

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

41st Legislative Day

May 16, 1985

Speaker Greiman: "The hour of 9:00 having arrived, the House will now be in order. The Chaplain for today will be the Reverend Gary Gilley, Pastor of Southern View Chapel of Springfield. Reverend is a guest of Representative Josephine Oblinger. Will the guests in the gallery please rise and join us for the invocation? Reverend Gilley."

Reverend Gilley: "Let's pray. Our Father, we thank You today for these men and women who have come together today to do business. We pray for them as they are Your representatives as scriptures teach. They're Your ministers. We pray that You'll give them Your heart and Your mind. We pray today, Father, that each of them will realize the responsibilities that they have. We thank You that they're willing to take those responsibilities and headaches that go with it. We pray that You'll give them Your wisdom today that they might do the things that are best for the people of this state. We pray in the name of Jesus, our Lord. Amen."

Speaker Greiman: "Representative Ropp, the Gentleman from McLean, will lead us in the pledge."

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

Speaker Greiman: "Roll Call for Attendance. Clerk, take the record. 117 Members having answered to the call of the quorum, a quorum is present. Mr. Matijevich, are there any... is there an excused absence?"

Matijevich: "No. They're all here."

Speaker Greiman: "Thank you. Mr. Piel."

Piel: "No. Everybody's present and accounted for, Sir. Thank you."

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Speaker Greiman: "Messages from the Senate."

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has adopted the following Senate Joint Resolution, the adoption of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Joint Resolution #59, adopted by the Senate May 15, 1985. Kenneth Wright, Secretary.' A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I'm directed to inform the House of Representatives that the Senate has passed Bills of the following title, and the passage of which I'm instructed to ask concurrence of the House of Representatives, to wit; Senate Bills #733, 741, 743, 753, 754, 755, 759, 771, 782, 790, 798, 799, 824, 825, 854, 859, 860 and 861, passed by the Senate May 15, 1984... 1985. Kenneth Wright, Secretary."

Speaker Greiman: "Agreed Resolutions."

Clerk O'Brien: "House Resolution 395, William... offered by Representative Williamson; 396, by Representative Curran; and 397, by Representative Stephens."

Speaker Greiman: "Gentleman from Lake, Mr. Matijevich, on the Agreed Resolutions."

Matijevich: "Yes, Mr. Speaker, House Resolution 395, Williamson, congratulates David Byrne for 35 years of service. 396, Curran, congratulates Mr. and Mrs. Roos upon their 40th anniversary. House Resolution 397, Stephens, commemorates Illinois Tourism Week. I move the adoption of the Agreed Resolutions."

Speaker Greiman: "The Gentleman from Lake, Mr. Matijevich, moves for the adoption of the Agreed Resolutions. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the

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Resolutions... Agreed Resolutions are adopted. General Resolutions."

Clerk O'Brien: "House Resolution 394, offered by Representative Shaw."

Speaker Greiman: "Committee on Assignment. Death Resolutions."

Clerk O'Brien: "House Resolution 390, offered by Representative Vinson, with respect to the memory of Lois D. Forden. House Joint Resolution 49, offered by Representative Washington, with respect to the memory of Joe C. Taylor."

Speaker Greiman: "Gentleman from Lake, Mr. Matijevich, moves for the adoption of the Death Resolutions. All those in favor signify by saying 'aye', those opposed. In the opinion of the Chair, the 'ayes' have it. The Death Resolutions are adopted. Senate Bills First Reading."

Clerk O'Brien: "Senate Bills First Reading. Senate Bill 75, Alexander, a Bill for an Act to amend the Unemployment Insurance Act. First Reading of the Bill. Senate Bill 85, Currie and Christensen, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 122, Nash and O'Connell, a Bill for an Act in relation to lost and abandoned boats. First Reading of the Bill. Senate Bill 132, Hicks and Mautino, a Bill for an Act making appropriations to the Illinois Development Finance Authority. First Reading of the Bill. Senate Bill 136, Nash, a Bill for an Act relating to the Veterinary Medicine and Surgery Practice Act. First Reading of the Bill. Senate Bill 143, Oblinger, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 149, Oblinger, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 178, Saltsman, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 223, Terzich and Nash, a Bill for an Act

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to amend an Act in relation to claims under accident and health insurance policies and service plan contracts. First Reading of the Bill. Senate Bill 297, O'Connell, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 309, Mautino, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. Senate Bill 401, Levin and Parke, a Bill for an Act in relation to condominium and community associations. First Reading of the Bill. Senate Bill 404, Mautino, a Bill for an Act to amend the Illinois Income Tax Act. First Reading of the Bill. Senate Bill 429, Richmond, a Bill for an Act to amend an Act concerning state occupation and use tax exemptions of farm machinery and equipment. First Reading of the Bill. Senate Bill 506, Terzich, a Bill for an Act to amend the Election Code. First Reading of the Bill. Senate Bill 531, O'Connell, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. Senate Bill 533, O'Connell, a Bill for an Act in relation to the administration of probation departments and the delivery of probation service. First Reading of the Bill. Senate Bill 535, O'Connell, a Bill for an Act to amend the Unified Code of Corrections. First Reading of the Bill. Senate Bill 538, O'Connell, a Bill for an Act to amend the Juvenile Court Act. First Reading of the Bill. Senate Bill 544, O'Connell, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 609, Didrickson and Steczo, a Bill for an Act to amend the School Code. First Reading of the Bill. Additional Senate Bills First Reading. Senate Bill 219, Kulas, a Bill for an Act in relation to equipment and technical training in Illinois schools. First Reading of the Bill. Senate Bill 375, Ropp, a Bill for an Act to amend the Illinois Food, Drug and Cosmetic Act. First Reading of the Bill. Senate

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Bill 415, McGann, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 498, Preston and Ropp, a Bill for an Act to amend the Illinois Library System Act. First Reading of the Bill. Senate Bill 527, Preston, a Bill for an Act to amend the Good Samaritan Food Donor Act. First Reading of the Bill. Senate Bill 614, McGann, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 577, McGann, a Bill for an Act to amend the Illinois Notary Public Act. First Reading of the Bill. Additional Senate Bill First Reading. Senate Bill 388, Bowman, a Bill for an Act creating the Alzheimer's Disease Assistance Act. First Reading of the Bill."

Speaker Greiman: "For what purpose does the Gentleman from Will, Mr. Van Duyne, seek recognition?"

Van Duyne: "Well, Mr. Speaker, thank you for recognizing me so early this morning, but I want you to know..."

Speaker Greiman: "I recognize you all the time."

Van Duyne: "Oh, I recognize you, too, whenever I can. I just want everyone in the audience to know that this my 42nd anniversary. So, I expect you all to send my wife notes of condolences and sympathy and treat me very nice today."

Speaker Greiman: "Well, I think more canonization, probably, is more in order than just a mere note after 42 years. On page two of the Calendar, on the Order of House Bills Second Reading, Short Debate, appears House Bill 850. Mr. Davis. Out of the record. On the Order of House Bills Second Reading, Short Debate, appears House Bill 856. Out of the record. On the Order of House Bills Second Reading, Short Debate, appears House Bill.... Stand at ease for a few minutes. Ladies and Gentlemen, we will begin at next Bill at the top of page 13 of the Calendar. That's on the Order of House Bills Second Reading. Accordingly, on the

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Order of House Bills Second Reading appears House Bill
2261. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2261, a Bill for an Act to amend the
Environmental Protection Act. Second Reading of the Bill.
No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

Speaker Greiman: "The Lady from Marshall, Representative Koehler,
on Amendment #1."

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
House. House Bill 2261 affects developmental permits for
disposal facilities and places a time limit for the
expiration of that permit. Amendment #1 deals with
allowing additional time for extenuating court litigation.
The Amendment has been discussed with Chairman Kulas,
Members of both sides of the aisle, our staffs and there is
no known opposition. I move for the adoption of Amendment
#1."

Speaker Greiman: "The Lady from Marshall moves for the adoption
of Amendment #1 to House Bill 1261 (sic - 2261). And on
that, is there any discussion? The Gentleman from Cook,
Mr. Cullerton."

Cullerton: "No... No questions."

Speaker Greiman: "Alright. There being no question... there are
no discussion. The question is, 'Shall Amendment #1 be
adopted?' All 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 appears House Bill 2273. Out of the record.
On the Order of House Bills Second Reading appears House

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Bill 2275. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2275, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Coles, Mr. Weaver, on Amendment #1."

Weaver: "Thank you, Mr. Speaker, Members of the House. Amendment 1 simply changes the authority and managing ability from the school board... from the State Board of Education to the Secretary of State. I would be willing to answer any questions and move for passage of this Motion. Thank you."

Speaker Greiman: "Gentleman from Coles has moved for the adoption of Amendment #1 to House Bill 2275. And on that, the Lady from LaSalle, Ms. Breslin."

Breslin: "Question of the Sponsor."

Speaker Greiman: "Proceed."

Breslin: "Representative, could you describe what this Amendment does again, please? It changes something from the State Board of Education to the Secretary of State's Office and what was it?"

Weaver: "It changes the authority. The... I guess the managing authority... administration authority of the literacy program which many... most of the programs are done through the local library systems currently as it is. This is done in conjunction with the State Board of Education. They have indicated that they would just assume that the Secretary of State's Office do administer the program."

Breslin: "And it's a literacy program?"

Weaver: "It's a literacy program. What it does is provide grants for community based literacy program, primarily, in the

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areas of adult education, reading and writing. And basically, it provides grants for community based organizations to pick up the administrative cost of these programs."

Breslin: "Thank you."

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

Cullerton: "Will the Sponsor yield? Will the Sponsor yield? Where is the Sponsor? Okay. Representative Weaver, I don't... we don't have any pictures over here. Did you find... Can I ask you a question about this?"

Weaver: "Certainly."

Cullerton: "Did you find, when you put this Bill in, that it was in conflict with the Governor's proposal to give \$2,000,000 to the Secretary of State for distribution to private organizations to expand or develop a literacy program and then somebody talked to you and explained to you that you better amend your Bill so that it conforms with the Governor's program. Is that accurate?"

Weaver: "I would say that's accurate. Yes, Sir."

Cullerton: "Where did you get the idea for the Bill in the first place, the one that conflicted with the Governor's proposal?"

Weaver: "Well, we had gotten the idea from the State Board of Education people, who seem to indicate later that they thought the program might be better served by being administered out of the Secretary of State's Office."

Cullerton: "Well, did the Governor's proposal to give this \$2,000,000 to the Secretary of State, was that ever incorporated in any legislation? Was that a Senate Bill or... as far as you know?"

Weaver: "Yes, that is in the Senate Bill."

Cullerton: "Oh, so it's a Senate Bill."

Weaver: "Yes."

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Cullerton: "And how does your Amendment differs from that Senate Bill?"

Weaver: "It brings this Bill, the House Bill, into conformance with the Senate Bill."

Cullerton: "Your Amendment is identical to the Senate Bill."

Weaver: "Exactly."

Cullerton: "And who's the Sponsor of the Senate Bill?"

Weaver: "I'm not really sure."

Cullerton: "Okay. Now, let's get onto the Bill, then, itself. Was this a... Could you describe this as something like a power grab?"

Weaver: "No. You might describe it that way. I would describe it in terms of finally paying some of the administrative costs of a program that is sorely needed."

Cullerton: "Oh, no. No. No. No. No. No problem with the goals; but, why are we making the Secretary of State the only person to appoint members to the Board. Why not have some input from the Legislature, for example, like... you know, Speaker Madigan, Minority Leader Daniels, Pate Philip, even, could appoint someone to the Literacy Board. That'll be interesting."

Weaver: "Well... We would certainly put your name at the top of the list for members on this Board, if you're so interested."

Cullerton: "Well, would you be..."

Weaver: "The reason we're putting it in the hands of the Secretary of State, primarily, is because of the 90 programs that are currently being administered, not all of them are being done through the Secretary of State's Office now."

Cullerton: "How much money will this be by the way, \$2,000,000?"

Weaver: "\$2,000,000."

Cullerton: "That's not in this Bill though, right? That's the

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\$2,000,000 isn't... isn't mentioned in this Bill? That's a separate Bill?"

Weaver: "That's correct."

Cullerton: "Okay. Thank you very much for answering the questions."

Speaker Greiman: "Further discussion? There being none, the Gentleman from Coles, Mr. Weaver, to close."

Weaver: "Mr. Speaker, Members of the House, this is a very sorely needed program that has to be continued to improve the literacy of the people in our towns and villages across the state, and it is most logically administered by the Secretary of State's Office because most of the programs are conducted through local library systems. And I do urge your passage on this Amendment."

Speaker Greiman: "Question is, 'Shall Amendment #1 be adopted?' All 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 appears House Bill 2278. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2278, a Bill for an Act to amend Sections of the Grade A Pasteurize Milk and Milk Products Act. 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 appears House Bill 2287. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2287, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill."

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No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 2299. Mr. Vinson. 2299. Mr. Clerk, read the Bill. NO. Hold it, Mr. Clerk. Out of the record. On the Order of House Bills Second Reading appears House Bill 2306. Mr. McCracken, do you wish that Bill called? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2306, a Bill for an Act to amend Sections of the Code of Civil Procedure. 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 appears House Bill 2308. 2308. Mr. McCracken. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2308, a Bill for an Act to amend Sections of an Act to revise the law in relation to counties. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Floor Amendments?"

Clerk O'Brien: "None."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 2328. Out of the record. On the Order of House Bills Second Reading appears House Bill 2348. Mr. Hoffman. Is Mr. Hoffman in the chamber? Out of the record. On the Order of House Bills Second Reading appears House Bill 2362. Ms. Flowers. Out of the record. On the Order of House Bills Second Reading appears House Bill 2364. Mr. Soliz. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2364, a Bill for an Act to amend Sections of the Illinois Public Aid Code. Second Reading

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of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

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

Speaker Greiman: "Gentleman from Cook, Mr. Soliz."

Soliz: "Mr. Speaker, Ladies and Gentlemen of the House, this is a technical Amendment, really, to meet some of the concerns of the Illinois Department of Public Aid. And I'd ask... I'd ask approval of this Amendment. I'd like to move approval of this Amendment."

Speaker Greiman: "The Gentleman from Cook, Mr. Soliz, moves for the adoption of Amendment 1 to House Bill 2364. 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 O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 2368. Mr. McGann. Out of the record. On the Order of House Bills Second Reading appears House Bill 2369. Mr. O'Connell. Out of the record. On the Order of House Bills Second Reading appears House Bill 2387. Out of the record. On the Order of House Bills Second Reading appears House Bill 2399. Ms. Barnes. Mr... Yes, Ms. Barnes."

Barnes: "There is going to be an Amendment filed. Has it been filed yet?"

Speaker Greiman: "Well, we'll take it out of the record for the moment."

Barnes: "Thank you."

Speaker Greiman: "On the Order of House Bills Second Reading appears House Bill 2407. Mr. Johnson. Out of the record."

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Page 14 of the Calendar, on the Order of Second Reading, appears House Bill 2412. Mr. Mautino. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2412, a Bill for an Act making substantive and technical changes in the Election Code. Second Reading of the Bill. 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 Mautino."

Speaker Greiman: "Gentleman from Bureau, Mr. Mautino, on Floor Amendment #2."

Mautino: "Thank you very much, Mr. Speaker. I'd like to have that Amendment corrected. It's Mautino - Olson on Amendment #1... Amendment #2. Basically, that Amendment provides that in all jurisdiction where voters have been suspended or eliminated from the rolls as a result of a canvass but have... who have not moved or died or changed their names be authorized and permitted to vote on election day by the use of the affidavit. It's done on a continuing basis. And downstate, this Amendment was recommended after discussions with Mr. Mike 'LaBelle' of the Chicago Board of Elections, who asked for this additional information as it pertains to who could challenge and how the process of challenging could be provided after door to door canvassing. This registration form and authorization is the result of those discussions. And I move for adoption. Additional questions, Representative Olson, who was involved in those discussions can provide."

Speaker Greiman: "The Gentleman from Bureau has moved for the adoption of Amendment #2 to House Bill 2412. And on that,

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is there any discussion? The Lady from Cook, Ms. Alexander."

Alexander: "Thank you, Mr. Speaker. The Amendment was a part of a prior Bill and a package of Bills which was gleaned by both sides that should go into Interim Study or a Subcommittee. The Bill... The Amendment in question was not posted to the Election Committee till the final day of our hearings which, in fact, caused it to go into Interim Study. It is now, what you say, trying to be a part of a Bill of not having the benefit of the Committee hearing, and I am opposed to this Amendment."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Greiman: "Indicates he'll yield."

Cullerton: "Either Representative Olson or Mautino. I understand the first part dealing with a person showing up on election day who had been stricken and now they want to vote. Now what procedures do they have to go through before they could vote according to this Amendment?"

Speaker Greiman: "Yes, Mr. Mautino, you'd yield for question."

Mautino: "The affidavit provisions are there at the polling place."

Cullerton: "What are they?"

Mautino: "It's an affidavit that says you are a residence. You are registered. You live at whatever address it is and you sign that affidavit and present it to the judges of election."

Cullerton: "And that's all you have to do just sign an affidavit? If they show any..."

Mautino: "If you do not appear on the polling sheets, but you have been removed even though you live there - have not changed your name, et cetera, you were removed from the

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rolls. If you do go there, there is suspension file that is provided by this Amendment that the voters permanent registration record card will be a part of. It's available by this Amendment at the polling place, and it's a suspended file which all those people will be listed in who were removed from the rolls. And if they show up at the polls and they are there and they sign the affidavit, they can be authorized to vote."

Cullerton: "Okay. Now, could you tell me about that part of the Amendment that deals with sending notice to... this would require the election authority to send out to every precinct a list of everyone stricken from that precinct in the last four years. Is that in the Amendment? And I'm wondering if it is, why? Why you'd want to do that for the last four years? The reason why I'm asking this, I live in an area in the city where there is a lot of turnover, a lot of rentals, and, you know, you could have a whole half of a precinct change over a two year period. So, I'm just wondering how this would work if you have to send a list of everyone who's stricken from the polling place or from that precinct over a four year period, it just seems like a lot of work."

Mautino: "Well, basically, Representative Cullerton, what they do is they send the registration card to all the individuals who are registered in that precinct. In the process, if those cards come back none deliverable or addressee unknown, then those individuals according to the original Bill are removed and placed in a suspended pile at that... for that precinct. It does not stop the Bill itself. The door to door canvass that is provided by the Chicago Board of Elections. What this does, it works exactly this way in downstate Illinois. They send a new registration canvass cards out. When they come back, if they do come back,

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then they take those people off the rolls rather than reregistering every individual once again. In your case, if there is a large turnover and those cards come back, they would be removed from the voters list, but they would remain in that suspended file for two years."

Cullerton: "Well, Mr. Speaker..."

Speaker Greiman: "Proceed, Sir."

Cullerton: "I would suggest that if there is an agreement in regard to this Amendment with the Chicago Board of Elections that that agreement has not been communicated to the Chairman of the Elections Committee, and I think that, you know, this is Second Reading. I think perhaps we should either take the Amendment out of the... take the Bill out of the record or defeat the Amendment and hope that we can get some communications going between the people in Chicago. If they say it's okay with them, I'm sure there won't be any problem in passing the Bill, but the way I understand it there is no such agreement at this point and time."

Speaker Greiman: "Mr. Mautino, what is your pleasure?"

Mautino: "Would you... Mr. Speaker, if you will, Representative Olson was part of those discussions, would you mind going to him for a response on that agreement?"

Speaker Greiman: "Alright. The Chair recognizes Representative Olson, the Gentleman from Lee."

Olson: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. As Representative Mautino indicated, we are both parties to the House Bill to Amendment #1 which was adopted in Committee, I believe, on a 12 to 3 vote and this Amendment #2. This is a natural Amendment to be added to the substance of the Bill. The substance of the Bill which provides for a mail canvass and this provides an opportunity for those people who have been for one reason

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or another stricken from the rolls to have a suspension file going to the precinct whereby good identification, an affidavit and if necessary, a witness known to the poll judges may have an opportunity to vote. And I would urge adoption of this Amendment."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. Young."

Young: "Ladies... Mr. Speaker, Ladies and Gentlemen of the House, I rise in support of this Amendment. I think it's a good Amendment. This Amendment was taken from a Bill that I introduced. The reason it was not posted until the last day is because of the negotiations that were taking place between the Board of Elections and various Members of this House. This Amendment is the results of those negotiations. I think it'll be good for Cook County on the election day, and I ask that the Amendment be approved."

Speaker Greiman: "Further discussion? There being none, the Gentleman from Bureau, Mr. Mautino, to close. Mr. Mautino..."

Mautino: "I wholeheartedly agree with Representative Young, Representative Olson and all the individuals who are part of that... negotiations. They informed me that this was an agreed Amendment with the Chicago Board and the person of Mike 'LaBelle', and I move for the adoption. If, in fact, it is not the case there is a problem we move it to Third, I'd be happy to bring it back to resolve whatever."

Speaker Greiman: "The question is, 'Shall Amendment #2 be adopted?' All in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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

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Second Reading appears House Bill 2413. Mr. McAuliffe. Out of the record. On the Order of House Bills Second Reading appears House Bill 2414. Mr. Daniels. Mr. Daniels. On the Order of House Bills Second Reading appears House Bill 2417. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2417, a Bill for an Act relating to Acts concerning real property conveyances, circuit breaker relief and taxes. First Reading of the... 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: "Any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Edgar, Mr. Woodyard, on Amendment #2."

Woodyard: "Thank you, Mr. Speaker and Members of the House. Amendment #2 adds an effective date to the Bill and the portion that deals with the certified public assessors. The reason for the Amendment is because of a group of meetings that occurred through the winter and early spring of assessing officials in Department of Revenue in which we determine that there are quite of number of assessors who have gone through certain portions of their training but did not meet the requirements in criteria of training within a prescribe deadline thus they could never become certified for this stiffen that is in the Bill and thus this effective date does allow recertification with new testing procedures and schooling. And I move for its adoption."

