on the Amendment."

Klemm: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand in support of the Amendment. And being a businessman, I look at it a little bit differently perhaps. You know, we have responsibilities too if we own businesses in Illinois. I think all the people that run the landfills respect that and do a fine job and at least try. Some perhaps don't. Perhaps those, if they are cited for violations that affect our communities, would look at a little bit closer at their own operations to make it safer and better and more secure for our people who live near and around it. So, this particular Amendment really doesn't do any harm for those that operate good landfill sites. It's those that do not. And why should we, as taxpayers, support those type of operations? Landfill is becoming an

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important issue. Our environmental issues are debated every, single year, and we're getting tougher on them and tougher we should become. This Bill doesn't get any tougher other than those who are violating what we think is good common business sense should be made to at least pick up the tab. And that's all this is really doing. It is putting the responsibility where it belongs. Responsible business people I'm sure will support this, because responsible business people care about their community. And I stand in support of the Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #4 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 103 voting 'aye', 4 voting 'no' and none voting 'present'. Representative Hallock, for what reason do you rise?"

Hallock: "Well, it appears we have an agreed Amendment after all."

Speaker Breslin: "The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, Churchill."

Speaker Breslin: "Representative Churchill."

Churchill: "Thank you, Madam Speaker. Floor Amendment #5 is an Amendment which I worked out with Representative McPike. It basically says that there can be no new sanitary landfills within five miles of a state border. What we're trying to do is start a trend, if we can, to create a buffer zone on state borders so that water supplies that come underneath landfills in another state won't affect the water supplies in the State of Illinois. I ask for your support."

Speaker Breslin: "The Gentleman has moved for the adoption of

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Amendment #5 to House Bill 3036. And on that question, the Gentleman from Lake, Representative Matijevich."

Matijevich: "Madam Speaker, I not only support the Amendment, I applaud Representative Churchill. He and I both know that in... both in Antioch and in Winthrop Harbor, we've got our share of landfills and we don't need any more in Lake County near the border. And I genuinely support him on the Amendment."

Speaker Breslin: "Representative McPike, on the Amendment."

McPike: "Thank you. I would also like to compliment the Sponsor. I hope that this works in his county, and I hope that he is able to get an agreement with his neighboring state. And if that happens, I hope that the EPA can take a look at every county in Illinois that borders a neighboring state and hopefully, county by county, we'll get this adopted and get an agreement with the surrounding states. So, I applaud him for taking the initiative."

Speaker Breslin: "The question is, 'Shall Amendment #5 be adopted?' All those in favor vote 'aye'... say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Amendment #6, Churchill."

Speaker Breslin: "Representative Churchill. Withdraw Amendment #6. Are there any further Amendments?"

Clerk Leone: "There are no further Amendments."

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

Speaker Giglio: "On the Order of Second Reading appears House Bill 3298. Mr. Clerk."

Clerk Leone: "On page three of your Calendar, Order of Second Reading Short Debate Calendar. House Bill 3298, a Bill for an Act to amend the Private Detective, Private Alarm and

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Private Security Act. Second Reading of the Bill. No  
Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "There are none."

Speaker Giglio: "Representative McPike."

McPike: "I'll move this to Third Reading with the intention of  
bringing it back when we have an agreed Amendment next  
week. Representative Hastert, I've been trying to keep him  
informed of the process and hopefully we'll have an  
agreement next week for this."

Speaker Giglio: "Third Reading. On the Calendar appears House  
Bill 3423, Representative Hallock. Representative  
Hallock."

Clerk Leone: "House Bill 3423, a Bill for an Act to amend an Act  
in relationship to emergency efficient storage hot water  
heaters. It's been read a second time previously.  
Amendment #1 was adopted in... in Committee and  
subsequently tabled on Second Reading. Next Amendment is  
Floor Amendment #2, offered by Representative Hallock."

Speaker Giglio: "Representative Hallock, on Amendment #2."

Hallock: "Thank you, Mr. Speaker. I'd ask leave to withdraw #2,  
please."

Speaker Giglio: "Gentleman have leave to withdraw Amendment #2?  
All those in favor say 'aye', opposed 'nay'. The 'ayes'  
have it. Amendment #2 is withdrawn. Any further  
Amendments?"

Clerk Leone: "Floor Amendment #3, Hallock."

Speaker Giglio: "Representative Hallock, on Amendment #3."

Hallock: "I would also ask to withdraw 3, please."

Speaker Giglio: "Gentleman asks leave to withdraw Amendment #3.  
All those in favor say 'aye', opposed 'nay'. In the  
opinion of the Chair, the 'ayes' have it, and Amendment #3  
is withdrawn. Any further Amendments?"

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Clerk Leone: "Floor Amendment #4, Hallock."

Speaker Giglio: "Representative Hallock, on Amendment #4."

Hallock: "Thank you, Mr. Speaker. Amendment #4 basically ensures that these new hot water heaters must be labeled by the manufacturer and that's all it does. I ask for your support."

Speaker Giglio: "Gentleman asks leave to adopt Amendment #4 to House Bill 3423. All those in favor say 'aye'... Sorry. Representative Cullerton."

Cullerton: "Yes, I think that Representative Hallock's Amendment is out of order, or it's improperly drafted. Maybe you can... you want to delete language. You want to delete the words 'or the retailer or both'? Amendment #4 we're on. Do you have a copy in front of you? Do you want to delete..."

Hallock: "I'd like to delete 'or the retailer or both'."

Cullerton: "So you don't have a line through it do you?"

Hallock: "I think they should have drawn a line through the Amendment."

Cullerton: "Is the guy next to you the guy that did it?"

Hallock: "Well, we wouldn't want to cast any blame. But let's just say that I'll..."

Cullerton: "Do you want to amend it on its..."

Hallock: "... withdraw that one, or I'd like to amend it on its face, if you want to do that."

Cullerton: "To draw a line through the language on line six? Okay. I have no objection."

Hallock: "Draw a line through the words, 'or the retailer or both'."

Cullerton: "Okay. I have no objection to that. Amending it on its face, Mr. Speaker. You have to have leave from the Body though, so I'm only one vote."

Speaker Giglio: "Does the Gentleman have leave to amend... Leave?"



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All those in favor say 'aye', 'no'. In the opinion of the Chair, the 'ayes' have it. Amendments adopted on its face. The Amendment's amended on its face. Representative Hallock, do you care to talk on the Amendment as amended?"

Hallock: "No, I would just now ask the support of the Body for the Amendment."

Speaker Giglio: "All those in favor on the Amendment vote 'aye'... say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment 4 is adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. On the page 13 of the Calendar appears House Bill 3473, Representative Hallock."

Clerk Leone: "House Bill 3473, a Bill for an Act to amend an Act concerning the Natural Heritage Endowment Trust Fund. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Giglio: "Any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Hallock."

Speaker Giglio: "Representative Hallock, on Amendment #2 to House Bill 3473."

Hallock: "Thank you, Mr. Speaker. This Amendment only ensures that funds of the endowment are placed in a bank that has a capital surplus of at least 50 million dollars in the bank. I would ask for your support."

Speaker Giglio: "Any discussion on the Amendment? Representative Leverenz."

Leverenz: "Gentleman yield to a question?"

Speaker Giglio: "Indicates he will."

Leverenz: "Why is 50 million so important?"

Hallock: "Well, apparently, that's the level at which most banks

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are deemed to be extremely solvent, and we want to make sure these assets are put in a bank that has a good reputation is financially able."

Leverenz: "How many downstate banks would that include?"

Hallock: "Well, it probably includes all the banks in my district. But I couldn't answer your question."

Leverenz: "I think you might be excluding a number of downstate banks. What does the Amendment do again?"

Hallock: "The bank... the Amendment provides that banks that have assets of 50 million or more are covered by the Bill. The Amendment was sponsored and requested to be sponsored by the Department of Conservation."

Leverenz: "So, it would... it would only favor big banks and the hell with the little..."

Hallock: "It favors the larger banks."