Speaker Greiman: "The Gentleman from Woodyard has moved... Gentleman from Edgar has moved for the adoption of

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Amendment #2 to House Bill 2417. 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. The Amendment is adopted. Further Amendments?"

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

Speaker Greiman: "Gentleman from Edgar, Mr. Woodyard, on Amendment #3"

Woodyard: "Thank you, Mr. Speaker. Amendment #3 was requested by the Department of Revenue in that it seems that in the farm land assessment formula, part of that formula is based upon the rolling interest rate of the federal land bank, and that has to be certified by the Internal Revenue Service. Many times, they are late in getting that interest rate figure which is a black and white figure to Department of Revenue for computation of the formula. Thus, this would allow the Department of Revenue to go ahead and make their own certification of that rolling federal land bank interest rate."

Speaker Greiman: "The Gentleman from Edgar has moved for the adoption of Amendment #3 to House Bill 2417. Is there any discussion? There being none, the question is, 'Shall Amendment #3 be adopted?' All 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: "Floor Amendment #4, offered by Representative Woodyard and Keane."

Speaker Greiman: "The Gentleman from Edgar, Mr. Woodyard, on Amendment #4."

Woodyard: "Yes, thank you, Mr. Speaker. Amendment #4 is the result of meeting with the Department, Representative Keane

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and myself, in which we delete the provision that would put the amount of money on a real estate sale on the actual deed, and we're deleting that provision. We also are deleting the provision which would eliminate the assumed mortgage exemption under the real estate transferred tax."

Speaker Greiman: "The Gentleman from Edgar has moved for the adoption of Amendment 4 to House Bill 2417. 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. The Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. With leave of the House, we'll return to House Bill 2414 on the Order of Second Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2414, a Bill for an Act to add an Article to the Illinois Insurance Code. Second Reading of the Bill. 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: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 2419. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2419, a Bill for an Act to amend Sections of the Illinois Vehicle Code and the Illinois Highway Code. 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

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Second Reading appears House Bill 2425. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2425, a Bill for an Act to amend an Act to create the Real Property Tax Increment Allocation Development and Redevelopment Act. Second Reading of the Bill. 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: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 2433. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2433, a Bill for an Act in relation to taxes and their enforcement. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Greiman: "Any Motions with respect to Amendment 1 and 2?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

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

Speaker Greiman: "The Gentleman from Livingston, Mr. Ewing, on Amendment #3."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment #3 deletes... Thank you. Amendment #3 to House Bill 2433 changes from 3 years to 5 years the carry forward for unused investment replacement tax credit provided in the Bill. And I would ask for the adoption of this Amendment."

Speaker Greiman: "The Gentleman from Livingston moves for the adoption of Amendment 3 to House Bill 2433. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "The Amendment changes the 3 year carry forward to a 5

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year carry forward?"

Ewing: "That's correct."

Cullerton: "And what's the affect of that on the Bill in terms of...?"

Ewing: "Well it... it doesn't really affect the Bill. It just affects the... it's a benefit to taxpayers that they can carry forward that credit to 5 years. I think the reason the Department did that - the traditional carry forward period for these types of credit is 5 years normally and not 3 years in both our Code and in the Federal IRS Code."

Cullerton: "Okay. Whenever we benefit the taxpayer, it's usually a revenue loss to the state. So, it depends on how you want to phrase it. If you're for the Bill, you say it saves the taxpayers money. If you're against the Bill, you say it's a loss to the state. And I just want to remind you that I've heard you say that before, when you opposed some of our good tax relief Bills. So, I'm just curious if there is a revenue loss."

Ewing: "Well, Sir... Yes... Representative Cullerton, I learned my consistency from you."

Cullerton: "Right."

Ewing: "And, the Department indicates that the loss here would be minimal."

Cullerton: "Great. Great."

Ewing: "That's what I... I think it's a great Amendment."

Cullerton: "So, it'll be a minimal tax game for the taxpayers."

Ewing: "That's correct, but we will be consistent. And you and I like to be consistent."

Cullerton: "Right. Okay. Thank you."

Speaker Greiman: "Further discussion? The question is, 'Shall Amendment #3 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."

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Further Amendments?"

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

Speaker Greiman: "The Gentleman from Livingston, Mr. Ewing, on Amendment #4."

Ewing: "Ladies and Gentlemen of the House, this is the... this whole Bill is the Department of Revenue's cleanup legislation for this Session. It's been thoroughly gone over by the staffs on both sides of the aisle and by the Revenue Committee Chairman and Spokesman. This Amendment is an Amendment which the Chairman of the Revenue Committee asked for, and it would provide that a surety before he is given notice, the tax... pardon me, I'll regroup on that - provides that taxpayers are given sufficient notice, and it's ten days before the Department would notify a surety of any potential liability to their bonds. And this is an Amendment that Representative Keane asked for. We're glad to offer it."

Speaker Greiman: "The Gentleman from Livingston has moved for the adoption of Amendment 4 to House Bill 2433. Is there any discussion? There being none, 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 Breslin in the Chair."

Speaker Breslin: "House Bill 2438, Representative Olson. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2438, a Bill for an Act in relation to the insurance fees and the recovery expenses incurred by the Department of Insurance. Second Reading of the Bill."

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Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 2445, Representative
Parcells. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2445, a Bill for an Act to amend
Sections of the Health Maintenance Organization Act.
Second Reading of the Bill. This Bill has been read a
second time previously. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment... Amendment #1 was tabled
previously. Floor Amendment #2, offered by Representative
Parcells."

Speaker Breslin: "Representative Parcells."

Parcells: "Thank you, Madam Speaker. Ladies and Gentlemen, to
refresh your memory, two days ago the Amendment that had
been put on in Committee was objected to because we did not
have our knowingly clause. So, we tabled that Amendment
and Amendment #2 is the same Amendment having the knowingly
clause which I showed to Representative Cullerton, and he
said that he had no longer had an objection to it. So I
move for adoption..."

Speaker Breslin: "The Lady has moved for the adoption of
Amendment #2 to House Bill 2445. And on that question, is
there any discussion? There being no discussion, the
question is, 'Shall Amendment #2 to House Bill 2445 be
adopted?' All those in favor say 'aye', all those opposed
say 'nay'. In the opinion of the Chair, the 'ayes' have it
and Amendment is adopted. Are there any further
Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Breslin: "Third Reading. House Bill 2447, Representative Barnes. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2447, a Bill for an Act in relation to the orders to relatives of certain persons to provide support. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Barnes."

Barnes: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment #1 to House Bill 2447 is legislation that makes various modification in the income withholding laws of the cleanup nature involving child support payments. Number one, it allows the payer of child support to request an earlier effective date for an income withholding order rather than have the income withholding order go into effect only when the child support payments are delinquent - allows the employer to combine all amounts required to be withheld from employee checks and transmit with the listing of same to the responsible parent or to the public office requiring the holding of income. The payment of withheld income is to be paid at the same time the employee is paid. The withholding of income for child support shall be on a first come first serve basis in accord with the new federal child support legislation. This legislation imposes a requirement upon employers with respect to the hiring or refusing to hire a person because of an income withholding obligation. Employer must advise of termination of employment and advise as to his new employer in his last known home address. The Amendment also clears up with concern raised in Committee by further defining the use of the guidelines, and I would like to remind everybody that

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in the first six months of the child support legislation that we pass, we save the taxpayers \$70,000,000. I would be happy to answer any questions."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #1 to House Bill 2447. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, thank you. Will the Sponsor yield?"

Speaker Breslin: "She will."

Cullerton: "I am told that I'm on some kind of a Committee to study this issue. Has the Committee met and decided what we're going to do or is this an interim approach while we study this long term?"

Barnes: "That is correct, Representative Cullerton. The reason that it's necessary to conform with the federal guidelines is so that we receive the federal monies."

Cullerton: "How much money are we talking about?"

Barnes: "I think it was... How much money was it? I had it marked down. I had those figures so when I presented this in Committee and I... I don't like to just tell you a figure unless I'm positive."

Cullerton: "Go ahead. Just make up a figure."

Barnes: "But it was quite a bit of money and it involved several counties throughout the state... and Cook County was one of the largest benefactors of the federal guideline."

Cullerton: "Right. Now, what is the position taken by the various womens' groups that have been concerned about this particular piece of legislation?"

Barnes: "They are extremely supportive, in fact, they have issued new pamphlets so that the parent that is receiving the custodial funds will be made aware of the changes in the law and the availability of it."

Cullerton: "How about the mens' groups, are they in favor of it?"

Barnes: "You notice, I did not distinguish his or her,

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Representative. There are times when women pay men child support."

Cullerton: "Oh, I know, but are the mens' groups in favor - the organized groups?"

Barnes: "Well, I haven't heard of... you know, no one has contacted me, and Representative Currie and I were the original Sponsors of this legislation."

Cullerton: "Okay. Thank you very much."

Speaker Breslin: "The Lady from Cook, Representative Currie."

Currie: "Thank you, Madam Speaker, Members of the House. I think this is a good Amendment. Not only will it bring us in compliance with the new federal legislation in the area of child support enforcement, but in terms of public policy. I think this Amendment makes awfully good sense. What this Amendment says is that an employer cannot refuse to hire or cannot fire an individual because he or she is under an automatic wage withholding order. I would think that we would want to make sure that employees in this state are protected against that kind of action and certainly the fact that federal compliance is requisite if we're to continue to receive federal reimbursements for public aid dollars we collect through this program suggest to me, and I hope suggest to all of you that this is a good strong Amendment and deserves our support."

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

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

Speaker Breslin: "She will."

Dunn: "As you know the original Bill cause me some concern in Committee about establishing new guidelines for responsible relatives which, as I read the original Bill, would include more than an obligation for child support and could include the reverse obligation from a child to support parents. And I understand that the Amendment intends to clarify this

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legislation to make certain that it applies only to the obligation from a parent to a child. Is that correct."

Barnes: "That is correct."

Dunn: "And it is your intent and is the intent of this legislation that it shall be so limited. Is that correct?"

Barnes: "That is correct."

Dunn: "Thank you."

Speaker Breslin: "The Gentleman from Will, who's been married for 42 years, Representative Van Duyne."

Van Duyne: "Would the Lady yield for a question?"

Speaker Breslin: "She will."

Van Duyne: "Jane, can you tell me what charges are attached to these procedures by the Circuit Clerk's Office, if any, for processing these payments?"

Barnes: "I... The employer is paid a dollar if he is involved in the process of wage assessments."

Van Duyne: "Well, could you briefly explain... I understand..."

Barnes: "And Representative Didrickson does have a Bill that's going to raise that to four dollars."

Van Duyne: "For example, if I paid support for my children through the court... Circuit Clerk's Office whatever the weekly support would be, what would they deduct from my payment to my wife?"

Barnes: "No charge."

Van Duyne: "The Circuit Clerk's Office does it for free?"

Barnes: "That is correct."

Van Duyne: "Thank you. I wanted to bring that out as an example for Representative Breslin and Representative Cullerton and Members of the Judiciary and to show you the disparity in the fines, the \$50 fine for speeding where the Circuit Clerk gets ten bucks for just processing your speeding ticket. Are you duly put on notice, Peg?"

Speaker Breslin: "The Gentleman from Jefferson, Representative

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Hicks."

Hicks: "Yes, question for the Sponsor, please?"

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

Hicks: "Yes, as I read the analysis on this, it says that, number one, the employer cannot refuse. Is that correct?"

Barnes: "The employer... That is correct, and he also can't fire the person that is having the wages assessed."

Hicks: "Okay. Also my analysis says that even if a person is not delinquent in their child support, you can still do this. Is that correct?"

Barnes: "That is correct. We're trying to make it easier if that's the way that people want to make their payments. We're willing to have them do it that way, Representative."

Hicks: "Well, let's say I'm not wanting to make it easier and I'm... I have someone whose in that..."

Barnes: "Then... then it is... that's your option."

Hicks: "Okay... But the way my analysis says, even if I'm not delinquent if they wanted to come in and take it, could they do so?"

Barnes: "No."

Hicks: "So, as long as I stay on the proper time frame in paying my child support or had a person that would do so, then there is no way they could come in and garnish and take my wages without my consent. Is that correct?"

Barnes: "That is absolutely correct."

Hicks: "And how long would I have to be delinquent before they could do so?"

Barnes: "It's a period of two months, and you would be notified by either personal service or certified mail and then you would have the time to respond like some people, like say, they're laborers and during the winter there is no carpenter work and they don't have the money. Well, you can't get blood out of a turnip. So, they're allowed to

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voice the reasons that they are behind in payments and consideration is given in those circumstances."

Hicks: "Okay. And if... then, for instance, let's say I happened to get 60 days behind and you come in and you start taking it and then I'm up to date and I'm current, then how long does it go on that you come and take my wages like that?"

Barnes: "I believe it's like a period of the year and once you show good faith, then you can have that change."

Hicks: "Well, good faith meaning you're going to take it every month for a year because then I don't have any option, I mean, you're taking it. So, good faith would be shown in every case as long as I'm employed. Is that correct."

Barnes: "That is correct."

Hicks: "Fine. Thank you very much."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #1 to House Bill 2447. There being no further discussion. The question is, 'Shall this Amendment be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the... Representative Barnes, would you like to close and we'll take a roll call vote on it?"

Barnes: "Well, in closing, I would like to remind the Members of this Legislature that we did save the taxpayers \$70,000,000 in the first six months of this legislation that was enacted. It is necessary to conform to federal guidelines. After all, we're talking about children here that need money for necessities. I would ask an 'aye' vote."

Speaker Breslin: "The question is, 'Shall Amendment #1 to House Bill 2447 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 85 voting 'aye', 6 voting 'no', and 2 voting 'present', and this Amendment is adopted. Are there

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any further Amendments?"

Clerk Leone: "Floor Amendment #2, Olson - Daniels - Countryman, amends House Bill 2477."

Speaker Breslin: "Representative Olson."

Olson: "Thank you very much, Madam Speaker and Ladies and Gentlemen of the House. Amendment #1 to House Bill 2477 is an extension of the Election's Act of two years ago. And it basically provides that the contents of the sealed container must be inventoried by the election authority after the close of the polls before the election judge can be given a receipt. We have reported incidents around the state relative to this issue and as a consequence, we would urge the adoption on this Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 2447. And on that question, the Lady from... Representative Olson."

Olson: "Amendment #1."

Speaker Breslin: "We have already adopted Amendment #1. Representative Barnes, for what reason do you rise?"

Barnes: "Thank you, Madam Speaker. I think where the confusion is, there is another Amendment filed to 2447 as you have it up on the board and it's Amendment #2. It's merely a technical change. Perhaps that's what we're talking about?"

Speaker Breslin: "Is that correct, Representative Olson, is yours a technical change?"

Barnes: "He's talking about a different Bill. See up there you have 24..."

Olson: "2477, I'm sorry."

Speaker Breslin: "2447 is the Bill that we're on."

Olson: "I thought I heard 2477 announced. I'm sorry, Madam Speaker, if I'm in the wrong issue. I thought I heard 2477 announced."

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Speaker Breslin: "Mr. Clerk, is there an Amendment #2 to House Bill 2447?"

Clerk Leone: "Amendment #1 was adopted. There are no further Amendments."

Speaker Breslin: "You should change the number. Okay, the number is still wrong on the board. Should be 2447. There being no further Amendments. House Bill 2447 moves to Third Reading. House Bill 2452, Representative Ryder - Daniels. Clerk, read the Bill."

Clerk Leone: "House Bill 2452, a Bill for an Act to amend an Act in relationship to persons with developmental disabilities."

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

Cullerton: "I have a question about that Bill you just moved to Third Reading. House Bill 2447."

Speaker Breslin: "Okay. What is your question?"

Cullerton: "How many Amendments were adopted?"

Speaker Breslin: "One Amendment was adopted."

Cullerton: "And what happened with Amendment #2?"

Speaker Breslin: "The Clerk advised us that there was not an Amendment #2 filed."

Cullerton: "And... I have one and the Sponsor... The Page distributed it. We just didn't tell the... Tony."

Speaker Breslin: "Okay. Mr. Clerk, keep looking for Amendment #2. We're now... we're now on House Bill 2452. We will come back to House Bill 2447 if there is a need. Thank you for calling it to our attention, Representative Cullerton. House Bill 2452."

Clerk Leone: "House Bill 2452, a Bill for an Act to amend an Act in relationship to persons with developmental disabilities. Second Reading of the Bill. Amendment #1 was adopted in Committee."

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Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Breslin: "Third Reading. Now, returning back to House Bill 2447. Representative Barnes, do you wish to bring this Bill back? She does. She indicates that she does. So, we will return with leave of the Body we will return House Bill 2447 to the Order of Second Reading. Mr. Clerk."

Clerk Leone: "Amendment #2, Barnes, amends House Bill 2447 on page six, line 10 and so forth."

Speaker Breslin: "Representative Barnes."

Barnes: "Thank you, Madam Speaker and also thank you, Representative Cullerton. It's merely a technical change and it corrects the Section reference by deleting Section 1-17.2 and inserting in lieu thereof Section 10-17.2. I would ask for a favorable Roll Call."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #2 to House Bill 2447. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "For those of you who want to keep this Bill technically incorrect. I would suggest that you vote 'no'."

Speaker Breslin: "The question is, 'Shall Amendment #2 to House Bill 2447 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2472. Representative Daniels. Out of the record. Representative Cullerton, do you wish to... run that Bill. Okay. House

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Bill 2472. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2472, a Bill for an Act to amend the Illinois Educational Facilities Authority Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Madigan - Daniels, amend House Bill 2472."

Speaker Breslin: "Representative Cullerton, on Amendment #2."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This just clarifies the fact that the term cultural facility... and found in the Bill includes building on the national register of historical places which are owned and operated by a not-for-profit entity. I move for the adoption of Amendment #2."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 2472. And on that question, is there any discussion? There being no discussion. The question is, 'Shall Amendment #2 to House Bill 2472 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2477, Representative Olson. Clerk, read the Bill."

Clerk Leone: "House Bill 2477, a Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Daniels - Olson - Countryman,

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amends House Bill 2477 on page one and so forth."

Speaker Breslin: "Representative Daniels - Vinson or Countryman. Representative Olson, I should have added you, Sir. Representative Olson, on the Amendment."

Olson: "Thank you, again, Madam Speaker, Ladies and Gentlemen of the House. I'll reiterate what Amendment #1 to 2477 provides. It provides basically when election judges turn in the materials to the election authority after the close of the polls, this applies to where we have precinct counters, an inventory must be taken of the contents of the sealed container before the judge can issue a receipt to the election judge. It also provides that poll watchers are authorized to be present for the inventory. This will address the concern addressed around the State of Illinois in various and sundry precincts where they have this type of precinct counter where sometime they find empty boxes. So, we would move for the adoption of Amendment #1 to House Bill 2477."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 2477. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Myron, I'm really disappointed in you. Will the Sponsor yield?"

Olson: "Yes."

Speaker Breslin: "He indicates he will."

Cullerton: "This is another Amendment that didn't get out of Committee, right? This was a Bill that didn't get out of Committee."

Olson: "Oh, no, the Bill is out of Committee."

Cullerton: "I know the Bill's out of Committee. The Amendment to Amendment #1... What was the number of the Amendment #1 when it was a House Bill?"

Olson: "When it was the House Bill. I'm not sure what it was."

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Cullerton: "2170, does that ring a bell?"

Olson: "2170, John."

Cullerton: "Right. And how did that fair in Committee?"

Olson: "Not too well, but a number of our Bills didn't fair to well in Committee."

Cullerton: "And, why didn't it do so well? Why don't you give me the arguments of the opponents?"

Olson: "Well, I'll let the opponent speak to that. A number of our Bills did very poorly on a given day when you fell short by one vote to pass a Bill of your interest. The number of our Bills went down."

Cullerton: "Was this Bill applied to state... does it apply statewide?"

Olson: "Wherever we have in-precinct counters."

Cullerton: "Wherever what?"

Olson: "In-precinct counters."

Cullerton: "Well, do they those, for example, in Chicago?"

Olson: "I believe that's what you have there."

Cullerton: "Now, is this in response... Is this Bill offered by... this Amendment offered by Representative Daniels, is this in response to the election fraud that occurred in DuPage County over the past two years?"

Olson: "I sincerely doubt that, Representative Cullerton. We're not election fraud any place. We're merely suggesting that this would probably be a good procedure to put in place where sometimes boxes show up that are empty."

Cullerton: "Well, but... it's in response to a problem or it's proposed so that we can avoid the problem of election fraud out in DuPage County. That's why Representative Daniels has introduced it, isn't it?"

Olson: "I doubt that very sincerely. This is really an extension, Representative Cullerton, of his package of two years ago."

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Cullerton: "Yeah, that's right. He had about ten Bills that were in response to election fraud in DuPage County when we had the Governor's race when..."

Olson: "I hear your mention of DuPage County, but I... you would have to address him and I doubt sincerely if they worry about..."

Cullerton: "My mother used to be an election judge, a Democratic election judge in DuPage County"

Olson: "I'm not sure of that."

Cullerton: "And she's very familiar with the fraud out there."

Olson: "Well, is she available to give testimony?"

Cullerton: "Won't this slow down the process of getting materials in at a receiving station. Isn't that the reason why it's such a bad Amendment."

Olson: "Well, I don't think it's designed to slow anything down, Representative Cullerton, because we realize that you have thousands and thousands of precincts in Chicago. It was merely offered in good faith to provide for a timely and orderly election count."

Cullerton: "I would oppose the Amendment. I think that the Chairman of the Election Committee has indicated that she is opposed to the Amendment. It was defeated in Committee. It will obviously slow down the process of getting materials at a receiving station, and I think it's a very bad Amendment. And I would urge people to vote against it."

Speaker Breslin: "Lady from Cook, Representative Alexander, on the question."

Alexander: "Thank you, Madam Chairman (sic - Madam Speaker), this Bill... Amendment was priorly House Bill 2170 which also is trying to bypass the Committee hearing process, and I would urge a 'no' vote on this Amendment."

Speaker Breslin: "The Gentleman from Cook, Representative

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Leverenz."

Leverenz: "Sponsor yield?"

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

Leverenz: "Could you just in two sentences describe what the Amendment does?"

Olson: "Amendment basically provides that before an election judge can get a receipt for inventory... container they bring in that it be inventoried in the presence of the poll watchers and the judges. In other words, when they bring them into the area to be counted, they don't expect a box which might be empty."

Leverenz: "That is to say that when you go to a collection station and the judges have been working since six in the morning and let us say that the judges maybe have their husband or vice versa run it into the receiving station. You would have some hundred plus people, plus the people working in the transfer station or the collection station and they'd all have to stand there until the box was inventoried. Is that correct?"

Olson: "The thought, Representative Leverenz, is not designed to penalize or inhibit anybody's movements. It's designed to have elections where when the boxes are brought in, they actually have ballots as a part of that."

Leverenz: "How many times have we had an empty box come in without ballots?"

Olson: "I think we had one in the primary. There maybe a year and a half ago which is still considered significant. It isn't a great number of times, but I think everybody is interested in the best possible vote law as possible."

Leverenz: "And what county was that?"

Olson: "Pardon?"

Leverenz: "In what county did we have..."

Olson: "I believe that happened in the City of Chicago and the

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County of Cook."

Leverenz: "Of one precinct?"

Olson: "There is one that I think the Member of this House is a party to."

Leverenz: "The Bill was killed in Committee because of the amount of time it would take it..."

Olson: "The Amendment is taken from another Bill. That's correct."

Leverenz: "And now, you're coming back with it to resurrect it a second time."

Olson: "That's... that is correct."

Leverenz: "And breathe life into it again."

Olson: "Well, Representative Leverenz, you've breathe a life out a number of my Bills on that day. And so we are, yes, indeed, trying to breathe life into it."

Leverenz: "This is... To the Amendment then. I would hope that the House would reject the Amendment and especially on this side. The testimony that we've heard in Committee would exorbitantly tie up the receiving stations. The people would find that they would be in chaos after working diligently all day. And over just one precinct, I think that could be corrected by just training of the election judges in that precinct. I would hope the Amendment would be defeated."

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

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is a good Amendment. It isn't a partisan Amendment. What it does is create a substantial audit trail for the ballot supplies, and all of us could be involved in recounts and want to know that the materials are in that container box when it's delivered to the election authority. It's good practice. I would assume

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every election authority would want to do it. I'm amazed that some don't. I can't believe that the other side of the aisle doesn't believe that this is a good Amendment and know that it's good practice. We wouldn't ask the auditor general not to have an audit trail. He's always asking our departments whether or not they've got appropriate audit trails on their dollars. Ballots are important. And if we don't know those ballots are in that box when it's turned in at the counting station, then we don't know that we've got a good election. This isn't a matter between Cook County and downstate or DuPage County. This can happen in southern Illinois. It can happen anywhere. It can happen by inadvertents. My mother is an election judge and she wants that box inventoried so she knows that when she left that box, that she gave it to them and her responsibility ends. This is a good Amendment and I ask for your favorable vote."

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

Huff: "Thank you, Madam Chairman (sic - Madam Speaker). I rise to oppose this Amendment. As a practical matter, Ladies and Gentlemen, the personnel that's receiving this material in the receiving station are mere high school students. You have thousands of captains converging on these receiving stations, and this Bill will create undo delay resulting in some cases, I fear, an out... out riot. People will become dishearten and just leave the material in the street, and the purpose of the Amendment will be defeated. This... that's the reason I voted against it in the Election Committee."

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

Nash: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Amendment. If this Amendment was a good Amendment, we would have passed the

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Bill out of Committee. I urge an 'aye'... 'no' vote."

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

Olson: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I would like a roll call vote on this... this good election issue. We have heard various and sundry references to why this is not a good issue. I've been asked to take this out of the record for a minute. Would we have an option to get back to it within the short term?"

Speaker Breslin: "We're not planning to come back to these Bills, but we can at the end of this Order."

Olson: "At the end of this Order?"

Speaker Breslin: "Very good."

Olson: "Thank you, I'll take it out."

Speaker Breslin: "Out of the record. House Bill 2494, Representative Williamson. Representative Williamson, are you ready to go on this Bill. Clerk, read the Bill."

Clerk Leone: "House Bill 2494, a Bill for an Act to amend the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Cullerton - Williamson, amends House Bill 2494 on page one and so forth."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker. I move for the adoption of Amendment #1. It deletes the word 'willful negligence' which was found on page one, line 26. And it deletes requirement that equipment must be used with the owner's consent in order to be seized. As a result, police could seize equipment used in the commission of a child pornography immediately and it corrects the spelling word of 'commission' and changes it to 'omission'. I believe it's agreed to by the Sponsor of the Bill, Representative

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Williamson, from suburban Cook, and I would move for the adoption of Amendment #1."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 2494. And on that question, is there any discussion? There being no discussion. The question is, 'Shall Amendment #1 to House Bill 2494 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2498, Representative Alexander. Clerk, read the Bill."

Clerk Leone: "House Bill 2498, a Bill for an Act to provide for public hearing and notice regarding relating to community based youth services. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Alexander - Flowers, amends House Bill 2498 on page one and so forth."

Speaker Breslin: "Representative Alexander."

Alexander: "Thank you, Madam Speaker. The Amendment #1 to House Bill 2498 corrects the intent of the Bill. The Bill as originally drafted singled out a single state agency. The Amendment merely says that any public or private agency or state agency will be required to give a public notice in regards to the establishment or reorganization of state service areas. I ask for approval of Amendment #1."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #1 to House Bill 2498. And on that question, is there any discussion? There being no discussion. The question is, 'Shall Amendment #1 to House Bill 2498 be adopted?' All those in favor say 'aye', all those opposed

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say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2521, Representative Ryder. Clerk, read the Bill."

Clerk Leone: "House Bill 2521, a Bill for an Act to amend an Act relating to the custody and disposition of certain property possessed by enforcement agencies. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Cullerton - Ryder, amends House Bill 2521."

Speaker Breslin: "Representative Ryder."

Ryder: "Thank you, Madam Speaker. This Amendment was created at the suggestion of Representative Cullerton to clear some problems that he and his staff had concerning that. I believe the Amendment was drafted by Democratic staff. It has been signed off by Department of Law Enforcement. I would urge its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 2521. And on that question, is there any discussion? There being no discussion. The question is, 'Shall Amendment #1 to House Bill 2521 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Going back now to Representative Olson's Bill. Representative Olson, we'll get back to your Bill now. No, keep it out of the record? Okay. Ladies and Gentlemen, we will now go to the Order of

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House Bills Third Reading, Short Debate Calendar. Appearing on the... Page 15 on your Calendar, House Bills Third Reading, Short Debate, House Bill 375. Representative Hicks. Out of the record. House Bill 467, Representative Steczo. Representative Steczo. Out of the record. House Bill 479, Representative McCracken. Out of the record. House Bill 497, Representative Ropp. Clerk, read the Bill."

Clerk Leone: "House Bill 497, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill."

Speaker Breslin: "Representative Ropp."

Ropp: "Thank you, Madam Speaker, Members of the House. This is an attempt to address a problem that sheriffs throughout the State of Illinois are having in that when they are to... when they have received a warrant for someone's arrest, all too often it is not fully filled out. And we're attempting here to state that there should be more clarity in the issuance of the warrant so that the sheriff goes out and picks up the right person. We also state in here that by chance if one of the items of identification is not placed there, that does not make the warrant illegal because there have been so many cases where not enough information have been placed on the warrant, and we think that three or four out of five is better than one out of five in terms of identifying who the people are that were to be picked up by the sheriff. I welcome your support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 497. And on that question, is there any discussion? There being no discussion. The question is, 'Shall House Bill 497 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Representative Phelps, would you vote me 'aye', please? Have all voted who wish? The Clerk will

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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... Representative Matijevich wishes to be added to the Roll Call as 'aye'. There are, therefore, 113 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 578, Representative Madigan - Curran - Bullock. Madigan - Curran - Bullock. Out of the record. House Bill 604, Representative Ropp. Out of the record. House Bill 608, Representative McGann. Representative McGann. Out of the record. House Bill 707, Representative Kirkland. Out of the record. House Bill 773, Representative Nash. Out of the record. House Bill 787, Representative Berrios. Out of the record. House Bill 799, Representative DeJaegher. Out of the record. House Bill 816, Representative Levin. Out of the record. House Bill 880, Representative McGann. Clerk, read the Bill."

Clerk Leone: "House Bill 880, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Breslin: "Representative McGann."

McGann: "Thank you, Madam Speaker and Members of the Assembly. This House Bill 880 amends the Revenue Act. It requires that railroad noncarrier real estate be identified by permanent real estate indexed numbers in those counties using indexing. The Bill would place a requirement into the statutes that is already being processed, but we have to urge it along by making it part of the statute. The Bill is not opposed by the Illinois Railroad Association. And the system will help the assessors keep track of the accessible noncarrier real estate, especially that real estate that's being leased. I'd be happy to answer any

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questions, and I'd ask for a favorable vote."

Speaker Breslin: "The Gentleman from Cook has moved for the passage of House Bill 880. And on that question, the Gentleman from Kendall, Representative Hastert."

Hastert: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I just want to reiterate what the Sponsor of this Bill said. It was... went through Revenue Committee unanimously. It's a good idea, and we ask your support."

Speaker Breslin: "There being no further discussion. The question is, 'Shall House Bill 880 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 113 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 882, Representative Greiman. Out of the record. House Bill 895, Representative Madigan - Bowman. Out of the record. House Bill 899, Representative Woodyard. Clerk, read the Bill."

Clerk Leone: "House Bill 899, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Breslin: "Representative Woodyard."

Woodyard: "Thank you, Madam Speaker and Members of the House. This Bill was proposed by the Township Assessors Association in an attempt to alleviate a problem or correct a problem that occurs when they do not get their assessing books on time and thus cannot make their assessments timely and return the books back to the supervisor of assessments. The Bill actually allows them to have their books 60 days and be returned by April 1st or the 60 day period, which ever is later. And we hope that this does correct the problem, and we think it will. It is supported by the

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supervisor of Assessments Association, Department of Revenue and the Township Assessors Association."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 899. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, does this apply statewide, Representative?"

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

Cullerton: "I'm sorry, forgot to ask if he'll yield for a question. A lot of time he doesn't, you know."

Woodyard: "It does not..."

Cullerton: "Will you... Will you yield for a question? Does it apply statewide?"

Woodyard: "Cook County is not in the Bill. Counties of one million or more."

Cullerton: "Okay, thank you. No further questions."

Speaker Breslin: "The Gentleman from Kendall, Representative Hastert."

Hastert: "Would the Sponsor yield?"

Speaker Breslin: "He will."

Hastert: "Representative Woodyard, does this Bill do anything that redefine what workbooks are?"

Woodyard: "No."

Hastert: "I beg your pardon?"

Woodyard: "Not redefine."

Hastert: "So, does this say books or workbooks?"

Woodyard: "Yes. The workbook shall not be a substitute."

Hastert: "I beg your pardon?"

Woodyard: "The workbook shall not be a substitute for the assessing book. And..."

Hastert: "Now in the past... so you do make another change here. In the past, the law said, books or workbooks. Is that correct?"

Woodyard: "Correct. And the supervisor of Assessments may use

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the workbooks or may present those after the 1st of January when the Board of Review."

Hastert: "Okay. Now, do you have a definition in this Bill what a book is? I'm seriously... serious as far as the assessments. You know, in some counties such as DuPage, they don't have workbooks. They use, you know, video..."

Woodyard: "Right, and many of the counties do use the computer in lieu of the workbooks. I realize that. No, I do not make a definition of a workbook in the Bill."

Hastert: "Well, I think that may be a flaw, but I'll let it go."

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

Wolf: "Thank you, Madam Speaker. Would the Sponsor yield to a question?"

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

Wolf: "Representative Woodyard, I was out of the chamber when this Bill was presented. Would you rough through that again for me, please?"

Woodyard: "Yes, Representative. A problem has occurred in the state in which the supervisor of assessments does not get the assessing books to the township assessor in a timely fashion for various reasons, and this Bill would allow the township assessor to have their books 60 days and be returned within that 60 day period or by April 1, whichever is later, but it does give the township assessor the books for 60 days."

Wolf: "But does this Bill at the same time remove the provision that the supervisor of assessment can use workbooks, or rather, submit to the township assessor workbooks in place of the originals?"

Woodyard: "The supervisor of assessments may issue workbooks to the township assessor until the board of review completes its work. Now, this sentence is added to the Bill, 'The

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workbook shall not be a substitute for the assessment books."

Wolf: "What does this Bill do to the legislation that we passed about a year and a half ago?"

Woodyard: "What legislation there are you referring to?"

Wolf: "The legislation that set up the provision that a supervisor of assessments, if they did not complete their board of review hearings by the first of January, could issue to the township assessors workbooks in lieu of the originals which the township assessor would post and bring up to date, and then return to the supervisor of assessments who would post the originals for the township assessor."

Woodyard: "It's my understanding, Representative, they can still do that by... by... "

Wolf: "That this process will not be impaired by this particular Bill."

Woodyard: "Yeah. That's correct, and the supervisors of assessments are completely in agreement with this language."

Wolf: "Well, the fact that the township assessors are in agreement with this language doesn't influence me one bit, because I think they were opposed to the original concept that we passed, as I said, a year and a half ago."

Woodyard: "That's... I think you are right. But both organizations are in agreement with this Bill."

Wolf: "Okay. Thank you very much."

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

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

Speaker Breslin: "He will."

Klemm: "Representative, when do the books normally come from the

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supervisor of assessments down to the township supervisor,
normally speaking?"

Woodyard: "When do the books normally come?"

Klemm: "Yeah."

Woodyard: "January 1."

Klemm: "About the first of the year?"

Woodyard: "Or about that time, yeah."

Klemm: "So presently, now, they would have to get their books
back by April 15. Is that current law?"

Woodyard: "No. No. That was... That was in the original Bill.
The Department of Revenue wanted to move that back to April
1, and within that cycle, this Bill has no problem with
that, because it says, '60 days or April 1', whichever's
later."

Klemm: "When would they normally have to get their books, under
current law?"

Woodyard: "They would normally have them January 1, if it's done
in a timely fashion."

Klemm: "When would they have to return their books?"

Woodyard: "By April 1, or within 60 days, whichever is later - by
April 1."

Klemm: "That's current law now?"

Woodyard: "No, that's... that's in the Bill, April 1."

Klemm: "Forget about the Bill. Let's start all over again. What
is current law?"

Woodyard: "April 15."

Klemm: "Okay. So right now, if they receive their books January
1, they would have the month of January, February, March
and half of April."

Woodyard: "No."

Klemm: "Right? April 15."

Woodyard: "Present law."

Klemm: "If this Bill were to become law, they would have 60 days

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or April 1 as their deadline, so actually, they're getting, then, two weeks or 15 days less time to get their books to the supervisor of assessments. Is that correct?"

Woodyard: "That's correct. Well, unless they would not get their books until March 15 or something like that."

Klemm: "Now. I was just curious. I could understand the 60 days if they were to get their books in February 28 or something, they would need those extra days and beyond the April 15. But why are we cutting out two weeks for the normal time since most of the books are returned to them by January 1? It seems to me we're shortening the time for the books. Is there a reason for that?"

Woodyard: "The Bill... The other Bill that was introduced at the same time and the township assessors, quite frankly, wanted 90 days. We felt that was too long. The Department of Revenue felt that was too long. And finally, this April 1 date was posed by the Department of Revenue."

Klemm: "Just a thought, and I've no problem with the Bill other than, in my township, some of my assessors are ending up having less time to work on their books because of this, if this becomes law. I would think perhaps you may consider, if it's possible on the other side, to go back to April 15 and allow the 60 days, and that way they can continue what they're doing and yet allow them that time, if they get their books late."

Woodyard: "Well, as I say, this language was posed by these organizations."

Klemm: "Alright. Thank you very much."

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

Ewing: "Would the Sponsor yield?"

Speaker Breslin: "He will."

Ewing: "Representative Woodyard, the assessors, I assume, support

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this legislation?"

Woodyard: "Correct."

Ewing: "Yeah. How about the supervisor of assessments?"

Woodyard: "They also support it."

Ewing: "They all... They all support it. Do you think that this will, in any way, loosen up the process whereby we may end up with the schools and local units of government having to wait for money?"

Woodyard: "No, as a matter of fact, I'm told that this will actually speed up the tax cycle, rather than slow it down."

Ewing: "Can... Can you explain how that's going to speed it up, if they got more time to get their books in?"

Woodyard: "Well actually, in the townships that had the problem, such as Macon County, Representative Dunn's district, the township assessor would only have his work... his assessment books for a period of maybe three to seven days, and there was just no way that that could be an accurate assessment, and it led to many incorrect assessments. And this will correct that problem."

Ewing: "Yeah. Well, does he have his workbooks ahead of time?"

Woodyard: "Yes."

Ewing: "But he can't go ahead and do the work and then, just transfer it to the books?"

Woodyard: "Yes, and this will still allow that to happen."

Ewing: "Uh huh. So I guess I don't understand why he needs the extra time if he's got the workbooks to begin with."

Woodyard: "Representative, I'll show you what happened in some cases, in some townships, and what has led to this. Sometimes, where we had a situation where a supervisor of assessment didn't really get along with the township assessor, some of those workbooks come out in certain types of coding that the township assessor could not even work with."

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Ewing: "So, he had to have his final books before he could understand the coding and the... Maybe we ought to put in the law some standardized coding so they'd all understand it."

Woodyard: "I agree."

Ewing: "You get a Democratic supervisor of assessments, that could cause a lot of problems."

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

Terzich: "I move the previous question on the Short Debate."

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 Woodyard is recognized to close."

Woodyard: "Thank you, Madam Speaker. For a Bill on Short Debate, I think this one has been pretty fully debated. As I say, it does allow the township assessor to have his assessment book 60 days, returned by April 1 or the 60 day period, whichever is later. I move for the passage of House Bill 899."

Speaker Breslin: "The question is, 'Shall House Bill 899 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 99 voting 'aye', 8 voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. With permission of the Body, we would like to go back to two Bills that were passed over. First one is House Bill 799, Representative DeJaegher. Clerk, read the Bill."

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Clerk Leone: "House Bill 799, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Breslin: "Representative DeJaegher."

DeJaegher: "Thank you, Madam Chairman, Members of the Assembly. 799 basically gives communities of \$100,000 (sic - 100,000) the right to choose what type of aldermanic form of government they wish to have. The most important thing that you have to address yourself to, there cannot be a change implemented within that community unless a referendum is held before the implementation of the right of the people to choose what type of aldermanic form of government they have. I will stand ready to answer any questions that anyone has."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 799. And on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 799 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 115 voting 'aye', 1 voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The next Bill is House Bill 895, Representative Bowman. Clerk, read the Bill."

Clerk Leone: "House Bill 895, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. 895 amends the Public Aid Code to require the Department of Public Aid to promulgate rules for the acquisition, repair and replacement of orthotic and prosthetic devices. This Bill was recommended by the

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Commission on the Status of Disabled Persons. It was a bipartisan recommendation, and with the Amendment that was adopted in Committee, I believe the Department's objections have been removed. I know of no further opposition. I now move for passage of 895."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 895. And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Will the Gentleman yield?"

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

McCracken: "Representative Bowman, what is the current status of the Department's authority to regulate this area? Does it already have this authority."

Bowman: "Well, what the Bill does, though, is to direct the department to make available such things as loaning loaner devices such as wheelchairs in the event that a wheelchair has to be taken in and repaired. Persons without a wheelchair, they need a loaner. The department now does not provide loaners. We are directing them to do that with this legislation."

McCracken: "And it's the department's Bill?"

Bowman: "No, it is not the department's Bill, but they... It has been amended, so they have no objection to it."

McCracken: "Okay. Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall House Bill 895 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 114 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. We'll change the Order of Business at this point, Ladies and Gentlemen, and go to page two on

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your Calendar to House Bills Second Reading, Short Debate Calendar. The first Bill appearing there is House Bill 950, Representative Davis. Out of the Record. House Bill 956, Representative O'Connell. Representative O'Connell. Clerk, read the Bill."

Clerk Leone: "House Bill 956, a Bill for an Act to amend the Probate Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, O'Connell, amends House Bill 856 on page two and so forth."

Speaker Breslin: "Representative O'Connell."

O'Connell: "Thank you, Madam Speaker. What Amendment #1 does is that it provides for discretionary authority on behalf of the court, the Judge, to determine whether or not the revocation or amendment of the trust is in the best interest of the ward. I know of no opposition to the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 956. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 to House Bill 856 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 1057, Representative Richmond and Mautino. Out of the Record. House Bill 1187, Representative Saltsman, Representative Saltsman. Clerk, read the Bill."

Clerk Leone: "House Bill 1187, a Bill for an Act to amend the Election Code. Second Reading of the Bill. No Committee

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Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. House Bill 1306, Representative Krska. Out of the Record. House Bill 1530, Representative Hallock. Representative Hallock. Out of the Record. House Bill 1582, Representative Brookins. Representative Brookins. Out of the Record. House Bill 1775, Representative Currie. Clerk, read the Bill."