Leverenz: "Heck with the little ones. No kidding? That's great."

Speaker Giglio: "Further discussion? Seeing none, all those in favor on Amendment #2 to House Bill 3473 say 'aye', those opposed 'nay'. All those in favor please vote 'aye', those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 71 voting 'yes', 28 voting 'no', 3 voting 'present', and the Amendment's adopted. Any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. On the Calendar, on page 13, appears House Bill 3475, Representative Tuerk."

Clerk Leone: "House Bill 3475, a Bill for an Act in relationship to state parks, memorials and historic sites. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendment?"

Clerk Leone: "Floor Amendment #1, offered by Representative

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Tuerk."

Speaker Giglio: "Representative Tuerk, on Amendment #1 to House Bill 3475."

Tuerk: "Speaker, Members of the House, this Bill transfers Jubilee College State Historic Site to the agency... the Preservation Agency. And what this Amendment does is make it clear that the college building and so forth is precisely called a historic site and it's so reflected in this Amendment and it also has an immediate effective date on the Bill. I'd offer that... I move for the adoption of the Amendment."

Speaker Giglio: "Gentleman moves for the adoption of Amendment #1 to House Bill 3475. Any discussion? All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #1 is adopted. Further Amendments?"

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

Speaker Giglio: "Representative Tuerk, on Amendment #2."

Tuerk: "Speaker and Members of the House, all this Amendment does is change the land description of the area. It's an agreed Amendment between Department of Conservation and the Historic Preservation Agency. It's a clarifying Amendment. I would move the adoption."

Speaker Giglio: "Gentleman asks for the adoption of Amendment #2 to House Bill 3475. Any discussion? Seeing none, all those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment #2 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Alright. We're going to go to the Order of Labor and Employment Benefits, and on page 11 appears House Bill 3238, Representative McPike."

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Clerk Leone: "On page 11, House Bill 3238, a Bill for an Act to amend the Unemployment Insurance Act. Second Reading of the Bill. No Committee Amendments."

Speaker Giglio: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Tate."

Speaker Giglio: "Representative McPike."

McPike: "I move to table House Bill 3238. The... The Speaker and the President of the Senate has been joined with the Minority Leader and... of the House and the Minority Leader in the Senate and the Governor has joined in calling for a summit meeting in the Mansion. It was our intent to use this as a vehicle Bill. I think that we've decided to use a Senate Bill as a vehicle Bill. But, at any rate, I can't understand why the Republicans decided to file about 20 Amendments to this, because Representative Tuerk and myself had said that this... the purpose of this Bill was to be used as a vehicle Bill in case there was an agreement. So, since all of the Republican Amendments are filed, I'll just table the Bill."

Speaker Giglio: "Representative Vinson, are you seeking recognition?"

Vinson: "Yes, Sir. Just to advise Mr. McPike that that would be a good practice for all of his Bills."

Speaker Giglio: "Gentleman asks leave to table House Bill 3238. The Gentleman has leave? In the opinion of the Chair, leave is granted. House Bill 3238 is tabled. On page 12 of the Calendar... On page 12 of the Calendar appears House Bill 3340, Representative Cullerton. Representative Cullerton, on House Bill 3340."

Clerk O'Brien: "House Bill 3340, a Bill for an Act to establish civil cause of action against certain persons receiving compensation benefits or other remuneration to which they are not entitled. Second Reading of the Bill. Amendment

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#1 was adopted in Committee."

Speaker Giglio: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Giglio: "Any Floor Amendments?"

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

Speaker Giglio: "Representative Vinson, on Amendment #2."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. I rise on behalf of Amendment #2, because without the Amendment, the Bill could not serve its legitimate purpose. With the Amendment, the Bill is a very good Bill which establishes an appropriate civil cause of action for persons who obtain or try to obtain or assist in obtaining compensation benefits and remuneration from state and local government. The problem with the Amendment... the problem with the Bill as currently constructed is that it takes the state's attorney to recover the compensation and benefits for the local government. What my particular Amendment would do is permit any taxpayer to also file suit and recover that benefit for the local government. I think leaving to the discretion of the state's attorney whether or not to recover that compensation or benefit for the local government is a mistake. I think any taxpayer who sees and can prove in court that the local government or that the State Government has been defrauded of a benefit should be able to recover that benefit for the local governmental unit. Because, ultimately, the funds and the resources, the benefits that government confers upon people are not governments' benefits and resources, they're taxpayers' benefits and resources. And so, it's appropriate to make sure that the taxpayer has full redress and can recover that benefit. For those reasons, I would ask your favorable action on Floor Amendment #2 which is a

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true taxpayer Amendment."