Clerk Leone: "House Bill 1775, a Bill for an Act in relationship to fees for pesticide registration. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Currie, amends House Bill 1775 on page one and so forth."

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. I would like to move to table Amendment 1 to House Bill 1775, because the Amendment 2 which is filed, incorporates the provisions that were adopted in Committee but make some additional changes."

Speaker Breslin: "The Lady moves to table Amendment #1 to House Bill 1775. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 to House Bill 1775 be tabled?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment #1 is tabled. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Currie."

Currie: "Thank you, Madam Speaker and Members of the House. The Bill itself provides for fees for pesticide usage. The

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Amendment that was adopted in Committee is incorporated in Amendment 2 establishes the specificity of those fees. I believe that the environmental community as well as the chemical industry people are comfortable with the Amendment. I'm happy to answer your questions, and I would appreciate your support."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #2 to House Bill 1775. And on that question, the Gentleman from Adams, Representative Mays."

Mays: "Thank you very much. Would the Lady yield to a question?"

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

Mays: "The portion of your Amendment dealing with the registration fee states that in addition to any company registering a pesticide product at any time during one year shall pay the annual company registration fee of \$250. Is that \$250 per pesticide product or what? I'm thinking..."

Currie: "No, it's per company, Representative Mays."

Mays: "Okay. So, what are those companies paying right now? And who do they pay it to in this Amendment?"

Currie: "I believe it's \$50 at this point. We did work with the chemical companies themselves in drafting the specifics of this proposal."

Mays: "Does this apply to the local termite and pest control companies that... around the state?"

Currie: "This is the structural pest control people that we're working with. This, in fact, deals only with agricultural use. There is a companion Bill that deals with the structural pest control people, the termite people, and that's House Bill 1776."

Mays: "Okay. So, this just applies to the fee that they pay for registration with the Department of Agriculture."

Currie: "Right."

Mays: "There's a companion Bill that applies to the fee that they

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pay to the Department of Public Health. Is that correct?"

Currie: "Right. And that's House Bill 1776, which is next up."

Mays: "And in both cases, the fee will be increased from \$50 to \$250 for your... for local businesses. Is that correct, or no?"

Currie: "Well, it certainly... "

Mays: "That could be registered under this Act."

Currie: "It certainly is from 50 to 250 in this Bill... in House Bill 1775."

Mays: "Okay. And then, you also have a \$50 per project fee to be registered by that company. Is that not correct?"

Currie: "Right."

Mays: "What is the current registration fee per product?"

Currie: "I believe it's \$20."

Mays: "Thank you very much. To the Amendment. I'm not exactly clear why we have a delineation of duties between Department of Public Health and Department of Agriculture. I've raised this point with the Department of Public Health in the past. I don't... I don't know how timely this registration fee increase for both product and company is, and as a result, I'll probably vote 'no' on the Amendment, and I would request a Roll Call."

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

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

Speaker Breslin: "She will."

Ropp: "Could you tell me what those registration fees are used for?"

Currie: "Right now, that money goes to general revenue, but the point of the Bill is to try to make sure that we are hiring more inspectors, that the fees that are charged relate to the reason that we regulate in this area, and that is to make sure that things are done properly. I believe that's

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the reason that the chemical fertilizer people support this Bill, because they would like to see the fees that we charge them, because they are using regulated products are, in fact, used for the purpose of maintaining the monitoring system, rather than just going into general revenue. The important thing here, I think, is that we have a mechanism to increase the number of people who are able to do inspections out in the field, and that's the reason industry supports this Bill."

Ropp: "Okay. I wasn't opposing the idea of the fees, necessarily, and I also was wanting to know whether or not the industry was in support of a 500 percent increase in those fees, but apparently they are, as you say?"

Currie: "Industry worked with us on this Bill, Representative Ropp, and is supporting this program. They are for it."

Ropp: "Okay. Thank you."

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

Currie: "Thank you, Madam Speaker and Members of the House. The point here is to make sure that the pesticide usage in the state does have adequate inspectional facilities within the Department of Agriculture. As I've mentioned several times in discussion on this Bill, this Amendment, the Bill is strongly supported by the chemical industry itself, as well as by environmental groups and people in the department. I would appreciate your support for Amendment 2 to House Bill 1775."

Speaker Breslin: "The question is, 'Shall Amendment #2 to House Bill 1775 be adopted?' All those in favor vote 'aye' and all those opposed vote 'no'. Voting is open. Have all voted who wish? Representative.. Okay. Have all voted who wish? The Clerk will take the record. On this Amendment, there are 110 voting 'aye', 1 voting 'no', and none voting

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'present'. This Bill, having received the necessary Majority, is hereby declared adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 1776, Representative Currie. Clerk, read the Bill."

Clerk Leone: "House Bill 1776, a Bill for an Act to amend the Structural Pest Control Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Currie, amends House Bill 1776."

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. The Amendment merely provides for the conduction of an urban pesticide study by the Illinois Department of Public Health. The underlying Bill deals with the Structural Pest Control Act, and like the previous Bill we discussed, has to do with making sure that we have adequate inspectional services to make sure that... that pesticides are not endangering the life and health of the people."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #1 to House Bill 1776. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 to House Bill 1776 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 1906, Representative Vinson. Out of the Record. House Bill 1954, Representative Vinson. Clerk, read the Bill."

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Clerk Leone: "House Bill 1954, a Bill for an Act to amend the Collection Agency Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Vinson, amends House Bill 1954 on page one and so forth."

Speaker Breslin: "Representative Vinson."

Vinson: "Madam Speaker, I withdraw Amendment #1."

Speaker Breslin: "The Gentleman withdraws Amendment #1. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Vinson, amends House Bill... "

Speaker Breslin: "Representative Vinson."

Vinson: "Madam Speaker, I would move for adoption of Amendment #2. What Amendment #2 does is to allow persons who are 18 years of age to become certified as opposed to 21, currently. It was suggested in the Governor's sunset report. It requires any hearing officer appointed by the Director of the Department of Registration and Education to be an attorney. It grants the Department of Registration and Education general rule-making authority, and it would prohibit assignment of an account by a collection agency to an attorney for collection until the owner of the account had approved litigation."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 1954. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 to House Bill 1954 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Would you like us to go back to

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1906, Representative Vinson. Representative Vinson, would you like us to go back to 1906? We had just taken it out of the record. House Bill 1973, Representative Hoffman. Out of the Record. House Bill 2185, Representative McCracken. Out of the Record. House Bill 2199, Representative Frederick. Clerk, read the Bill."

Clerk Leone: "House Bill 2199, a Bill for an Act to amend an Act relating to the supply and distribution of water. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. House Bill 2262, Representative Bullock. Clerk, read the Bill."

Clerk Leone: "House Bill 2262, a Bill for an Act to amend the Illinois Public Aid Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. On the Order of House Bills Second Reading on page three on your Calendar, Ladies and Gentlemen, appears House Bill 54, Representative Preston. Clerk, read the Bill."

Clerk Leone: "House Bill 54, a Bill for an Act to amend an Act concerning unidentified bodies. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. House Bill 73, Representative Rea. Representative Rea. Clerk, read the Bill."

Clerk Leone: "House Bill 73, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. Amendments #1, 2 and 3 were adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

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Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #4, Oblinger, amends House Bill 73 as amended."

Speaker Breslin: "Representative Oblinger. Representative Oblinger. The Lady is not on the floor, Representative Rea. What is your pleasure?"

Rea: "I would like to move onto Third Reading, please."

Speaker Breslin: "The Gentleman therefore moves to... moves to table.. "

Rea: "To table the Amendment."

Speaker Breslin: "Amendment #4, presented by Representative Oblinger in her absence. All those in favor of tabling Amendment #4 to House Bill 73 say 'aye'. All those opposed? Representative Rea, I understand that Representative Oblinger is very close by, and we think we could get her. So, if the Body would wait just one moment. Representative.. Representative Rea, we believe we can find her. Would you mind taking it out of the record just for a moment and coming back?"

Rea: "Yes. Yes. Would you please take it out of the record?"

Speaker Breslin: "Very good. Out of the record, with the realization that we'll come back to it as soon as possible. House Bill 94, Representative White. Representative White. Out of the Record. Members should know that we'll not be able to come back to many of these Bills in the future. Representative Oblinger is here now, so we'll go back to House Bill 73. Representative Rea. Clerk, read the Bill."

Clerk Leone: "House Bill 73 has been read a second time previously. Amendment #4, Oblinger, amends House Bill 73 as amended."

Speaker Breslin: "Representative Oblinger."

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Oblinger: "I thought the pension Bills were all going to be discussed in one group."

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

Rea: "Yes, would you take this Bill out of the record for a while, please?"

Speaker Breslin: "The Gentleman requests that the Bill be taken out of the record again. Members should know that if they have Amendments filed, they must be on the floor to present those Amendments, and Bills must be moved as quickly as possible. We cannot guarantee that we will get back to these Bills again. House Bill 115, Representative Oblinger. Representative Oblinger on House Bill 115. Clerk, read the Bill."

Clerk Leone: "House Bill 115 has been read a second time previously. No Committee Amendments. Floor Amendment #1, Braun - Bowman, amends House Bill 115 on page 11 and so forth."

Speaker Breslin: "Representative Braun or Bowman. The Members are not in the chamber, Representative Oblinger. What is your pleasure?"

Oblinger: "I'd like to go with the... move it to Third Reading, please."

Speaker Breslin: "You have to make a Motion to table the Amendment."

Oblinger: "I make a Motion to table Amendment #1."

Speaker Breslin: "Representative Oblinger moves to table Amendment #1 to House Bill 115. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 to House Bill 115 be tabled?' All those in favor say 'aye', all those opposed... Representative Young asks for a Roll Call vote. All those in favor vote 'aye', all those opposed vote 'no'."

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Voting is open. Representative Young, do you wish to speak in debate?"

Young: "Yes, I wish to speak in support of the Amendment to House Bill #115."

Speaker Breslin: "This is a Motion to table, Sir. You have to speak to the Motion to table."

Young: "I would just like to say to everyone in the House, particularly my colleagues on this side of the aisle, that this is not an Amendment that should be tabled, that this is an Amendment that should be attached to this Bill and all of the other pension Bills here in the House, that even though there may be good cause to disagree on whether or not funds should be divested from South Africa, there is no cause that I can see for any more Illinois dollars to go into South Africa. The racist regime in South Africa is well known to everyone in this House. The regime in South Africa and its policies are not only destroying the people within the county, they are hurting the Illinois economy. We have a... We have a building built by the state that was built with South African steel that helped close steel mills in Chicago. Ladies and Gentlemen, I ask you, why would anyone want to put another Illinois dollar in South Africa?"

Speaker Breslin: "Representative Young, you have to bring your remarks to a close. You only have one minute, and you have used that."

Young: "And the last thing I would say, as courtesy to the Sponsor, this Amendment should have at least been heard."

Speaker Breslin: "The Gentleman from Will, Representative Davis. Very good. Does anybody else wish to speak to the Motion to table? The Gentleman from Lake, Representative Matijevich."

Matijevich: "Well, I... We tabled an Amendment before because the

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Sponsor wasn't here, but the Sponsor's here now. I don't see why we can't go back to this Amendment."

Speaker Breslin: "Representative Oblinger, would you like to withdraw your Motion?"

Oblinger: "Yes."

Speaker Breslin: "Okay. The Lady withdraws her Motion to table.

We are on Amendment #1 to House Bill 115. The Sponsor is Representative Braun and Bowman. Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I want to thank Representative Young for his comments, because he said a lot of what I said. There's an article in the news... in the St. Louis Globe-Democrat today about Pepsi-Cola pulling out of South Africa, and that they are doing so in large part because of the economics of the situation. Now, as everyone knows, we have filed these prospective only Amendments. For those of you who say you are against apartheid, for those of you who say you deplore what's happening in South Africa, here is an opportunity for you to show that without actually calling upon our pension funds to divest. This is not a divestiture Amendment. All this says is that we will not put any new dollars in business in South Africa. It does not cause any transaction costs. It does not cause any disruption that might be argued, although I would argue that there is no disruption from divestment. It just causes no disruption at all. It is a prospective only, a forward-looking only kind of proposal that says that we, in the State of Illinois, while we... just as we support our pensioners, we support our pensioners to the extent that we don't want to see their pension dollars jeopardized by being embroiled as mortar for apartheid. It's just that simple. I would encourage your support of Amendment #1. I think it is fair to our pensioners. I think it is fair to

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our pension systems. I think it will achieve the result of making a statement regarding our... our disdain for apartheid and that system of government where the question, Ladies and Gentlemen, is not a question of black and white, it is a question of wrong. It is a question of what is right. It is the right thing for us to do, not to send any additional dollars to South Africa, and that is what Amendment #1 seeks to do."

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

Oblinger: "Madam Chairman and Members of the General Assembly, I do not object to the substantive matter of this Bill. I do object to it being put on House Bill 115. If Representative Braun will remember what she said yesterday about her own Bill, she said, 'If you want to have a Bill like that, go and do one, but don't put it on my Bill.' This is how I feel. She has 317. She has 330, all of which address this question. I think she has sufficient Bills to work with, and I do not want it on this Bill."

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

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

Speaker Breslin: "She will yield for a question. Representative Braun."

Dunn: "Does the Sponsor intend to call House Bill 317 and House Bill 330 for vote on Third Reading?"

Braun: "I'm sorry, Representative Do I intend to call the Bills for a vote on Third Reading?"

Dunn: "That's the question. Yes."

Braun: "Yes, I... At this time, I intend to do so, yes."

Dunn: "Thank you very much."

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

Brookins: "Madam Speaker and Ladies and Gentlemen of this

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Assembly, we see all over the south side, southeast side of the City of Chicago, the steel companies, they're suffering, and they're suffering because we're importing steels and other goods from foreign countries, particularly South Africa, and they're putting our people out of work. Not only blacks, are they putting out of work, Hispanics, they're putting out of work, the ethnic groups on the east side of the City of Chicago, which is part of my district, are out of work. So therefore, we want to help the economy. We want to help the small business people in those areas, because their shops are folding, and I think that this will go a long way in helping that situation. Thank you."

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

Piel: "Thank you, Madam Speaker. I won't get into a long dissertation on this Amendment. I... I'll wait until the Bill comes up, and I wish the Sponsor would wait until the Bill comes up. I noticed we had her Amendment yesterday, and if you look at your Calendar, we can go to House Bill 202. She's put the same Amendment on that. And on 164, she's put the same Amendment on that. Let's see, this is 115, so we'll pass by that one. 94 and on and on and on. I think it's getting a little bit dilatory on the Sponsor's part. Fine. Why doesn't she wait until her Bills are called, because whatever happens to her Bills, you know, it's going to happen to the Amendments also. And let's discuss the issue on the Bills and don't try and screw up somebody else's Bill with your Amendments. Yesterday, the Sponsor went on and on about how she didn't want somebody to tie an Amendment onto her Bill, and what she's trying to do, she's trying to tie it onto every single pension Bill in the House of Representatives. I think it's a little bit ridiculous."

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

Young: "Madam Speaker, Ladies and Gentlemen of the House, it appears to me that there might be some confusion of the Members of the House, because these Amendments do not address the substantive issues addressed in House Bills 317 and 330, known as the South Africa Bills. Those Bills address the issue of divestiture, of taking the pension money out of the country that is already there. These Amendments address the issue of putting future Illinois dollars into South Africa."

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

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

Speaker Breslin: "Representative Flinn 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 Braun is recognized to close."

Braun: "Thank you very much. To clarify and to expand on Representative Young's remarks, and in response to Representative Piel, the situation yesterday was one in which an individual tried to keep me from tabling my Amendment to my own Bill. That is a very different situation than an Amendment to a piece of legislation which is certainly, in this instance, germane. This is not intended to be hostile to Representative Oblinger's interest in the seniors. Representative Oblinger has labored long and hard in this General Assembly to protect and provide for seniors and retirees in the state, and I applaud her on that, and I have always supported her on that. I intend to continue to support our pensioners and continue to support our retirees, but I cannot in good

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conscience send another nickel to South Africa to participate in the slavery of people over there and to participate in the destruction of industries here in the State of Illinois. It is a two way street. We either put our money where our mouth is, and for those of you who say you are against apartheid, this Amendment does not call for us to take a nickel out that's already there. This Amendment says we just won't put any new money in. It's a very different situation than House Bills 317 and 320... 330, rather. It is a situation in which those of you who may have a problem with the issue of pulling money... old money out, will have an opportunity to express your support of the proposition, that apartheid is wrong, that what is going on in South Africa is wrong, and that the retirees of the State of Illinois do not want to be part and parcel of supporting that system."

Speaker Breslin: "The question is, 'Shall Amendment #1 to House Bill 115 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Alexander has one minute to explain her vote."

Alexander: "I'm in support of this Amendment. Last year, a very illustrious Legislator had a Buy American Bill put out of here. Keeping the money in the United States helps the Buy American theory. I'm asking for a green vote on this Amendment."

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

Cullerton: "Yes. I just wanted to point out that when we had this same Amendment yesterday on a Cook County pension Bill, the Republicans were voting 'present' so that the Amendment would get on the Bill so that they could kill the Bill. Now that we have Representative Oblinger's Bill, which they theoretically want to pass, they're voting 'no',

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because they don't want the Amendment on the Bill."

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

Bullock: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I rise in support of the Lady's Amendment. This Assembly has established, as a matter of public policy, affirmatively, its position on divestiture in South Africa. Distinguished Representative Dan Pierce last year had a Bill. He allowed me to place an Amendment on that Bill which prohibits tax exemption... sales tax exemption for buying kruggerands in the State of Illinois. The Governor of this state, a Republican, signed that Bill. There's bipartisan support for sending a message to South Africa to rescind its apartheid policy. I don't think the issue needs to be one of castigating any Member of this House. I have great affection for Representative Oblinger, a fine lawyer and a fine Representative, and I'm sure she will vote for this measure when it gets to Third Reading, but the State of Illinois has established public policy, and I'm proud to say that Representative Pierce and I sent that to the Governor's desk and he signed it. I think it deserves an 'aye' vote."

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

Vinson: "I just wanted to compliment Representative Cullerton on his continued fine performance as a standup comedian."

Speaker Breslin: "The Gentleman from St. Clair, Representative Stevens, one minute to explain your vote."

Stevens: "Thank you, Madam Chairman. Lest there be confusion, I have received a lot of mail from retired teachers who are saying that this Amendment and other similar Amendments in the three Bills should be opposed, and I just wanted to point that out. Thank you."

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

Friedrich: "Well, just echoing what Representative Stephens just said, a lot of people who have... whose pensions are involved do not want this Amendment. I think the significant thing here is that we don't have a similar thing for Ethiopia where the blacks are persecuting the blacks or in Afghanistan where the Russians are persecuting the people there. If we're going to have this, let's just have it for everybody that's got a problem internationally, not just South Africa. That's not the only place in the world where people are being persecuted."

Speaker Breslin: "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 47 voting 'aye', 53 voting 'no' and 9 voting 'present'. Representative Braun."

Braun: "I'd like a Poll of the Absentees."

Speaker Breslin: "Poll of the Absentees, Mr. Clerk."

Clerk Leone: "Poll of the Absentees. Berrios. Giglio. Krska. Kulas. McGann. Mulcahey. O'Connell. Parke. And Richmond. No further."

Speaker Breslin: "Representative Brookins... rather Representative Bullock asks for a verification of the negative vote. Proceed with the verification of the nega... or Roll... Poll of the Negative Vote, Mr. Clerk."

Clerk Leone: "Barger. Brunsvold. Capparelli. Churchill. Cowlshaw. Daniels. Davis. Didrickson."

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

McGann: "Vote me 'aye'."

Speaker Breslin: "The Gentleman asks to be voted 'aye'."

McGann: "Thank you, Madam Speaker."

Clerk Leone: "Continuing with the Poll of the Negative. Ewing."

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Flinn. Virginia Frederick. Dwight Friedrich. Goforth.
Hallock. Hannig. Hartke. Hastert. Hawkinson. Hensel.
Hoffman. Johnson. Klemm. Koehler. Kubik. Mays.
McAuliffe. McCracken. McMaster. Oblinger."

Speaker Breslin: "Excuse me. Representative Bullock,
Representative Olson asks leave to be verified. Proceed."

Clerk Leone: "Olson. Parcells. Bernard Pedersen. William
Peterson. Phelps. Piel."

Speaker Breslin: "Representative McCracken asks leave to be
verified also, Representative Bullock. Proceed."

Clerk Leone: "Pullen. Rea. Regan. Bopp. Ryder. Saltsman.
Stange. Stephens."

Speaker Breslin: "Representative Hastert asks leave to be
verified, Representative Bullock. Proceed, Mr. Clerk."

Clerk Leone: "Tate. Terzich. Tuerk. Vinson. Wait. Weaver.
Williamson. Wojcik. Wolf. And Woodyard. No further."

Speaker Breslin: "Do you have any questions of... We are starting
at 48 voting 'aye' and 53 voting 'no'."

Bullock: "Thank you, Madam Speaker. Let's start with
Representative Capparelli."

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

Bullock: "Ewing."

Speaker Breslin: "Representative Ewing is not in his chair. Is
the Gentleman in the chamber? Representative Ewing.
Remove him from the Roll Call. Representative Mays asks
leave to be verified, Representative Bullock. Remove
Representative Mays from the Roll Call. Excuse me,
Representative Ewing from the Roll Call. Representative
Hoffman asks leave to be verified. And Representative
Didrickson."

Bullock: "What is the count now? We've... Leave to verify all
these people. What are we starting with?"

Speaker Breslin: "We're starting... Now we have 48 voting 'aye'

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and 52 voting 'no'."

Bullock: "Thank you, Madam Speaker. Flinn."

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

Bullock: "Goforth."

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

Bullock: "Hannig."

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

Bullock: "Hartke."