Speaker Giglio: "Gentleman asks that the House adopt Amendment #2 to House Bill 3340. And on that question, Representative Cullerton."

Cullerton: "Yes, first of all Representative Vinson and McCracken, just so you know, I appreciate the efforts that you put into and your staff in improving this Bill, and I do agree with Amendments 3, 6, 8 and 9. This, however, is Amendment #2, and I have a question of Representative Vinson with regard to this. If... I believe the Bill provides for penalties. Now, if a private citizen, under your Amendment, can bring this cause of action, where would the penalties go? Who would collect the money?"

Vinson: "The local governmental unit would get the recovery. He would be..."

Cullerton: "Is it made clear in the..."

Vinson: "...recovering on behalf of the local governmental unit."

Cullerton: "Is that made clear in your Amendment?"

Vinson: "I believe it is."

Cullerton: "Could you tell me what line, perhaps?"

Vinson: "Yes. Line... I am looking at the Amendment as filed and..."

Cullerton: "Well, it says, 'the private citi...'"

Vinson: "Line nine."

Cullerton: "It says, 'A private citizen may recover the damages'."

Vinson: "No, what it says is, 'on behalf of such governmental unit'. 'Recover the damages authorized on behalf of such local governmental unit... such governmental unit.'"

Cullerton: "So, they get to keep the damages on behalf of the governmental unit."

Vinson: "No. The local governmental unit gets the damages."

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Absolutely."

Cullerton: "Well, it sure doesn't say that."

Vinson: "Yes, it does. It says, 'recover the damages authorized on behalf of such local governmental unit.' Doesn't file on behalf. It recovers on behalf."

Cullerton: "So, you want this to mean that the... that the government will get any damages."

Vinson: "Absolutely."

Cullerton: "Okay."

Vinson: "It does mean that, and I want it to mean that."

Cullerton: "Right. Now, this would then allow for your... any citizen within the jurisdiction to... to turn in their neighbor by bringing a cause of action against them."

Vinson: "What?"

Cullerton: "It has the effect of saying that if you discover that your co-worker, your neighbor is taking... taking money..."

Vinson: "Yeah, yeah. I think you're... I think you're absolutely right."

Cullerton: "And you don't... Alright."

Vinson: "You're absolutely right. It does create a broadened enforcement capability because any private citizen now who discovers or learns that there's been fraud against the government, can compel the recovery of the ill gotten gains."

Cullerton: "Okay. And I would object to the Amendment because I think the best way to pursue something like this is to have that employee tell the governmental authority for which they work that they should be the ones to bring the action, rather than have to have the private individual be the person that has to bring the action. So..."

Vinson: "Yes, that's what the Amendment provides for. The cit... private citizen has to notify the governmental unit. What this is designed for is to avoid the situation where

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perhaps, because of the connivance of an officer in the local governmental unit, there wouldn't be any recovery."

Cullerton: "Alright. So, the problem then, Mr. Speaker, and I would ask Members to consider this as being really a poor Amendment, because it seems to me that it's a taxpayers lawsuit, in effect. There's no provision in here that a bond has to be posted, as there is in other taxpayer lawsuits. And, secondly, it could possibly result in their being two lawsuits, duplicative lawsuits, two or more lawsuits being filed at the same time. So, while I... I initially thought when I saw this Amendment that they were just dilatory, I see that there are subsequent Amendments that do improve the Bill, but this one is not one of them. And I would urge a 'no' vote."