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

Bullock: "Johnson."

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

Bullock: "Kubik."

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

Bullock: "McAuliffe."

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

Bullock: "O'Connell."

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

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

Speaker Breslin: "I see. The Gentleman is not recorded as
voting..."

Bullock: "Parcells."

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

Bullock: "Phelps."

Speaker Breslin: "Representative Phelps. Representative Phelps.
The Gentleman is in his chair. He is in his chair."

Bullock: "Pullen."

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

Bullock: "Rea."

Speaker Breslin: "Representative Rea is in his chair.
Representative Younge asks leave to be verified as a 'yes',

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however, Representative Younge, we are not verifying the negative... or the positive or the affirmative so you cannot have that leave. Proceed, Representative Bullock."

Bullock: "Thank you, Madam Speaker. Ropp."

Speaker Breslin: "Representative Ropp..."

Bullock: "Stange."

Speaker Breslin: "Excuse me. Representative Ropp is in the chamber. Representative Stange is in the chamber."

Bullock: "I'm trying to get to know my new colleagues."

Speaker Breslin: "Yes, I see that."

Bullock: "Some of them I don't... Some of them I don't recognize faces. Stange."

Speaker Breslin: "He is in the chamber, right here. Right down here."

Bullock: "Oh, I'm sorry. Okay. That's my friend, yes. Tate."

Bullock: "Representative Tate. The Gentleman... is in his chair and Representative Ewing has returned to the floor. Add him to the Roll Call. And he asks leave to be verified, Representative Bullock."

Bullock: "Yes."

Speaker Breslin: "Yes, you have that."

Bullock: "Tuerk."

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

Bullock: "Williamson."

Speaker Breslin: "Representative Williamson. Is the Lady in the chamber? She is."

Bullock: "Wolf."

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

Bullock: "Woodyard."

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

Bullock: "Thank you, Madam Speaker."

Speaker Breslin: "There are 48 voting 'aye', 53 voting 'no' and 9 voting 'present', and the Amendment fails. Are there any

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further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 159, Representative Ronan. Representative Ronan. Out of the Record. House Bill 160, Representative Ronan. Out of the Record. House Bill 164, Representative Capparelli. 164. Out of the Record. With leave of the chamber, we'd like to go back to House Bill 73 that was taken out of the record before. Representative Rea, are you ready to proceed on that Bill? He is. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 73. It's been read a second time previously. Next Amendment is Amendment #4, Oblinger, amends House Bill 73 as amended."

Speaker Breslin: "Representative Rea, is there an understanding on what you were going to do with Amendment #4? Okay. Representative Oblinger is on the floor, on Amendment #4. Proceed, Representative Oblinger. Representative Oblinger."

Oblinger: "Madam Speaker and Members of the House, I wish to withdraw Amendment #4."

Speaker Breslin: "The Lady withdraws Amendment #4. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, Braun - Bowman - Younge, amends House Bill 73 as amended."

Speaker Breslin: "Representative Braun."

Braun: "Ladies and Gentlemen of the House, you know, I've not... I've been here now for three Sessions. This is my fourth term. I have never undertaken to tinker with another person's legislation out of malice or out of any interest to try to kill the Bill. That is not my intention now, and I say to you in all sincerity that while it may be a painful and... if not tedious exercise for us to go through, it is of critical importance that on each and

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every one of these pension increase Bills, that we attempt by whatever means we have available to us as Legislators, to keep those dollars from going to benefit business in South Africa. Representative Friedrich raised a point in Debate, and maybe I shouldn't have used his name, because I don't mean it in a disparaging way, but he asked the question, 'Why not some other country?' And the answer to that is simple, and that is that South Africa is the only country in the world that constitutionally mandates, constitutionally requires not only separation of the races, but unequal treatment of the races. The fact that these dollars go to benefit business in South Africa means simply that these dollars go to ensure that the practical slavery of people there is continued. Workers, in order to work in plants in South Africa, if they are not white, if they are black or if they are colored, are required to have a pass to even go into town, are separated from their families and are, if they find themselves in a situation where they are arrested without charge on the streets, are returned to the Bantustands, which for all intents and purposes, Ladies and Gentlemen, are nothing more than modern day concentration camps in the desert. We cannot continue to use pensioners as an excuse for the unbridled discretion of money managers to pour dollars into that situation. I submit to you that the interest of our pensioners are served when we obey the prudent person rule and when we make certain that our dollars are prudently invested where they will give a return without occasioning the tremendous, the horrendous, social costs that these investments are currently causing. The report from the Auditor General recently demonstrated that our pension funds do very poorly on their return on investments. In 1974, the pension funds returned less than five percent on the investment. Now, if we are going to

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stand here foursquare in favor of the money managers' discretion to get 4.5 percent on our money that is invested, there is something terribly wrong with our interpretation of our obligation to see that these dollars are prudently invested. I submit to you, Ladies and Gentlemen, that this Amendment is the right thing to do. It will only prohibit new dollars from going to South Africa, and I encourage your support on Amendment #5."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #5 to House Bill 73. And on that question, is there any discussion? The Gentleman from Franklin, Representative Rea."

Rea: "Thank you, Madam Chairman, Members of the House. In all due respect to my seatmate, here, I rise in opposition to this Amendment for the same reasons that was discussed earlier without taking an abundance of time, and I would ask for a 'no' vote on this Amendment."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Amendment #5 to House Bill 73 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? Have all voted who wish? The Clerk will take the record. On this question, there are 38 voting 'aye', 43 voting 'no', and 26 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. The next Bill on the regular Order of Call for House Bills Second Reading is House Bill 175, Representative Bullock. Out of the Record. House Bill 202, Representative Satterthwaite. Clerk, read the Bill."

Clerk Leone: "House Bill 202, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill."

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Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Saltsman, amends House Bill 202 as amended."

Speaker Breslin: "Representative Saltsman."

Saltsman: "Thank you, Madam Speaker. Amendment #2 amends the Municipal Retirement Fund of the Illinois Pension Code to provide up to one year of service credit for certain uncompensated accumulated sick leave earned and covered by employees."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 202. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 to House Bill 202 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Braun - Bowman, amends House Bill 202 as amended."

Speaker Breslin: "Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Amendment again only applies to any increased pension contributions. I think the case has been made in Debate already on the previous pension Bill. I would encourage your support, and I would encourage your help in making a statement that we don't want these new dollars to go to benefit business in South Africa."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #3 to House Bill 202. And on that question, is there any discussion? There being no discussion, the

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question is, 'Shall Amendment #3 to House Bill 202 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 41 voting 'aye', 28 voting 'no', and 37 voting 'present'. This Bill... This Amendment, receiving the necessary Majority, is hereby declared adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #4, Giglio - Giorgi, amends House Bill 202 as amended."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, this is a technical Amendment that replaces everything up to now and reinstates everything. How's that?"

Speaker Breslin: "Representative Giorgi... "

Giorgi: "Amendment #4 deletes everything after the enacting clause, then reinstates the provision of House Bill 202, including Amendments 1 and 2, and further provides boards of pension funds organized under the Illinois Municipal Retirement Fund Article of the Pension Code with a mechanism for the establishment of a group health insurance program for its employees and retired employees. The Amendment requires any monies collected by the board for the administration of the program to be deposited in a separate account with the State Treasurer. What this does is, it allows the Board of Directors of the INRF to institute a group health program for employees of the state because it's permissive and it saves them a lot of money, gets everybody covered."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to House Bill 202. And on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Madam Speaker, I would ask that the Amendment be ruled

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out of order because it's dilatory."

Speaker Breslin: "The Chair rules that the Amendment is not dilatory. The Lady from Cook, Representative Braun."

Braun: "Thank you, Madam Speaker. A question of the Sponsor."

Speaker Breslin: "Proceed with your question."

Braun: "Representative, will Amendment #4... Did you say it deletes everything after the enacting clause?"

Giorgi: "Yes."

Braun: "It does not amend the Bill as amended. It just amends the Bill?"

Giorgi: "Does not amend the Bill as amended... "

Braun: "So the practical effect of this Amendment would be to defeat Amendment 3, which was just adopted."

Giorgi: "Well, I've been, you know, working on this for about 10 days, and I've got everyone understanding my Amendment. Your Amendment, they understand yours also, but, you know... "

Braun: "I'm sorry... sorry. Someone was just talking in my good ear. What did you say?"

Giorgi: "Leader Braun, I've been working on my Amendment for a couple of weeks, and we had taken care of all problems up 'til this morning when you put your Amendment on, but this is a very important Bill in that it creates a health insurance program for state employees under the tutelage of the IMRF. Your Amendment... I didn't know your Amendment was going to be placed on the Bill, so my Amendment enacted everything... deleted everything after the enacting clause. It adopted Amendment 1 and 2 and then my Amendment that reinstates the House Bill. I'm sorry about your Amendment. Your Amendment's off of it now. So... "

Braun: "If this Amendment is adopted, the Amendment 3 doesn't go on it."

Giorgi: "Then the Amendment's off. Yeah. But I have another

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Bill that you can put it on. I have 717, that you've got it on already."

Braun: "It doesn't help with the dollars created in 202, though."

Giorgi: "No, but... We aren't using pension funds to institute a health program for state employees or people that are... that pay into the IMRF. This is not a state funded program. All it is is a state administered program because the people are contributing to the IMRA."

Braun: "Thank you."

Giorgi: "I urge the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to House Bill 202. And on that question, there is no further discussion, so the question is, 'Shall Amendment #4 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "There has been a request for a Roll Call. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 40 voting 'aye', 60 voting 'no', 7 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Representative Satterthwaite."

Satterthwaite: "Madam Speaker, I was rising for a verification of the Negative Roll Call on that Amendment."

Speaker Breslin: "On your Amendment?"

Satterthwaite: "On Amendment #4."

Speaker Breslin: "I'm sorry, Representative Satterthwaite. We've already acted on that Amendment. Would you like to leave

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the Bill on Second Reading."

Satterthwaite: "We'll hold the Bill on Second Reading."

Speaker Breslin: "That would be fine. House Bill 209,
Representative Cullerton. Representative Cullerton.
Clerk, read the Bill."

Clerk Leone: "House Bill 209, a Bill for an Act to amend the
Illinois Vehicle Code. Second Reading of the Bill. No
Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Tate, amends House Bill 209 on
page two... page one and so forth."

Speaker Breslin: "Representative Tate."

Tate: "Mr. Speake... or Madam Speaker, Ladies and Gentlemen of
the House, Amendment 1 simply repeals the seat belt law
this General Assembly barely passed last Session. A very
significant issue, an issue that all of us have heard from
our constituents, received phone calls and letters, and I
encourage the entire chamber... If I could have the
attention, Speaker... Madam Speaker."

Speaker Breslin: "Is there any further discussion?"

Tate: "Okay. Thank you, Madam Speaker. There is additional
discussion. This issue obviously is one that's been
debated. All of the Members know the issue, know the
merits on both sides of the issue. Quite frankly, it's an
issue of... one of freedom of choice, one that I personally
believe that this is the best illustration of big brother
government that we've ever asked... we've ever passed in
this Chamber. If you truly believe that individuals have
the... should have the right and freedom of choice, then
you'll vote 'yes' on this Amendment. I encourage a
favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for the adoption of
Amendment #1 to House Bill 209. And on that question, the

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Sponsor of House Bill 209, Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. Procedurally, I thought I'd explain that since I'm the Sponsor of this Bill and I was also the Sponsor of the mandatory seat belt law, that obviously if the Amendment gets on the Bill, then I would not call the Bill, and this would not ever come into law. There is a Bill - Representative Vinson's the Sponsor - that does repeal the seat belt law. I know that that Bill will get a Roll Call, and that's the Bill that, if you're in favor of repealing the seat belt law, that's the Bill you should support. If Representative Vinson chooses not to call that Bill, that's his decision, but I think really to debate this Amendment at this time is really meaningless, because if the Amendment gets on, it will never be called. It also is true that it would kill the Bill, and the Bill is a very, very interesting Bill which is supported by the Medical Society and opposed - wildly opposed - by the Trial Lawyers. Just parenthetically mention to you that what the Bill does is to say that if you... "

Speaker Breslin: "I'm sorry, Representative Cullerton. You have to speak to the Amendment."

Cullerton: "Right. Okay. The Amendment that kills the Bill. Right."

Speaker Breslin: "Okay. There being no further discussion, Representative Tate is recognized to close."

Tate: "Thank you, Madam Speaker. Simply put, this is an issue that's going to put all of us on record of one of freedom of choice and individual rights. I encourage a favorable Roll Call, and if this Amendment goes on, it certainly will improve the substance of the Gentleman's Bill."

Speaker Breslin: "The question is, 'Shall Amendment #1 to House

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Bill 209 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 41 voting 'aye', 59 voting 'no', and none voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Ropp, amends House Bill 209 on page two and so forth."

Speaker Breslin: "Representative Ropp."

Ropp: "Thank you, Madam Speaker. I've been in the Legislature several years, now, and I am really... regret that, in this particular Bill handled by this Sponsor, that he has, for some reason, not included the word 'knowingly' in this particular sense. I know of his great concern for the mental state of people, and I'm sure this is an oversight, and I... he's corrected me in the last couple of weeks on some errors that I have appreciated, and I know that he will certainly accept this as a real added plus to strengthening the importance of his Bill, here, and... because I wouldn't want anyone to be caught in violation of the seat belt Bill if they didn't know they were really in violation, and I think it's certainly in the best interest of the citizens of the state, and I know the Sponsor will want to include this in his... "

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 209. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Well, I'm reading the Amendment to see if it makes any sense. If I was going to put a 'knowingly' Amendment in this Bill, I would have done it in a different location, but maybe I can just take this opportunity to explain why we don't need a knowing Amendment on this particular Bill. This is a petty offense. This is a \$25 fine, if you don't

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wear your seat belt, and it's going to go into effect in about six weeks, whether we pass a repeal or not, because the Governor's indicated he's not going to sign any repeal. So it's going to go into effect in six weeks. Now, this is a petty offense, and no one can go to jail, so that it's just like a speeding violation - strict liability we have for petty offenses. So, the difference... The reason why I put knowing Amendments on other Bills is because you can go to jail, you know, like for a year. For example, we had a Bill that Representative Van Dyne's the Sponsor of that doesn't have a 'knowing' Amendment on it that is strict liability for abusing animals. So, you may recall if you saw that movie 'Vacation', some lady tied her dog to the bumper of a car and then she got in the car and she drove to the... drove down the highway, and they forgot that the dog was really tied to the bumper? Well, under that Bill, without a knowing Amendment, they'd go to jail for a year, because they... because they unintentionally abused an animal, but nonetheless, it happens so... But in this Bill, the seat belt law, you only have a \$25 fine. You can't go to jail, and therefore, there's no reason why it shouldn't be strict liability. So therefore, I'm opposed to the Amendment."

Speaker Breslin: "The Gentle... The Lady from Cook, Representative Pullen."

Pullen: "Thank you, Madam Speaker. I would like to respond to the Gentleman who just spoke and also inform the House that a couple of days ago when he asked me to hold a Bill to put the word 'knowing' into the Section on the fine, of a Bill that I have, he indicated that the word 'knowing' was terribly important to put into that Bill because we have to put a mental state into everything that might have some sort of penalty attached to it, and that Bill related to a

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petty offense for which no one could go to jail. So I think this is the same situation that he was so concerned about the other day, and I think that it's... No, it didn't get on, because I asked you whether you would let me put it onto this Bill if I let you put it onto mine, and that's when you decided you'd rather not have it in this particular law, and you would let it go... my Bill go to Third Reading, which I appreciated. However, I do think that it is nice that the Gentleman has finally recognized, after years, that there are some situations where it isn't appropriate to put the word 'knowing' in, but I think this may be one where it is appropriate to put the word 'knowing' in, and I support the Gentleman's Amendment."

Speaker Breslin: "There being no further discussion, Representative Ropp is recognized to close."

Ropp: "Thank you, Madam Speaker. I might say, in reference to those two dogs that were tied up to the car, maybe they had a couple of hot dogs, there. I stand in support of this Amendment because of the knowledge that I have learned from the spokesman on the other side of the aisle of the importance of having 'knowingly' in so many of these good Bills that I really never supported before, but I think this is a good one, and it ought to be included."

Speaker Breslin: "The question is, 'Shall Amendment #2 to House Bill 209 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 49 voting 'aye', 56 voting 'no', and none voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 224, Representative Woodyard. Out of the Record. House Bill 290,

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Representative Huff. Clerk, read the Bill."

Clerk O'Brien: "House Bill 290, a Bill for an Act to revise the public school system in the City of Chicago. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Breslin: "Third Reading. House Bill 312, Representative Soliz. Clerk, read the Bill."

Clerk O'Brien: "House Bill 312, a Bill for an Act to provide justice for all citizens and residents of Illinois by providing for the need of non-English speaking persons. Second Reading of the Bill. Amendment #2 was adopted previously."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #3, Cullerton and Soliz, amends House Bill 312."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. The Bill adds the responsibility of having interpreters in juvenile court. This Amendment directs the Administrative Office of Courts to repay the counties for the cost of providing interpreters in those juvenile proceedings."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to House Bill 312. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #3 to House Bill 312 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Thank you. Representative Soliz, this Bill cannot move to Third Reading because there has been a request for a fiscal note as amended, and that has not yet been filed. Representative Soliz."

Soliz: "Madam Speaker, the fiscal note has been filed. I filed it this morning, as a matter of fact."

Speaker Breslin: "However, the request is for a fiscal note as amended. As amended."

Soliz: "As amended."

Speaker Breslin: "What the Clerk's Office says it has is a State Mandates Act fiscal note. They are different, so the Bill will remain on the Order of Second Reading."

Soliz: "Thank you, Madam Chairman."

Speaker Breslin: "Surely. House Bill 321, Representative Keane. Out of the Record. House Bill 347, Representative Hawkinson. Out of the Record. House Bill 356, Representative Brunsvold. Out of the Record. House Bill 374, Representative McGann - Capparelli. McGann. Out of the Record. House Bill 398, Representative McGann - Capparelli. Out of the Record. House Bill 3... House Bill 419, Representative Cullerton. Out of the Record. House Bill 464, Representative Terzich. Clerk, read the Bill."

Clerk O'Brien: "House Bill 464, a Bill for an Act to amend Sections of the Metropolitan Civic Center Support Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "None. Third Reading. House Bill 501, Representative Bullock. Representative Bullock, Flinn or Brookins. Clerk, read the Bill."

Clerk O'Brien: "House Bill 501... "

Speaker Breslin: "Out of the Record. House Bill 504,

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Representative Preston. Out of the Record. House Bill 505, Representative Preston. Clerk, read the Bill."

Clerk O'Brien: "House Bill 505, a Bill for an Act to amend Sections of the Criminal Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Preston."

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This Amendment is in keeping with a commitment I made in Committee to amend out the provisions of the Bill that would apply to members of the family of an elected official."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 505. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Has that Amendment been printed and distributed?"

Speaker Breslin: "No, it has not. The Gentleman requests that the Bill be taken out of the record. Is that correct? It is. Out of the Record. House Bill 507, Representative McGann - Capparelli. Out of the Record. House Bill 510, Representative Dunn. Clerk, read the Bill."

Clerk O'Brien: "House Bill 510, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Giorgi, amends House Bill 510 as amended."

Speaker Breslin: "Representative Giorgi, on Amendment #3 to House Bill 510. Representative Giorgi."

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Giorgi: "Would you take it out of the record momentarily? We're working on something now."

Speaker Breslin: "Representative Dunn, do you agree to take the Bill out of the record? Representative Dunn."

Dunn: "Madam Speaker, could we take this out of the record just momentarily if we could come right back to it?"

Speaker Breslin: "Surely. Out of the Record. Representative Matijeovich, for what reason do you rise?"

Matijeovich: "Madam Speaker, the next two Bills, 11 and 12, could I have leave to place those in Interim Study?"

Speaker Breslin: "The Gentleman asks leave to place House Bills 511 and House Bill 512 in Interim Study. Hearing no objection, the Gentleman has leave to place these Bills back to the Order of Interim Study. Representative Dunn is ready to go now on House Bill 510. Read the Bill again, Mr. Clerk."

Clerk O'Brien: "House Bill 510, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, I'd like leave of the House to withdraw Amendment #3. I repeat, Madam Speaker, I'd like leave of the House to withdraw Amendment #3."

Speaker Breslin: "The Gentleman withdraws Amendment #3. Are there any further Amendments?"

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

Speaker Breslin: "Representative Giorgi."

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Giorgi: "Mr. Speaker... Madam Speaker, this amends the state employee article of the Pension Code and extends the alternative retirement annuity, provides for state police, firefighters, air pilots, special agents and lie detector operators. I move for the adoption of Amendment #4."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #4 to House Bill 510. And on that question, the Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Mr. (sic - Madam) Speaker, Ladies and Gentlemen of the House. This Bill, in the main, affects downstate teachers, and I'd like to keep the Bill clean, and I would ask the Membership to defeat this Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #4 to House Bill 510 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'nos' have it, and the Amendment is lost. Are there any further Amendments?"

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

Speaker Breslin: "Representative Dunn."

Dunn: "Thank you, Madam Speaker. Amendment #5 actually becomes the Bill, and what it does is, it adopts the Amendments adopted in Committee and makes various administrative changes to the downstate teachers' article of the Pension Code. The important thing for the Membership at this juncture is that this Bill, with this Amendment on it, would be revenue neutral, so there is no cost."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #5 to House Bill 510. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #5 to House Bill 510 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it,

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and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative DeJaegher."

Speaker Breslin: "Representative DeJaegher."

DeJaegher: "Thank you, Madam Chairman, Members of the House. Amendment #6 basically does what House Bill 402 did last year. It's the returning of funds that the people already contribute by simply making a request for the return of those particular funds."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #6 to House Bill 510. And on that question, the Gentleman from DuPage, Representative Hoffman."

Hoffman: "Yes, will the Sponsor yield to a question?"

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

Hoffman: "What happened to House Bill 402?"

DeJaegher: "Last year that's the Bill that passed the House, but it got tied up in Senate Rules and didn't get out of Senate."

Hoffman: "Alright, let me ask you a second question. If we... If we allow these kinds of withdrawals to take place, what will that do to the cost of survivor benefit rates?"

DeJaegher: "The pension impact note stated that this would be a very minor adjustment."

Hoffman: "How minor?"

DeJaegher: "These contributions are used for survivor pension benefits."

Hoffman: "I understand that. But let me... let me help you... Let me point out that one of the reasons that the survivors' benefits is able to be maintained at the level it is is because there is no payback to people who don't collect. You're asking to change the system and allow a payback for those people who are unable to collect. It

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would be like letting people out of... you know, getting money back that they paid into Social Security. Well, we don't allow that, because regardless of whether one uses it or not, it's a form of an insurance program. It is not a form of a pension program."

DeJaegher: "I choose to disagree with you, because I don't feel this will have any impact on any other survivors benefit. Because basically, they are using that money for a certain period of time to assist that particular program which basically is to assist those. And all we're doing is basically giving these people the right to withdraw their funds that they've already contributed."

Hoffman: "Your... Dis... Respectfully, I disagree with you on your interpretation of how the survivors benefit program functions. Whether the Amendment is adopted or not - Mr. Speaker, Ladies and Gentlemen of the House, to the Amendment - I think you need to recognize that we are now dealing with that end of pension and pension related systems which impinge upon... collectively will impinge upon our ability to pay for those programs in the future. The Governor has set up a task force on... on pension funding and has asked me and I've accepted the Chairmanship of that Task Force, which is due to report in November. I happen to be a member of the Downstate Teachers' Retirement System. I have paid into survivors benefit for 27 years. I may or may not collect. But the fact of the matter is that... The fact of the matter is that my payment into that system has made it possible for those who use the system to receive the payment that they do and for us to keep the rate at the level it is at. And for that reason or for those two reasons, Madam Speaker and Ladies and Gentlemen of the House, I stand in opposition to the Gentleman's Amendment."

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Speaker Breslin: "Representative DeJaegher is recognized to close."

DeJaegher: "Thank you. Of course, we can find fault with any particular Bill that we want to address ourselves to. This particular Bill and its Amendment, of course, provides for the survivor. There's a possibility that that person that has contributed the funds will outlive the survivor. So basically, this is all it is - returning the money to the person that's contributed, and for that particular reason, I ask support of the House on this particular Amendment."

Speaker Breslin: "The Gentleman has... The question is, 'Shall Amendment #6 to House Bill 510 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 60 voting 'aye', 47 voting 'no' and none voting 'present'. This Amendment, having received the necessary Majority, is hereby declared adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Braun - Bowman and Young (sic)."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, this Amendment is the same as Amendments that have been proposed to other pension Bills. This, too, deals with the use of pension monies for purposes of making investments in the Republic of South Africa or for doing business with that government. This Amendment would prohibit such activities, and for all the... the reasons that have been previously stated in other floor debate, I will not labor the point. But I do want people to understand that this Amendment is precisely the same Amendment that we adopted to 202 and had been proposed to

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other legislation. I move for its passage."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #7 to House Bill 510. And on that question, the Gentleman from Macon, Representative Dunn."

Dunn: "Just to make sure the Membership knows this is another South African Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #7 to House Bill 510 be adopted?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'nos' have it, and the Amendment is lost. Representative Bowman, do you really want a Roll Call? The Gentleman wants a Roll Call. 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 29 voting 'aye', 59 voting 'no' and 14 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Matijevich in the Chair."

Speaker Matijevich: "The Gentleman from Knox, Representative Hawkinson, for what purpose do you seek recognition?"

Hawkinson: "Thank you, Mr. Speaker. I would like to ask leave of Body to commit House Bill 347 back into Interim Study."

Speaker Matijevich: "The Gentleman asks leave that House Bill 347 - was it - 347, of which you are Chief Sponsor - correct - be committed to Interim Study. Does he have leave? Leave, and the Bill will be so committed. House Bill 513, Hicks. Read the Bill."

Clerk O'Brien: "House Bill 513, a Bill for an Act to amend the Civil Administrative Code of Illinois. Second... This Bill has been read a second time previously. No Committee Amendments."

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Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "None."

Speaker Matijevich: "Third Reading. House Bill 561, McGann. Out of the record. 56... 567, Daniels. Read... Read the Bill."

Clerk O'Brien: "House Bill 567..."

Speaker Matijevich: "Out of the record. 568, out of the record. 570, out of the record. Page eight of your Calendar, 5... 717, Representative Giorgi. Read the Bill."

Clerk O'Brien: "House Bill 717, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

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

Speaker Matijevich: "Do you want that out of the record? Out of the record. Be at ease. House Bill 720, read the Bill."

Clerk O'Brien: "House Bill 720, a Bill for an Act to create the Citizens Assembly and the Citizens Advocacy Councils. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments... Amendments from the floor? Be at ease. Out of the record with leave to return. Leave. House Bill 722, McGann. Out of the record. 753, Steczo. Out of the record. 781, Keane. Read the Bill."

Clerk O'Brien: "House Bill 781, a Bill for an Act to amend Sections of the Retailers' Occupation Tax Act. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

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Speaker Matijevich: "Amendments from the floor?"

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

Speaker Matijevich: "The Gentleman from Cook, Representative Keane, on Amendment 2."

Keane: "Thank you, Mr. Speaker. Has that Amendment been circulated? If it is... If it has been, I'll be happy to run the Bill. I don't know."

Speaker Matijevich: "Has this been distributed, Mr. Clerk? No. Out of the record."

Keane: "Thank you."

Speaker Matijevich: "Excuse me. 819, Ronan. Call the Bill. Read the Bill."

Clerk O'Brien: "House Bill 819, a Bill for an Act to amend Sections of the Illinois Highway Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the floor?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Ronan - Panayotovich and Kulas."

Speaker Matijevich: "The Gentleman from Cook, Representative Ronan, on Amendment #2."

Ronan: "Thank you, Mr. Speaker, Members of the House. Amendment #2 is an Amendment that we drafted for the City of Chicago to... to exempt Chicago from the Bill. I move for the adoption of the Amendment."

Speaker Matijevich: "Representative Ronan moves for the adoption of Amendment #2. The Gentleman from Cook, Representative Piel."

Piel: "You say you want to exempt Chicago from the Bill. Well, okay, if this Amendment were adopted what exactly would it do with Chicago out?"

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Ronan: "This... This legislation would not impact the City of Chicago."

Piel: "Alright. So you don't want Chicago to do what, Al?"

Ronan: "The legislation deals with a situation that's developed downstate involving the use of either road contractors or employees of a municipality in order to do road projects. This Amendment exempts the City of Chicago. When the legislation was introduced, there was no intention to involve the City of Chicago in this legislation, as was incorrectly reported in the press. And we've had this legislation on file, as a request from the City of Chicago. Now just to let you know, I'm in... I'm still not planning on moving this legislation until we can achieve an agreement with some concerns that have been brought to me by Representative Jack Davis. But I do want to put the Bill in the best form possible, so I made an agreement to put this Amendment on. Representative Davis has been meeting with the downstate operating engineers, and unless he can achieve an agreement with them concerning some language, I'm not going to move the Bill. But I do want the Bill in the best form possible."

Piel: "Thank you."

Speaker Matijevich: "The Gentleman from Will, Representative Davis, Jack Davis."

Davis: "Well, Mr. Speaker, I confirm what Representative Ronan has said. I don't think he'd want to touch this with a ten foot pole without an agreed language on Third Reading. So we have no objection to this Amendment although we will oppose it on Third Reading, as he knows, if it's called without further Amendments."

Speaker Matijevich: "The Gentleman from Knox, Representative McMaster. Tom McMaster."

McMaster: "Thank you, Mr. Speaker. I'm opposed to this

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Amendment. I would rather leave the City of Chicago in. I think that would give more protection to our downstate local governments who do quite a bit of their highway work themselves and would require them to farm all of this out. I think the City of Chicago should be kept in the same position as he is intending to put the downstate local governments including counties, and townships and municipalities. So I would suggest we defeat this Amendment and keep a bad Bill bad."

Speaker Matijevich: "Representative Ronan to close."

Ronan: "Yeah, just to respond to Representative McMaster's comments. I've already given a commitment to Representative Davis, who came to me right after the Bill was introduced. I said that I wouldn't move the Bill unless there could be some agreed language between the concerns that Representative Davis voiced for some of the downstate local units of government and the... the unions. We're trying to work out those... those... those discussions. I'm not going to move the legislation, but I feel that this is a good Amendment because it clarifies an erroneous press report, as typical of most press reports involving the General Assembly. We've got reporters who are too lazy to do their job, too lazy to do the research and too lazy to contact the various officials, and that's why we get bad news reporting. But that's typical of the news reporters in this state. I move for the adoption of Amendment #2."

Speaker Matijevich: "Representative Ronan moves for the adoption of Amendment #2 to House Bill 819. Those in favor say 'aye', opposed 'nay'. And the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Alright, the Chair was in

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error when it moved House Bill 510 to Third Reading. The Clerk informs me that there was a request for a pension impact note as amended by Representative Sam Vinson. So with leave of the House, we will return House Bill 510 to the Order of Second Reading. A request for a pension impact note is filed. That's John Dunn's... On the last... There was a request for a Roll Call on that last Amendment. Leave of the House, we'll return back to the Amendment by Representative Ronan. Leave of the House, return to Second Reading the... Representative Ronan moves the Amendment be adopted. Those in favor signify by voting 'aye', those opposed by voting 'no'. Representative Kulas, for what... one minute to explain his vote."

Kulas: "Just to explain my vote, Mr. Speaker, Ladies and Gentlemen of the House, I'm a Cosponsor on this Bill and I'm a Cosponsor on the Amendment. It's unfortunate, as Representative Ronan mentioned, that some of the media don't know or are too lazy to find out what's going on. And one of these so called political commentators said that this was a power grab by Representative Ronan, Panayotovich and Kulas against the Mayor of the City of Chicago. Well, we want to just show that we have nothing against the Mayor. We want to take care of a problem downstate. It has nothing to do against the Mayor or the City of Chicago, and I would ask for more 'aye' votes."

Speaker Matijevich: "Representative Mays, one minute to explain his vote."

Mays: "Thank you very much, Mr. Speaker. I simply oppose this Amendment for two reasons. Number one, it's technically deficient in that on line 12, the very end of it, the word is 'over' rather than 'under', and that applies to the three million inhabitants that they try to exempt from this Bill. And I'm sure that that should have said 'under'

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because if... if it was supposed to be 'over', I can't understand why the Representative from Chicago would have put the Bill in in the first place if he didn't have interest in it applying to his own jurisdiction. So that's the only point I wanted to raise on that, and that's why I'm voting 'no' on this particular Amendment."

Speaker Matijevich: "The Gentleman from DuPage, Representative Barger, one minute to explain his vote."

Barger: "Thank you, Mr. Speaker. The reason that I am opposing this vote is that it sets a limit of 25 thousand dollars for a maintenance project by a local municipality, the main Bill does. And the rest of us who have... live in communities smaller than Chicago, if we lose Chicago's support on this vote, will end up having to contract every job that's over 25 thousand dollars out, and it will cost us two to three times as much as it would if we did it with our own labor. So I would strongly suggest that we vote 'no' on this Amendment so that the total Bill can be killed."

Speaker Matijevich: "Representative Mays, for what purpose do you rise?"

Mays: "Well, should this Amendment get the requisite votes to pass, I would request a verification of the vote."

Speaker Matijevich: "Representative Panayotovich, one minute to explain his vote."

Panayotovich: "Thank you, Mr. Speaker. Just to let everybody know one more time that Representative Ronan, Kulas and myself have agreed not to move this Bill any further until we can have an agreement. If we do not have an agreement, we will not move the Bill. All we're trying to do, as Representative Kulas said, is that we are showing that we are not making this a political football in Chicago also, and I urge more green votes."

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Speaker Matijevich: "According to the board, there's no agreement yet, Sam. Have all voted? You want to vote Sam? Have all voted? Have all voted? Have all voted who wish? Clerk will take the record. On this question, there are 58 'ayes', 52 'nays', and the Amendment is adopted. Representative Mays, do you still pursue in your request for a verification? I think they're going to work out an agreement. Do you still want it?"

Mays: "Poll of the Absentees."

Speaker Matijevich: "Poll the absentees. Representative Curran, for what purpose do you rise?"

Curran: "Leave to be recorded 'aye'."

Speaker Matijevich: "Well, we don't know..."

Curran: "Verified."

Speaker Matijevich: "We don't know if we're going to have one yet. Let's wait a moment. Representative Preston. Preston 'aye'. There are now 59 'ayes'. Representative Mays, for what purpose do you rise?"

Mays: "It is my understanding, as has been stated, that there will not be movement on this Bill from Third Reading out of this chamber unless there's an agreement in total on the Bill. So at this point, with... under that condition, I'll withdraw my request for a verification."

Speaker Matijevich: "Request for a verification has been withdrawn. On this question, there are 59 'ayes', 52 'nays', and Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. Leave of the House, return back to 717, Giorgi. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 717, a Bill for an Act to add Sections to the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Matijevich: "Amendments from the floor?"

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

Speaker Matijevich: "The Gentleman from Cook, Representative Robert LeFlore, on Amendment #1."

LeFlore: "Yeah, Mr. Speaker, I'd like to have leave from the House to table Amendment #1."

Speaker Matijevich: "Leave to withdraw Amendment #1? Leave. Further Amendments?"

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

Speaker Matijevich: "The Gentleman from Winnebago, Representative Giorgi, on Amendment #2."

Giorgi: "Mr. Speaker, it's a technical Amendment to reword the wording of the Bill, and all it says is, 'A member of any retirement system covered by this code shall not receive credit towards retirement for time lost during such a dispute unless contributions are paid to the system for the period based upon the wage or salary schedule then in effect.' I move for adoption #2... Amendment #2."

Speaker Matijevich: "Representative Giorgi moves the adoption of Amendment #2. Being no discussion, all in favor say 'aye', opposed 'nay', and Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Braun - Bowman and Young (sic)."

Speaker Matijevich: "Representative... Who wants to handle this?"

Braun: "Thank you. I will."

Speaker Matijevich: "Representative Braun."

Braun: "This Amendment was adopted previously, and I encourage it's adoption now."

Speaker Matijevich: "Representative Braun moves the adoption of Amendment #2. All in favor... 3... Representative Cullerton, for what purpose do you rise?"

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Cullerton: "The board was wrong."

Speaker Matijevich: "Oh, it's right now. The Lady moves the adoption of Amendment #3. All in favor say 'aye', opposed 'nay', and Amendment #3 is adopted. Further Amendments? Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "No further Amendments. Representative Giorgi, I'm please to announce that there's been a request for a pension impact note on House Bill 717, and the Bill will remain on... Representative Giorgi, for what purpose..."

Giorgi: "You have the pension impact note, I think."

Speaker Matijevich: "I didn't hear you Representative Giorgi."

Giorgi: "You have the fiscal impact note. There's no change in these Amendments. When was your request, Mr. Speaker? When was the request made for the fiscal impact note?"

Speaker Matijevich: "Well, you'll have to file it or else make a Motion."

Giorgi: "The impact note is filed, I understand."

Speaker Matijevich: "But the request is as amended."

Giorgi: "When did the request come in for as an amended note? What date? What's the date on it?"

Speaker Matijevich: "Today's date."

Giorgi: "Who... Who requested it?"

Speaker Matijevich: "Tom McMaster."

Giorgi: "Okay. Good enough."

Speaker Matijevich: "Alright. The Bill will remain on Second Reading. I think it was Tom McCracken, not McMaster. House Bill 879, McGann. Out of the record. House Bill 885, Bullock. Out of the record. 932, Laurino. Clerk will read the Bill."

Clerk O'Brien: "House Bill 932, a Bill for an Act in relation to the practice of dietetics. Second Reading of the Bill."

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Amendment #1 was adopted in Committee."

Speaker Matijevich: "Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the floor?"

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

Speaker Matijevich: "The Gentleman from Cook, Representative Laurino, on Amendment #2."

Laurino: "Well, Mr. Speaker, Amendment #2 expands the base of qualified professionals eligible to practice dietetics, basically in a hospital setting, dietary staff or supervised by a registered dietician. It clarifies the definition of dietetics as, services provided to meet therapeutic health care needs and establishes continuing education requirements for those who use the title of registered dietician. I move for the adoption of Amendment #2."

Speaker Matijevich: "Representative Laurino moves for the adoption of Amendment #2. There being no discussion, all in favor say 'aye', opposed 'nay', and Amendment #2 is adopted. Further Amendments?"

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

Speaker Matijevich: "Representative Laurino, on Amendment 3."

Laurino: "Amendment #3 is a technical Amendment obviating the word 'any' and putting in 'only a', and it's strictly..."

Speaker Matijevich: "Representative Laurino moves for the adoption of Amendment #3. All in favor say 'aye', opposed 'nay', and Amendment #3 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 935, Hoffman. Read the Bill."

Clerk O'Brien: "House Bill 935, a Bill for an Act to provide for

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reorganization of school districts. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Any Motions on file?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the floor?"

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

Speaker Matijevich: "The Gentleman from DuPage, Representative Gene Hoffman, on Amendment #2."

Hoffman: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #2 consolidates the language in Sections 3, 4, 5, 6 and 7 of this Bill, consolidates Amendment #1 into the Bill and adds at the request of the Superintendent of the Cook County Educational Service Region the division of Cook County into three subregions for the purpose of considering school district reorganizations. You know, Cook County is large, has a lot of school districts, and this divides them geographically into three regions. And those regions will conform to the regions that are presently used by the Illinois Association of School Boards in their... in their deliberations. That's really the only change that this Amendment makes, and I would ask for your support of Amendment #2."

Speaker Matijevich: "Representative Hoffman has moved for the adoption of Amendment #2. All in favor say 'aye', opposed 'nay', and Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. House Bill 1037, Committee on Education... Elementary Education, Didrickson. Clerk will read the Bill."

Clerk O'Brien: "House Bill 1037, a Bill for an Act to provide for excellence..."

Speaker Matijevich: "Take that out of the record, please. 1038,

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Helen Satterthwaite. Are you ready, Helen, on that one?

Helen, are you ready on 1038? Read the Bill."

Clerk O'Brien: "House Bill 1038, a Bill for an Act to amend Sections of the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Any Motions?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the floor?"

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

Speaker Matijevich: "The Gentleman from Macon, Representative Michael Tate, on Amendment #2. Mike Tate."

Tate: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment 1 simply increases minimum teachers salaries from 13,000 to 15,000 a year. With the... To the Amendment, if you would take a chart based upon 1974 salaries and compare it to 1984 salaries, teachers in this state are paid fewer dollars than laboratory technicians, librarians, economists, accountants, radio broadcasters, bus drivers, plumbers and social workers. Teachers salaries in 1974 in this state were competitive with many other of those occupations. By 1984, we have allowed teachers salaries to dip into one of the lowest categories of any occupation around. This truly is an Amendment that addresses the concerns for... that many of us share in terms of the quality of education that we're attracting... quality and caliber of teachers we're attracting to education this year. If you're truly concerned about children and you're truly concerned about a quality education, I think it's only fair that we look at raising the level of... minimum level of compensation in this state for teachers. To attract good quality teachers in this state, you're going to have to pay. That's what this

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Amendment simply does. It puts us in a competitive posture in the State of Illinois to attract good caliber, quality people into an occupation that's going to have a direct impact upon the future of this state and this country. I move for its adoption. And I'd like a Roll Call on that."

Speaker Matijevich: "Representative Tate moves for the adoption of Amendment #2. On that, the Lady from Champaign, Representative Helen Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, this Bill is a Committee Bill of which I am simply the person designated to handle the Bill on the House Floor. By very lengthy, deliberative processes, the Committee on Elementary and Secondary Education came out with a package that we felt was a good reform package. In this particular portion of that reform package, we had agreement only to a level of 13,000 dollars for the minimum salary for teachers. Many of our Committee Members, as I am sure many of our Members on the House Floor, support higher salaries for teachers, but we also feel that if we are to mandate additional things for our local school district that the state must provide the funding to carry forth that mandate. We felt that with the resources that we anticipate being available this year, that it was imprudent for us to move a substantial amount of money into guaranteeing a higher beginning salary for teachers. And the Committee agreed that the 13,000 dollar level, which appears in the Bill, is something that we, as a bipartisan Committee, could support. It is my understanding that the cost of Amendment #2 would be somewhere in the neighborhood of 33 million dollars if we are to supply each of the local school districts with the increment necessary to raise their current beginning salary to a 15,000 dollar level and to provide a similar increase for the other employees in each

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of those districts. It is our opinion in the Committee on Elementary and Secondary Education that we should have some movement upward from the current 10,000 dollars, and we can do that by increasing to 13,000 dollars with a very minimal price tag in the neighborhood of 2.5 million. And so this Amendment would, in effect, take 31 to 32 million dollars more to fund. And if we had to do that, we would have to subtract that amount of money from the general aid formula or from other portions of the education budget in order to subsidize this particular change. For that reason and on behalf of the Committee, I would recommend to the Members of the House that we reject Amendment #2 and leave the Bill at the level agreed upon by the Committee."