Speaker Giglio: "Representative Vinson, to close."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. I find the resistance to this Amendment curious and puzzling. Three... three objections were raised. Each one of those objections is totally answered by the Amendment on its face. For that reason, I would suspect that there's some hidden agenda in opposition to this Amendment. And so, those people who may think that this is a harassing Amendment will thoroughly understand, I want to say to them that if this Amendment is adopted, I'll certainly support the Bill because the concept is good. You should not have a situation where people can defraud government and get away with it. Government ought to get the resources back that it was defrauded of. I agree with that purpose. I just think we ought to do that as effectively as possible and that requires, if the governmental official connived in the defrauding and then refuses to go out and make the appropriate recovery, as sometimes happens, that we let a private citizen, a



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taxpayer who really suffered, was the ultimate person who suffered from this fraud go out and get the ill gotten gains back for the government. That's what this does. And everybody who's watched the Civil Rights Acts know that the most effective use of the Civil Rights Acts have not been by the Justice Department, not been by law enforcement people - the most effective use of the Federal Civil Rights Acts have been by private citizens that have brought suit because they were authorized to do so. This would do the same thing for fraud. It would let government recover the fraud. It would protect the taxpayer, and it would deter fraud. I urge an 'aye' vote."

Speaker Giglio: "Question is, 'Shall the House adopt Amendment #2 to House Bill 3240 (sic - 3340)?' All those in... Representative Johnson, are you seeking recognition?"

Johnson: "No, just explanation of vote."

Speaker Giglio: "Explanation of vote. Alright. All those in favor of Amendment #2 to House Bill 3340 vote 'aye', those opposed vote 'nay'. The voting is open. Representative Johnson, to explain his vote."

Johnson: "I'd just like to editorially observe that Representative Vinson's comments on this latest Bill were one of the most eloquent defenses of our existing common law tort system in this country that I've heard in a long time. And I just want to commend my colleague on his continued adherence to those principles of common law justice that have made this society and this economy what it is."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Hr. Clerk, take the record. On this question, there's 59 voting 'yes', 36 voting 'nay', and 3 voting 'present'. And the Amendment's adopted. Further Amendments?"

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

Speaker Giglio: "Representative McCracken, on Amendment #3."

McCracken: "Thank you, Mr. Speaker. The Bill as originally drafted permits the imposition of interest in lawsuits for the lost money due to fraud. This Amendment would require the imposition of interest and I understand it's agreed by the other side"

Speaker Giglio: "Any discussion? Representative Cullerton."

Cullerton: "I agree with the Amendment."

Speaker Giglio: "Any further discussion? All those in favor of Amendment #3 to House Bill 3340 signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it and Amendment #3 is adopted. Are there further Amendments?"

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

Speaker Giglio: "Representative McCracken, on Amendment #4."

McCracken: "I withdraw Amendments 4 and 5."

Speaker Giglio: "Gentleman asks leave to withdraw Amendments #4 and 5. Gentleman have leave? Leave is granted. Amendment #4 and 5 to House Bill 3340 are withdrawn. Further Amendments?"

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

Speaker Giglio: "Representative McCracken, on Amendment #6."

McCracken: "Thank you, Mr. Speaker. I move the adoption of Amendment #6 which would provide that the alternative additional penalty of up to 2000 dollars for each receipt of the illegal compensation be amended to be available only for each use of a fraudulent scheme. This would encompass what could be more than a single receipt, but would be consistent with other penalties for this type of offense

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where it is the fraudulent scheme or artifice that is penalized. Secondly, it eliminates the authority to impose an additional penalty where there is only an attempt to illegally obtain compensation but not a successful attempt. I move its adoption."

Speaker Giglio: "Gentleman moves for the adoption of #6 on House Bill 3340. And on that question, Representative Cullerton."

Cullerton: "Yes, Representative McCracken, with regard to that last point, eliminating the attempt to obtain, eliminating the language of the attempt or attempts to obtain. Do you wish to then make it legal to attempt to obtain the offenses, or are you simply intending to not allow for a second fine?"

McCracken: "This is just a limitation on the additional penalty of interest on treble damages."

Cullerton: "Okay. But it's..."

McCracken: "It does not delete the first or the primary penalty."

Cullerton: "Alright. Thank you. I agree with this Amendment. It's fine."

Speaker Giglio: "Any further discussion? All those in favor of Amendment #6 to House Bill 3340 signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Amendment #6 is adopted. Are there further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative McCracken."

Speaker Giglio: "Representative McCracken, on Amendment #7."

McCracken: "I move to withdraw Amendment #7."

Speaker Giglio: "Gentleman asks leave to withdraw Amendment #7 to House Bill 3340. The Gentleman leave? Leave is granted. The Amendment #7 is withdrawn. Further Amendments?"

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

Speaker Giglio: "Amendment #8..."

McCracken: "I move the adoption of Floor Amendment #8 which is purely technical in nature. It deletes the word 'is' on page three, line four of Amendment #1."

Speaker Giglio: "Gentleman asks for the adoption of Amendment #8 to House Bill 3340. Any discussion? Those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendment #8 is adopted to House Bill 3340. Further Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Representative McCracken."

Speaker Giglio: "Representative McCracken, on Amendment #9."

McCracken: "This clarifies that the exemptions normally available to judgement debtors, such as the homestead exemption is available to the judgement debtor in this case as well. I move its adoption."

Speaker Giglio: "Gentleman moves for the adoption of Amendment #9. Any discussion? Hearing none, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Amendment #9 to House Bill 3340 is adopted. Any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Giglio: "Third Reading. We will now go to page 29 of the Calendar and Motions. Representative Capparelli."

Capparelli: "Thank you, Mr. Speaker. Pursuant to the appropriate rule, I move that House Bill 2526 (sic - 2565) be taken from the table and discharged of Committee and placed on Second Reading Second Legislative Day."

Speaker Giglio: "Gentleman asks leave to take from the table House Bill 2565. On that question, Representative Vinson."

Vinson: "No, I was just saying that I have no objection and

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support the Gentleman's Motion."

Speaker Giglio: "Gentleman is granted leave by the Attendance Roll Call. Representative Cullerton? Any discussion? Leave for the Attendance Roll Call to place the Bill on Second Reading Second Legislative Day. Leave is granted. House Bill 2565 is now on Second Legislative Day Second Reading. Resolutions."

Clerk O'Brien: "Senate Joint Resolution 156. 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 15, 1986, they stand adjourned until Tuesday, May 20, 1986 at 12:00 noon."

Speaker Giglio: "Representative McPike moves for the adoption of House (sic - Senate) Joint Resolution... Senate... House (sic - Senate) Joint Resolution 156. All those in favor signify by saying 'aye', those opposed. In the opinion of the Chair, the 'ayes' have it and the Resolution is adopted. The Agreed Resolutions, Mr. Clerk."

Clerk O'Brien: "Senate Joint Resolution 151, by B. Pedersen. House Joint Resolution 197, Rea - et al. House Resolution 1314, McGann; 1315, Pullen - et al; 1316, Phelps; 1317, Braun; 1319, Alexander; 1320, Virginia Frederick; 1322, Hensel; 1323, Hoffman."

Speaker Giglio: "Representative Giorgi, on the Agreed Resolutions."

Giorgi: "I move for the adoption of the Agreed Resolutions."

Speaker Giglio: "Gentleman moves for the adoption of the Agreed Resolutions. All those in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Resolutions are adopted. I would advise my colleagues to have a nice... Representative... Mr. Clerk, further Resolutions."

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Clerk O'Brien: "On concurrence, House Joint Resolution 65."

Speaker Giglio: "Representative Giorgi."

Giorgi: "Mr. Speaker, I move for the adoption of House Joint Resolution 65 which changes a reporting date. It was in April, but the Resolution came back from concurrence in May. So, now the reporting date is November. I move the adoption of the Agreed House Joint Resolution."

Speaker Giglio: "Gentleman moves for the concurrence of Senate Amendment #1 to Senate (sic - House) Joint Resolution 5... House Joint Resolution 56 (sic - 65). All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. And the House does concur on Senate Amendment... on Senate Amendment #1. Approval of the Journal, Mr. Clerk. Representative Matijevich."