Speaker Matijevich: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I would like to affirm my agreement with what Representative Satterthwaite has just stated in regard to the, first of all, the long and tedious process by which this Committee Bill was arrived at; and that, as she mentioned, it was the agreement of the Elementary and Secondary Education Committee that we would support these Bills as they had been drafted and approved by the Committee. I would also point out since the time that we established through that Committee Bill process a minimum teachers salary of 13,000 dollars, we have... we have received some updated figures from the State Board of Education which not only take into account the costs to the state for bringing all of those salaries presently below 13,000 dollars up to that, but also take into effect something which the State Board commonly calls the ripple effect. That is, if the minimum teachers salary is below 13,000 dollars now and must be raised to that, other

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salaries in that school district would also have to be raised. Consequently, the most recent figures that we have from the State Board of Education indicate that if this Amendment is defeated and the Bill remains as it came from the Committee, the cost to the state would be two and one-half million dollars. If this Amendment is adopted and the minimum teachers salary is established at 15,000 dollars, the cost to the state, including the ripple effect, would be 80 million dollars. I am opposed to this Amendment."

Speaker Matijevich: "The Gentleman from Kendall, Representative Hastert."

Hastert: "Thank you, Mr. Speaker. I was going to ask the question of the Sponsor, what would be the impact? I think the previous speaker stated that this Bill would cost 80 million dollars. What's a significant fund... amount of money. I just want to make a comment, if I may speak to the Bill."

Speaker Matijevich: "To...To the Amendment."

Hastert: "The issue... The issue that we see before us is something we talked about in appropriations last week. We're talking about a Bill that passed out of the House Appropriations Committee of about 410 million dollars of new... 410 million of new dollars. We have a Governor's budget before us that's approximately 330 some million new dollars. In order to fund the Governor's level, we have to raise taxes in the State of Illinois; whether those taxes are going to be cigarette taxes that may be there or may not be there, those taxes could be a messages tax on long distance telephones, those taxes could be an income tax. All I'm saying, if you're prepared to vote for this Amendment, you have to be responsible as far as finding the funding that's going to fund the cost of this Amendment."

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I'm certainly in favor of seeing a decent wage for beginning teachers, but... I also think it's responsible, and something that we have to do and something that we have to find and make sure when we do that that the funding's there. And I would warn those people who vote for this Bill without making a commitment to vote for a tax that, you can't have your cake and eat it too."

Speaker Matijevich: "The Gentleman from DuPage, Representative Hoffman. Gene... Gene Hoffman."

Hoffman: "Thank you very much, Mr. Speaker. I had my light on early on, and everything I was going to say has been said by Representative Satterthwaite, Cowlishaw and Hastert. And with all due respect to the Sponsor of the Amendment, I would trust we would follow the lead of those people who have been working on this on a day to day basis."

Speaker Matijevich: "The Lady from Cook, Representative Didrickson, Loleta."

Didrickson: "Yes, thank you, Mr. Speaker. In all deference to my colleague on this side, I also would just like to remind the Members of this Body that right now the statewide average for beginning teachers is 14,700 dollars approximately. What we are doing with this Amendment is basically nothing, which is the same thing that we're doing by putting the 13,000 minimum in. Actually, it would be my belief that we shouldn't even have a minimum teachers salary. We're not sending the right message back to the professional teachers, nor the people back in our district who would want to be supporting and paying for a higher minimum teachers salary. That should be done at the local level. Thank you."

Speaker Matijevich: "Representative Tate to close."

Tate: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I have to disagree with my colleagues on both sides

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of the aisle. If we want to see... send a clear message to the citizens of this state, to the young people of this state that are... that are considering a profession in education today in the teaching field, I think we need to make a statement today that we should have a minimum level of compensation of 15,000 - at a minimum. Already we've had different educational groups throughout this state that have recommended far beyond just 15,000. The Maitland - Berman report recommended 20,000. The Governor recommended 15,000. Today... Teachers today make less than janitors. They make less than bus drivers. They make less than technicians. And all we're trying to say if we really want to save money for this state, and we talk about the cost that we will incur for spending money, these additional dollars, on teachers, I suggest to all of you that are concerned about that cost that we will, in fact, save money. Because if we have a better quality of teacher in the classroom, then we will, in fact, keep students in the classroom where they belong, and keep them off the public aid rolls and keep them out of the prisons in this state. And we will save tax dollars, and we will save money for this state. And I encourage a favorable Roll Call. Thank you."

Speaker Matijevich: "Representative Tate has moved for the adoption of Amendment #2. Those in favor say 'aye', opposed 'no'. And the 'nos' have it, and the Amendment is adopted (sic - fails). Further Amendments?"

Clerk O'Brien: "Floor Amendment #3, Satterthwaite."

Speaker Matijevich: "The Lady from Champaign, Representative Satterthwaite, on Amendment #3."

Satterthwaite: "Amendment #3, Mr. Speaker, deals with a Section of the Bill relating to areas of shortage for teachers and scholarships for those teachers. The Bill, as it came out

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of Committee, would provide..."

Speaker Matijevich: "One moment, Helen. Let me correct myself.

When I said on a last Amendment, the 'nos' have it. The Amendment is defeated is what I meant, and I'm sorry about that. Representative Tate, for what purpose do you rise?"

Tate: "Mr. Speaker, when I originally made the statement, I did ask for a Roll Call, when I opened on that issue. I did say... If you will check the record, I specifically requested a Roll Call."

Speaker Matijevich: "Well, you... I'll give you one. I don't think you said that, but I'll give you one anyway."

Tate: "If you'll check the records..."

Speaker Matijevich: "On... On the last... last Amendment, let us return with leave of the House, Representative Tate's Amendment. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 26 'ayes', 75 'nays', and Amendment #2 is defeated. Further Amendments? Now, we'll revert back to Helen Satterthwaite on Amendment #3."

Satterthwaite: "Mr. Speaker and Members of the House, Amendment #3 deals with a portion of the Bill that relates to scholarships for teachers in areas of shortage. The Bill, as it was drafted in Committee, would limit those scholarships to people who already have teaching certificates. And the intent, I believe, of the Commission, which is where the original proposal came from, was to have those scholarships open either for teachers returning for additional training or for those entering the teacher education programs to begin with. And so the Amendment #3 would simply open those scholarships to both categories, and I would move for the adoption of Amendment #3."

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Speaker Matijevich: "Representative Satterthwaite has moved for the adoption of Amendment #3. On that, Representative Mary Lou Cowlshaw."

Cowlshaw: "Thank... Thank you, Mr. Speaker. Ladies and Gentlemen of the House, the content of Amendment #3 simply brings this Bill into accord with the wishes of the Committee that dealt with it. It is basically more technical than otherwise, and I urge its adoption."

Speaker Matijevich: "Satterthwaite has moved the adoption of Amendment #3. All in favor say 'aye', opposed 'nay', and Amendment #3 is adopted. Further Amendments?"

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

Speaker Matijevich: "The Lady from Cook, Representative Didrickson, on Amendment #4."

Didrickson: "Yeah, I'm going to withdraw this Amendment."

Speaker Matijevich: "Leave to withdraw Amendment 4? Leave. Further Amendments?"

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

Speaker Matijevich: "The Lady from Cook, is Representative Braun on the floor? Representative LeFlore on Amendment #5. Representative Robert LeFlore."

LeFlore: "Mr. Speaker, I would like to withdraw Amendment #5."

Speaker Matijevich: "Leave to withdraw Amendment #5? Leave, and that Amendment is withdrawn. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "There are no further Amendments; however, there is a request for a State Mandates Act impact note and a fiscal note request. The Mandates is filed, but the fiscal note request has not been complied with. The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker, I thought that the staff had filed

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both of those. The only difference is in the title.

The... The money sums are the same for both."

Speaker Matijevich: "We're checking out to see if it's been filed. Under the State Mandates Act... One moment. Alright, I understand it will take about two minutes, and the fiscal note request... Oh, we've got it now, and it's been filed. Third Reading. Leave of the House, we will return to House Bill 1037, House Committee on Elementary... Secondary Education, Loleta Didrickson. Clerk will read the Bill, 1037."

Clerk O'Brien: "House Bill 1037, a Bill for an Act to provide for excellence in education. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Matijevich: "Have only... Have any Motions been filed?"

Clerk O'Brien: "No Motions filed."

Speaker Matijevich: "Amendments from the floor?"

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

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

Hoffman: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, I move the adoption of Amendment #2 to House Bill 1037. Amendment #2 deals with the question of additional personnel and provides for teachers aides K-3, reading specialists K-6. The other... The rest of the language in the Amendment provides that the state will support either the aides actual salary or a third of the school districts starting teaching salary, and with reading specialists, we will reimburse two-thirds of the minimum teachers salary in that district. An appropriation for basic skills, which is involved... which this involves, is included in the... in the appropriation Bill. I've discussed this with all parties involved, and

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Representative Currie has joined me in the Amendment. We believe that this will meet some of the major goals of school district reform, which is to emphasize the role of grades K-3 as prime time, and to adequately meet the needs as established by the research on time-on-task and a providing of effective schools. And I would move the adoption of Amendment #2 to House Bill 1037."

Speaker Matijevich: "Representative Hoffman and Currie have moved for the adoption of Amendment #2 to House Bill 1037. The Gentleman from Will, Representative Van Dyne."

Van Dyne: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

Speaker Matijevich: "He indicates he will. Proceed."

Van Dyne: "There... Thank you. Representative, there's a scenario being sold around here this year, especially this year, about mandating K... K-12, whether it's universal or whether it's in chosen districts or not, I don't know. And I would like to know and my interest in asking you the question is this, is this any way, shape or form or could you elaborate on it enough to satisfy my curiosity as to mandating a standardized kindergarten program - full five day a week? And I may even give you a little bit of a hint. I oppose that. I don't believe that fathers and mothers should be subjected to, if they don't desire to, to force their children into a full scale kindergarten program, much less have to support it financially. So with all of that, you can answer."

Speaker Matijevich: "I think that was a question, Representative Hoffman."

Hoffman: "The answer is 'no'."

Speaker Matijevich: "And that was in answer. Representative Hoffman - Currie have moved the adoption of Amendment #2. All in favor say 'aye', opposed 'nay', and Amendment #2 is

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adopted. Further Amendments?"

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

Speaker Matijevich: "The Lady from Cook, Representative Didrickson, on Amendment #3."

Didrickson: "Yes, the language here is okay, and so I do move to withdraw this Amendment."

Speaker Matijevich: "Leave to withdraw Amendment #3. Further Amendments?"

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

Speaker Matijevich: "Representative Brunsvold on Amendment #4."

Brunsvold: "Thank you, Mr. Speaker. Amendment #4 was actually Amendment presented to Subcommittee in Elementary and Secondary. It was adopted... It really wasn't adopted onto the Bill, because we didn't adopt any Amendments on to Bills in Subcommittee. It was supposed to be part of the package of 1037, was omitted. And the Bill... the Amendment actually does is say that when the State Board is expanding vocational programs they are not to have any students suffer because of the increase in the size of the vocational districts or that no teachers should lose contractual services because of the expansion of the district. And I would ask for the adoption of the Amendment."

Speaker Matijevich: "Representative Brunsvold has moved for the adoption of Amendment #4. On that, the Lady from Cook, Representative Didrickson."

Didrickson: "Yes, Mr. Speaker, Members of the House, what Representative Brunsvold has said is absolutely correct. As Minority Spokesman of that Subcommittee on Instructional Standards, indeed, this was to be part of the package. In the flurry at the end, it was not incorporated, and I would

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ask for your support."

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

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

Speaker Matijevich: "Yes, proceed."

Ropp: "Could you explain just a little bit more? Does this... What impact does this have on the student who is interested in vocational training? Does this deal with... more with the teacher, the instructor, or does this give more liberty or freedom for the person who wants vocational training?"

Brunsvold: "This Amendment says... The School Board right now is positioned to expanding vocational districts, and this Bill... this Amendment simply states that no child shall suffer because of the expanded size of the district and also states that no teacher shall lose contractual services because they're making bigger districts."

Ropp: "Okay. In other words, this...it still protects the student as well as the instructor."

Brunsvold: "Right. It protects the people involved in vocational education."

Ropp: "Very good. Thank you."

Speaker Matijevich: "There being no further discussion, those in favor of Amendment #4 say 'aye', opposed 'nay', and Amendment #4 is adopted. Further Amendments?"

Clerk O'Brien: "Floor Amendment #5, offered by Representative Berrios - Krska and Capparelli."

Speaker Matijevich: "I don't see any... Representative Capparelli is here. Are you ready on Amendment #5? Representative Satterthwaite, for what purpose do you rise?"

Satterthwaite: "Mr. Speaker, I don't really understand the Amendment, and I guess I would ask whether it is technically correct. When I tried to find where it would be placed in the Bill, I could not find an appropriate

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placement."

Speaker Matijevich: "Let's find out if anybody's pursuing the Amendment first. Are you going with it Ralph? No? The ruling of the Chair, the Amendment is not in proper form. The Amendment, therefore, is defective and out of order. Further Amendments?"

Clerk O'Brien: "Floor Amendment #6, offered by Representative Brunsvold."

Speaker Matijevich: "Representative Brunsvold on Amendment #6."

Brunsvold: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #6 addresses the conflict I had in Committee with driver's ed program."

Speaker Matijevich: "The Lady from Champaign, Representative Satterthwaite, for what purpose do you rise?"

Satterthwaite: "Mr. Speaker, again I would question the form of this Amendment."

Speaker Matijevich: "Be at ease for a moment. Amendment #6 is in order. Proceed, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. Amendment #6 deals with the driver's ed behind the wheel portion of the training of the children. The Committee had recommended that the portion behind the wheel training should be... can be farmed out, so to speak, to private agencies in the community. Right now, the present law states that that can be done with certified personnel anyway. I would like to again put the Bill back in its present form which says that you must have qualified, certified people in the classroom and you must also have qualified, certified people training the children behind the wheel. And I am afraid what's going to happen if we don't do this is that we're going to have the certified people in the classroom, and then we're going to farm it out to some agency in the community that doesn't have certified people and that won't do the proper training

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of the children in the behind the wheel phase of the driver's ed. And I would ask for the adoption of Amendment #6."

Speaker Matijevich: "Representative Brunsvold has moved for the adoption of Amendment #6. The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I regretfully rise to oppose one of my companions Amendments, but the package that we have before us, as we said before, is the process of long deliberation. It is... has been known to many of us that our local school districts are seeking some relief from the mandated programs that have been placed upon them by the state. This is a very, very small change in the mandate being suggested in the Bill, simply providing discretion at the local district level to determine whether or not they wish to contract out for the behind the wheel portion of their driver's ed program. It is a result of the Commission on the improvement of Elementary and Secondary Education and several other groups and is consistent with the Committee activity as the Bill stands without Amendment #6. And so I would oppose the adoption of Amendment #6."

Speaker Matijevich: "The Lady from Cook, Representative Didrickson."

Didrickson: "Yes, I, too, Mr. Speaker, Members of the House, rise in opposition to this Amendment. This is an Amendment that really deals with, as Representative Satterthwaite said, the Commission's language and also the Subcommittee's language with regards to giving some flexibility to our local school districts. We're not talking about demandating behind the wheel. And, in fact, we're not even referencing the classroom portion. What we are simply saying is that school districts need some flexibility with

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regards to offering behind the wheel, which is an extremely expensive portion of the driver's ed program. If we want to maintain that and allow our schools to keep it, we need that flexibility. I would only remind you, I think we're one of two states in the country who require this to begin with. We have over 135 high schools in the State of Illinois whose per capita cost for behind the wheel are well over 200 dollars, and what the reimbursement rate is is something approximately... in fact, it's exactly 76 dollars per capita. If we're talking about giving our school districts some money for educationally sound programs that aren't personal service courses and we're talking about paying for our teachers salaries, I think this Amendment should be defeated."

Speaker Matijevich: "The Gentleman from Cook, Representative LeFlore."

LeFlore: "Thank you, Mr. Speaker. I also oppose this Amendment because this Amendment is not in line with the recommendation that was made by the Instructional Standards Committee. And I... I support Representative Didrickson and Representative... Satterthwaite request. So I feel that we should go with the recommendation of the total Committee."

Speaker Matijevich: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I am in accord with the positions of the prior three speakers, and I would point out just two things that may be helpful to you. If this Amendment is defeated and the Bill, as it was proposed by the Subcommittee is left intact, no school district is required to contract out its behind the wheel driver training. It is only permitted to do so. I would also add that only the contract for behind

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the wheel training that is engaged in by a high school driver education program would be through a driver training school that is licensed by the Secretary of State under the Illinois Vehicle Code, so that we are not talking about a reduction in the quality of that training. I urge that this Amendment be defeated."

Speaker Matijevich: "Representative Brunsvold to close."

Brunsvold: "Thank you, Mr. Speaker. In closing, I would just say that I would like to keep quality in the classroom, as well as quality training behind the wheel. And I think we've seen the reduction in accident rates in this state because of this quality training of our children in the driver's ed program, and I would ask for a green vote for quality behind the wheel training. Thank you."

Speaker Matijevich: "Representative Brunsvold has moved for the adoption of Amendment #6. Those in favor say 'aye', those opposed say 'no'. The 'nos' have it, and the Amendment is defeated. Further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative Dunn and Stern."

Speaker Matijevich: "The Gentleman from Macon, Representative John Dunn, on Amendment #7."

Dunn: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #7 would provide for a new program that would be a development program to assist the State Board of Education in providing grants to individual school districts for the purpose of developing programs in the arts - in the area of music, dance, drama and visual arts. We need this for the well-being and future of our state and for the quality of life. It's something that should be included in the educational reform program, and I urge an 'aye' vote on this Amendment."

Speaker Matijevich: "Representative Dunn has moved for the

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adoption of Amendment #7. There being no discussion, all in favor say 'aye', opposed... What a minute. There is... Representative Cowlshaw is seeking recognition. The Lady from DuPage."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Amendment is not something which was agreed to in the Subcommittee and then Committee process by which this comprehensive education reform Bill was produced. It was my understanding that when any Amendments were going to be introduced that would alter that comprehensive package, which the Subcommittee and then entire Committee on Elementary and Secondary Education so very carefully crafted, that that Amendment would be opposed. I would add that this is a costly type of item and that it is a matter of the state saying what curriculum the local schools will have. I am opposed to this Amendment, and it deserves to be defeated."

Speaker Matijevich: "The Lady from Cook, Representative Didrickson."

Didrickson: "Yes, would the Gentleman yield for a question, please?"

Speaker Matijevich: "Proceed."

Didrickson: "Representative Dunn, what is the estimated... or what is the exact appropriation that you plan to track through on this grant for the arts?"

Dunn: "There will be a requested appropriation of 500 thousand dollars which will cap grant applications in this program so that there can be no more than that expenditure on the statewide basis. Individual districts will have to apply for grants, and to the extent they are awarded, the 500 thousand dollar appropriation will be expended. In... The General Assembly, in its wisdom, will decide whether that level of appropriation or a lesser amount is appropriate."

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Only appropriated funds can be spent, so the cost of this program will depend upon the level of appropriation."

Didrickson: "And I also would understand that each year this appropriation request would have to come back and school districts would also have to put through their grants."

Dunn: "As... As you know, no state dollars can be expended unless they are appropriated, so each year would be a new ballgame with this program. That's correct."

Didrickson: "Okay. To the Amendment, Mr. Speaker. I'm in support of this Amendment for the arts. I think for too long we have ignored what is going on with regards to the quality of art education in our classrooms. In fact, many teachers are asked to be providing art programs and, indeed, do not wish to do this. This is a 500 thousand dollar grant. We can track the successfulness of it and come back next year if, indeed, it doesn't prove to be profitable. Thank you."

Speaker Matijevich: "The Lady from Lake, Representative Grace Mary Stern."

Stern: "Mr. Speaker, Members of the House, I would just add that studies have shown that where there are art studies available to students there is considerably less truancy and dropping out, and I think that alone is a reason to consider seriously this grant... this appropriation."

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

Hoffman: "Thank you very much, Mr. Speaker. Will the Sponsor of the Amendment yield for a question?"

Speaker Matijevich: "Proceed."

Hoffman: "What is the genesis of this proposal?"

Dunn: "The genesis, I think, is a recognition of the importance of an overall education, narrow... narrowly confined educational processes produce monolithic results. We're

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all different. Some of us are more creative than others. Those who are creative need to be exposed to the music, drama, dance, the visual arts and encourage them to discover their talents and let them grow and prosper and flourish. The Illinois Alliance for Art Education is supporting this proposal on a statewide basis, and that group recognizes among others that there is a real need if we are going to 'doubt' ourselves in the State of Illinois as a place to come into from the outside to raise your children. We want to be able to tell outsiders, 'Come here. Your children will receive a quality education, and a broad based quality education because they'll be exposed to the arts.' And we all know the quality of life is important. These are the kind of things that outsiders look for when they come into our state. So even beyond the educational aspect of this, this is a, I think you could call it a business climate Amendment."

Hoffman: "Second question. Was this issue considered by the Subcommittee?"

Dunn: "A previous speaker said not. I am not on that Subcommittee, so... so I really don't know."

Hoffman: "Did you bring it to the... to the Committee."

Dunn: "I did not. No."

Hoffman: "Then this... this issue has not been considered by the Subcommittee or the Committee as far as you know."

Dunn: "I don't know. I... I thought it was my right and privilege to present the issue here and now, no matter what was considered earlier."

Hoffman: "I... I... I don't question that. I merely am asking the sequence. And your plan then is to propose some kind of... some Amendment to the appropriation Bill to cover the cost."

Dunn: "The... The Amendment... The General Assembly has, at this

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stage, already indicated its tentative support for this program, because the 500 thousand dollar Amendment is already on the appropriation Bill for this program, House Bill 1070."