Matijevich: "Mr. Speaker, Ladies and Gentlemen of the House, I move that we dispense with the reading of the Journal and that the following Journals be approved: Journal 103 of April 17; Journal 104 of April 18; 105 of April 21; 106 of April 22; 107 of April 23; 108 of April 28; 109 of April 29; and 110 of April 30."

Speaker Giglio: "You heard the Motion. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Journal is adopted. Further business? Death Resolutions."

Clerk O'Brien: "House Resolution 1316, offered by Representative Phelps, with respect to the memory of William K. 'Bill' Anthony."

Speaker Giglio: "Representative Giorgi moves for the adoption of the Death Resolution. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Resolution is adopted. General Resolutions."

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Clerk O'Brien: "House Resolution 1322, offered by Representative DeLeo - et al."

Speaker Giglio: "Committee on Assignments. There further... further business, Mr. Clerk? The House will allow the Clerk for perfunctory of reading Messages from the Senate. And Represen... And Introduction of Senate Bills First Reading. Representative McPike now moves that the House stand adjourned until Tuesday at 12:00 noon. Those... Ladies and Gentlemen, I want to remind my colleagues that next week will be a very busy week. Have a safe trip home. Hopefully everybody comes back rested, and we will go to work. And hopefully we will adjourn at a proper time so we can all have dinner and be back the following day. Have a nice weekend. The House stands adjourned."

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary. Mr. Speaker, I am directed to inform the House of Representatives the Senate has passed bills of the following title and passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bills #233, 1320, 1516, 1543, 1559, 1575, 1558, 1711, 1732, 1783, 1805 and 1944, passed by the Senate May 15, 1966. Kenneth Wright, Secretary. Senate Bills First Reading. Senate Bill 233, Panayotovich, a Bill for an Act in relation to anatomical gifts. First Reading of the Bill. Senate Bill 1673, Kubik, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 1951, Giorgi, a Bill for an Act in relation to municipal taxes. First Reading of the Bill. Senate Bill 1958, Goforth and Saltsman, a Bill for an Act to amend the Illinois Horse Racing Act. First Reading of the Bill. Senate Bill 1983, Countryman, a Bill for an Act to provide for the representation and indemnification in certain civil lawsuits. First Reading of the Bill. Senate Bill 2143,

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Weaver and Barger, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 2196, Regan - et al, a Bill for an Act relating to the abuse and neglect of minors. First Reading of the Bill. Senate Bill 2197, Mays - et al, a Bill for an Act to amend the Wildlife Code. First Reading of the Bill. Senate Bill 2205, Hensel, a Bill for an Act to amend the Fish Code. First Reading of the Bill. Senate Bill 2212, Kirkland - et al, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the bill. Senate Bill 2233, Didrickson - et al, a Bill for an Act to amend the Cannibus Control Act. First Reading of the Bill. Senate Bill 2285, Mautino - et al, a Bill for an Act to establish regional groups and development corridors of opportunity. First Reading of the Bill. Senate Bill 2286, Parcels - et al, a Bill for an Act in relation to economic development. First Reading of the Bill. Senate Bill 2288, Mautino - et al, a Bill for an Act to amend the Illinois Income Tax Act. First Reading of the Bill. Senate Bill 2295, Pullen - et al, a Bill for an Act to amend an Act concerning missing children. First Reading of the Bill. Senate Bill 2296, Regan - et al, a Bill for an Act to amend the Code of Criminal Procedure. First Reading of the Bill. Senate Bill 2302, Stephens - et al, a Bill for an Act to amend an Act to create the Southwest Illinois Development Authority. First Reading of the Bill. House... House (sic - Senate) Bill 1559, Stephens and Ryder, a Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 1559. Introduction and First Reading of Bills. House Bill 3654, DeLeo, a Bill for an Act to amend Sections of the Illinois Lottery Law. First Reading of the Bill. No further business, the House now stands adjourned."



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