Hoffman: "Alright, thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, with all due respect to the Sponsor of this Amendment, let me suggest that I'm not questioning the issue or the content, only questioning the idea of... of starting a program and providing state support. Those of us who have been around a while recognize that once a program like this gets on line, it's very, very difficult to take it off line ala the mandated programs that we've come through with. Once you start funding a program then you're going to recognize that that program, whatever it may be, is going to have to continue to receive state support. I remember many years ago before the Sponsor of this Amendment came to this Body, we had a program on gifted education. We provided seed money in the idea that we were gradually going to withdraw seed money from the gifted program because the local districts would recognize the significance of it and come on board and support it themselves. Well, all you have to do is look at the appropriation Bill now and to know that that hope did not... did not materialize. So with all due respect to the Sponsor and all due respect to the content of the Amendment, I think for the long-term welfare of the people interested in this particular area and the General Assembly itself that we should not embark on this kind of a program at this time. And for that reason and that reason alone, I stand in opposition."

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

Satterthwaite: "Mr. Speaker and Members of the House, it is true

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that this issue was not discussed in the Education Committee as such, but we have certainly had much testimony along the way indicating the need for comprehensive programs that will develop students in any aspect of their development. And while there is not a Committee position on this Bill, it would be in concert it seems to me with the intent of the Committee to provide a comprehensive program. Certainly we have said many things in regard to enhancing programs in science and mathematics. And many of our educators feel that an overemphasis on those particular subjects at the expense of the arts might not provide a balanced program. So I reiterate, there is not a Committee position. I would hope that Members will vote their conscience on this in regard to whether or not they feel there should be additional monies available for arts programs in the schools."

Speaker Matijevich: "The Lady from Cook, Representative Barb Flynn Currie."

Currie: "Thank you, Mr. Speaker. Members of the House, this issue may not have been given complete consideration by the Elementary and Secondary Education Committee of this House, but it was given full consideration, full discussion and full debate in the House Appropriations II Committee. There isn't only one Committee that deals with education issues in this Assembly. There is, in fact, as well, an Appropriations Committee that last week considered in detail the State Board budget. At that time, the Appropriations II Committee decided to put 500 thousand dollars into that budget - a small sum of money given the total size of the budget for planning grants for arts education in elementary schools in this state. I think it's a strong position, one strongly supported by the Members of that Committee. And it seems to me if our

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business today is to make sure that we give appropriate deference to Committee decisions, then certainly the substantive language that goes with that 500 thousand dollar commitment needs full support by the... Membership of this House. Amendment 7 to House Bill 1037 makes good sense for the school children of Illinois. The Appropriations Committee has already said that it makes good fiscal sense for the taxpayers of the state. I urge adoption of the Amendment."

Speaker Matijevich: "The Gentleman from Coles, Representative Weaver. Mike Weaver."

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

Speaker Matijevich: "Proceed."

Weaver: "Representative, I need a little clarification. How is the grant money to be distributed? On what basis?"

Dunn: "Applications by individual school districts."

Weaver: "Will it be on a first come, first serve basis, or is it by some qualitative judgment?"

Dunn: "Not necessarily. These grants will be distributed by the State Board, and they will distribute them in the same manner and fashion they have worked with other grant programs."

Weaver: "Well, with nearly a thousand school districts across the state, I'm wondering how far 500 thousand dollars is going to go and exactly what an individual school district can do with 500 dollars."

Dunn: "Well, what... what happened many years ago when we had authorization for public school textbooks was that one year it was funded at a dollar, and I think after that it was funded at about 500 thousand and then a million. And the School Board just sat back and waited to see who applied and then did the best they could to be equitable and fair in the allocation of the resources. That's all we ask

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here. These are planning grant funds. Not every district will apply for them. Those who do will be in a competitive process, and I'm sure it will depend upon the... the nature of the proposed program, the nature of the... of the details of the program. These are... These are grant application programs that are capable of evaluation, and I'm confident that the State Board can... can make an equitable determination. We'd be happy to suggest to them that the Charleston area ought to have some... some important consideration."

Weaver: "We'd love to have it, but I'm... I'm just wondering if... if this is to be somewhat of a seed program, what are the projections for the cost down the road, say in a year or two?"

Dunn: "You can't tell. The... The program may prosper and flourish, and it may not. You know and I know that when money is tight in elementary and secondary education one of the first things to go is the arts program, the music program. Most schools don't have a dance program. And we know that we're in tough times, so a lot of school districts are struggling with... with things like vocational ed and P.E., and we feel that there are going to be school districts which will feel they cannot afford to... to get into this and won't. So we just have to wait and see. And one thing is for sure though, if we don't offer this program, no one can participate. By... By getting into this, we can find out exactly where the interest is, the nature, depth, breadth and scope of the interest, and... and then we can come back to the General Assembly and... and later suggest to the General Assembly what policy should be adopted for the future."

Weaver: "Well, perhaps, in your school district the first programs to go are art, but in a lot of our smaller schools

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the first programs that tend to be cut are the football and athletic programs. And if we could get football declared as... as part of the Arts Council, I think we might be able to go with it, but otherwise, I thank you for your comment."

Speaker Matijevich: "Representative Dunn to close."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is an important program. We're talking about educational reform. Everyone knows that it's good to have some art programs in your schools. We want all of our children to be creative. We want the best education for our own children. Children flourish in a creative atmosphere. This program is designed to authorize planning grants for individual school districts to develop creative curricula in the area of the arts. And I would urge the adoption of this Amendment and a favorable vote thereon."

Speaker Matijevich: "Representative Dunn has moved for the adoption of Amendment #7. Those in favor say 'aye', opposed 'nay'. Those in favor vote 'aye', those opposed vote 'no'. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 66 'aye', 39 'nays', 1 answering 'present'. Amendment #7 is adopted. With leave of the House, although it is not ordinary that - in fact against the rules to make introductions - because this Gentleman is from a long ways away, it is the Chair's honor to introduce Dr. Louis Alvarado Ramos, President of the University of Oporto and President Counsel of Portuguese University. This University, Josephine Oblinger attended there this summer. And by the way, that's where they make port wine. So let's give a good round of applause to Dr. Ramos. Further Amendments?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative

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Peterson."

Speaker Matijevich: "Representative Peterson on Amendment #8, the Gentleman from Lake."

Peterson: "Mr. Speaker, I move to table Amendment 8... withdraw Amendment 8."

Speaker Matijevich: "The Gentleman asks leave to withdraw Amendment #8. Leave, and #8 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Representative W. Peterson."

Speaker Matijevich: "Representative Peterson on Amendment 9."

Peterson: "Mr. Speaker, I ask leave to withdraw Amendment #9."

Speaker Matijevich: "Leave to withdraw Amendment #9? Leave, and Amendment 9 is withdrawn. Further Amendments?"

Clerk O'Brien: "Floor Amendment #10, offered by Representative W. Peterson."

Speaker Matijevich: "Representative Peterson on Amendment 10."

Peterson: "Thank you, Mr. Speaker, Members of the House. Amendment 10 removes the new provision that expands requirements for bilingual education programs. Presently school districts must establish a program in bilingual education for 20 or more children of limited English speaking ability in any language classification. Schools may establish a program in any language classification with less than 20 children. The new language provides that should a school district decide not to establish such a program, the school district shall provide a locally determined transitional program of specific instruction based upon an individual student's language assessment which provides content area instruction in a language other than English. It appears that the man... this mandates an individual program for each student. It is not clear what the fiscal impact will be on whether there are sufficient

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bilingual teachers or whether there are sufficient bilingual teachers to accomplish the requirement. This certainly is a major change in bilingual education. I think we should delay consideration of this change until all involved can understand the extent of the impact for local school districts of the state. The present cost of existing bilingual programs have been prorated over the years. The State Board of Education FY '86 budget request of over 10 million increases will hopefully provide full reimbursement for excess costs of such programs. What I would like to point out to this Body is that the new requirement would affect between 13,000 and 19,000 students. At approximately 500 a student, the cost would range from six-and-one-half to nine million dollars in additional funds. It also is my understanding that this would only effect downstate districts, since Chicago already provides programs to less than the 20 students. And I move for adoption of Amendment 10."

Speaker Matijevich: "Representative Peterson has moved for the adoption of Amendment #10. On that, the Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, if the Sponsor of this Amendment had had the advantage of sitting in Committee where we heard discussion of the issue, he might think more kindly on the issue. What we have learned in Committee is that the State Board of Education is recommending this change because of the problems that arise when a child who does not speak English cannot be assimilated into the school program. And so, it was also made clear that this does not necessarily mean that you have to have a teacher who is proficient in the language of the child; that there will be resources such as tapes or other kinds of materials made available that will help the

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school districts to provide the program that would be required without necessarily producing a full-time teacher or even a part-time teacher for a few children within that district. As the testimony was presented to us, it was clear that we are, in fact, doing a disservice to the children of the State of Illinois who cannot understand English well enough to assimilate any learning from their classroom activities. And so, I would urge the House to retain the language of the Bill as it came from Committee and reject Amendment #10."

Speaker Matijevich: "Gentleman from Cook, Representative Berrios."

Berrios: "Thank you, Mr. Speaker. I would also ask all the House... all the Members of the House to vote against this Amendment. We, as a Body, cannot stand here and allow one child to go without an education. It is our responsibility to make sure that each child in the State of Illinois gets a proper education. How can we stand here and say that we're trying to get all our children to finish high school when we have a dropout rate of over 40 percent, 20 percent in the state, and turn our backs on them? I would ask everyone in this House to vote against this Amendment for the children who cannot be here to speak for themselves. Thank you."

Speaker Matijevich: "Lady from Cook, Representative Didrickson."

Didrickson: "Yes, Mr. Speaker, Members of the House, I, too, oppose this Amendment for the reasons that have already been cited, most specifically because we can't ignore that certain population that can't get together within certain downstate school districts 20 kids to provide and ESL or English as a second language course. There's enough flexibility put into this program, as Representative Satterthwaite mentioned, and, in fact and indeed, I almost

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dispute some of the factors... some of the points that the Sponsor has made with regards to dollars and students who would be served. If you look at the Chicago metropolitan area, outside of the City of Chicago, many of the suburban areas are already providing classes with regards to English as a second language for one student, two students, three students, etcetera. I think the downstate students deserve the same."

Speaker Matijevich: "Gentleman from Cook, Representative Soliz, Juan Soliz."

Soliz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to this Amendment. This Amendment would... would limit considerably the effectiveness of bilingual education in the State of Illinois. Non-English speaking children, whether it's one or fifty in a classroom, deserves some kind of special education, some kind of attention. This particular Bill does not require that a bilingual education teacher be hired in a given classroom for one student. It simply requires that some kind of attention be given to the educational needs of that particular student. It is a red herring to suggest that we are requiring the employment of bilingual education teachers throughout the State of Illinois. That is not what this Bill requires. This Bill simply says that when a student requires special attention because they can't speak the English language, that the educational institutions of this state provide that attention necessary so that equal educational opportunity be provided to that one student, or that ten students, as the law would require. Bilingual education in this state and in this country is not a luxury. It's a constitutionally mandated educational requirement to provide equal educational opportunity for the non-English

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speaking students of this state. I would ask and implore that we oppose this Amendment in the interest of equal educational opportunity for all citizens and all children of the state. Thank you."

Speaker Matijevich: "Gentleman from Cook, Representative Jesse White."

White: "Mr. Speaker and Ladies and Gentlemen of the House. I rise in opposition to this piece of legislation. If we can allow fewer than 20 kids to make up a special education class, I think it's wrong for us to allow less than 20 to be a part of a bilingual education program. What I'm really trying to say, Mr. Speaker and Ladies and Gentlemen, we're talking about parity. Treat the special ed kids and the bilingual education kids the same. I oppose this Amendment."

Speaker Matijevich: "Representative Peterson, to close."

Peterson: "Thank you, Mr. Speaker. I would like to point out that, as some of the people who spoke against this Amendment have stated, that there are certain options that school districts can take advantage of. I believe this Bill does not make that clear. That's why I've asked for this to be studied further. No one has a handle on what the costs will be to districts downstate, also, if, in fact, they will be reimbursed for their funds, which they use for bilingual education which the State Board has not done in the past. We don't know if there will be sufficient teachers available to instruct these children. And, therefore, I move that we adopt this Amendment."

Speaker Matijevich: "Representative Peterson moves the adoption of Amendment #10 to House Bill 1037. Those in favor say 'aye', those opposed say 'no'. The 'nos' have it. The Amendment fails. Are there further Amendments?"

Clerk Leone: "Floor Amendment #11, Berrios, amends House Bill..."

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Speaker Matijevich: "Gentleman from Cook, Representative Berrios, on Amendment #11."

Berrios: "Simply... Amendment #11 would simply allow students in private schools to participate in any program that are set up by the district for bilingual education. This would allow basically students who are not proficient in the English speaking language to participate in the programs that are already being set up within the Bill. And I would ask for a favorable Roll Call."

Speaker Matijevich: "Representative Berrios has moved the adoption of Amendment #11. The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I would oppose this Amendment. We have no idea really what the fiscal impact would be if we had to extend the program to all private school students. In addition to that, I believe there are already available routes through the School Code where joint educational programs can be made available where children may attend part of the day in a private school and part of the day in a public school. And if it is the desire of the local school district to cooperate in a program, I believe that is a more appropriate route, rather than broadening this legislation to mandate the programs being available to private school students."

Speaker Matijevich: "Representative Berrios, to close. I'm sorry, Representative Didrickson's light just flashed. Loleta Didrickson."

Didrickson: "Thank you, Mr. Speaker, Members of the House. While I supported the previous Amend... or opposed the previous Amendment because I think it's important that we provide these services downstate and across the state, unilaterally, in the public schools, I think it is rushing

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into an additional mandate with regards to doing the same for the private. Let's see how it goes with regards to the public schools right now, Representative Berrios. Thank you."

Speaker Matijevich: "Representative Berrios, to close."

Berrios: "I would just ask for a favorable Roll Call and just remember that what we're really just doing is allowing the private school students, if they wish to participate in a program that is already set up by the subdistricts within the Bill, to participate. And I would ask for a favorable Roll Call."

Speaker Matijevich: "Representative Berrios has moved the adoption of Amendment #11 to House Bill 1037. Those in favor signify by voting 'aye', those by voting... opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this question there are 29 'ayes', 69 'nays', 3 answering 'present'. Amendment #11 fails. Further Amendments?"

Clerk Leone: "Floor Amendment #12, Didrickson - Breslin - Ropp, amends House Bill..."

Speaker Matijevich: "The Lady from Cook, Representative Didrickson, on Amendment 12."

Didrickson: "Yes, Mr. Speaker, it's hyphenated Sponsors Breslin - Ropp and Didrickson, and Representative Ropp is going to handle it."

Speaker Matijevich: "Alright. Representative Ropp, the Gentleman from McLean."

Ropp: "Thank you, Mr. Speaker and Members of the House. Amendment #12 to 1037 is a Bill... is an Amendment that addresses a situation that a lot of people have felt needs addressing. It states that... It grants an exemption. It allows school boards to excuse pupils who are enrolled in P.E. who are involved in athletic sports to be excused,

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particularly to attend or to get involved in expanded academic classes that will be preparing them for college interests, or it will allow them to be involved in vocational educational programs, or it will allow them to devote additional time to remediation and study or for ongoing participation in school athletic programs. Having been the parent of a couple of young men who were involved in sports, certainly it was my feeling that their abilities to acquire sufficient amount of athletic development was certainly taken up on the football field, or on the wrestling mat, or on the basketball court or wherever, and there are many times that these young men and young ladies need additional time in order to prepare themselves for either a vocational skill or for training or additional classes in order to enter a college. And this gives school boards that opportunity to grant exemptions from certain P.E. classes and so indicated. I welcome your support. Be happy to answer any questions."

Speaker Matijevich: "Representative Ropp moves the adoption of Amendment #12. The Gentleman from Cook, Representative White, Jesse White."

White: "Mr. Speaker, will the Sponsor respond to a question?"

Speaker Matijevich: "He will. Proceed."

White: "Representative Ropp, does this Amendment deal with the last two years, like, you know, senior... junior-senior years?"

Speaker Matijevich: "Representative Ropp."

Ropp: "Representative White, it deals with the junior and senior years in high school."

White: "Are we saying that just because an individual is a part of an athletic team that he should be exempt from going through the normal... attending the normal P.E. classes?"

Ropp: "This gives the authority to school boards to grant that

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authority, correct."

White: "Are we... Are you actually saying to this Body that if the football season lasts from September to November, January, February, March, April, May and June this young man is exempt from physical education classes? Is that what you're saying, Representative?"

Ropp: "This would give the authority for the school board to exempt them, yes. As you may well know, being involved in a number of athletic programs, it certainly requires a considerable amount of time in preparation for that athletic event. And lots of that time then being taken away from a student who needs additional study in a number of the courses that he or she is already involved in, and it really... it's almost a necessity now to give them this kind of leeway so that they can prepare themselves to receive sufficient credit hours to go onto college or even to take up a vocational skill or even some other athletic sport."

White: "Representative Ropp, on the front page of the Sun-Times there is an article that addresses itself to proper exercise and proper diet. And I think that if an individual is exempt from his last two years of physical education, he will miss a very valuable part of his education as well as physical educational development. I urge that this Body to resist this Amendment because I think it's anti-children. I believe that these young people need and deserve a vigorous physical educational program. And I would like for you to stand with me and oppose this Amendment."

Speaker Matijevich: "Chairman of the Elementary and Education Committee, Representative Richard Mulcahey."

Mulcahey: "Thank you, Mr. Speaker and Members of the House. I rise in support of this particular Amendment. I think what

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we all have to keep in mind here is the really small number of kids that this is going to affect. If you look at the provisions of the Amendment which is also, incidentally, a recommendation of the Commission, you'll find that the only people that will be permitted to be excused from physical education will be those who need the extra time slot for remedial work, those who want to take additional advanced college courses and those who are participating in athletics. And I think you'll see that this will really, in the final analysis, be a very, very small amount of kids, and I rise in wholehearted support of Amendment #12."

Speaker Matijeich: "Lady from Cook, Representative Didrickson."

Didrickson: "Yes, Mr. Speaker, Members of the House, I, too, rise in support of this very important Amendment. Indeed, this is not anti-kids. This is pro-kids. This is pro-education. This is also pro-reform. If we're down here talking about what we're going to do with regards to education reform, this should be part of the package. It's been recommended by the State Board of Education. It's also been part of the Commission package. It's a waiver, and that's what I would like you all to understand. It's a waiver in the 11th and 12th grades of P.E. They have to get approval from the school board. We're not demanding. It's a waiver for those kids who choose an academic course or who are participating on an athletic team, spending three hours or two hours before school on that swimming team and two or three hours after school on that swimming team. I urge its adoption."

Speaker Matijeich: "Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, you've already heard that this issue has been approved by the Commission on the improvement of elementary and secondary

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education, and I recall seeing a chart of the time that students spend in various kinds of activities in their school life, and even though I knew it, it was somewhat of a shock to me that the chart indicated that a student spends more of their time in physical education than they do in any other area of study while they are in school. Certainly, it is an advantage to have physical activity. We are not demanding it. We are simply saying that on an individual student basis where there is a need to use the time for some other productive activity, the school board should have the flexibility of determining when that child may be excused. The Amendment deserves your support."

Speaker Matijevich: "Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. The previous speakers and my Chairman, Representative Mulcahey, and Representative Didrickson support the Amendment. That, however, is not the case of the Committee. The Committee does not support this Amendment. It did not come from the Committee. They support no change in the mandated P.E. program as it now exists. This would be the first step in demanding P.E. Forty-five minutes a day, one-sixth of a class day, is required for P.E. instruction. That's a small part of a day for a child to learn physical activities which will benefit him for the rest of his life. I was a member of committee of eight which interviewed the teacher in space candidates in this state. One of those candidates made a statement. He was a small gentleman, made a statement that the only purpose for his body was... for his body was to carry his mind around. We got a chuckle out of that. But if you think about that, it's true. His body should be in the shape that it's going to carry his mind around for the rest of his life. And through participation in athletics,

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gym classes, etcetera, you do have a very much better chance of living a longer life. So I would ask for a negative vote and a Roll Call vote, Mr. Speaker, on this Amendment."

Speaker Matijevich: "Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I kind of resent... I kind of resent that last statement referring to mind as it relates to the body. But I'm going to overlook that and ask Representative Hensel to respond to that comment. And Mr. Greiman will cover that issue for your side. Oh, there he is. Mr. Speaker, Ladies and Gentlemen of the House, I would... I would make one observation and that is that the school where... where I teach we have 55 minute periods, and I'm sure that statistics that Representative Satterthwaite has shared with you is... are accurate. Let me also suggest that the proponents of this issue are on the wrong side of the issue and so are the opponents. And the reason for that is we put 40 to 45... 35, 40, 45 students in a physical education class and, if you give them options to go out, you're going to have to have more teachers rather than less teachers. So, it's not a... you know, it's not a... not really a jobs... a jobs issue. I would also suggest to you that the exemptions that are provided in this Bill are very reasonable... this Amendment are very reasonable. And if you've had the opportunity, as I have had, to look at requirements in this area in all fifty states, you will find that Illinois leads the pack in terms of the number of hours and the requirement in physical education. I think that we should give local school districts and students in particular more options. And this Amendment provides only for more options in four

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circumstances. I agree with Representative Mulcahey. I honestly don't think it will affect as many students as it probably should. However, I do rise in support of Amendment #12."

Speaker Matijevich: "I notice some in the gallery were nodding yes also, Gene. Representative Van Duyne, the Gentleman from Will."

Van Duyne: "Would the Gentleman yield for a question?"

Speaker Matijevich: "Indicates he will."

Van Duyne: "It's ironic that on today's front page and also on page 16 that the headlines says diet, exercise - question - experts say relax and live longer. And it likens some of the things that we've been talking about today to medical quackery and he advises, quote, 'Take a vacation. Go to a good restaurant or do anything else that helps you relax'. How do they feel about that?"

Speaker Matijevich: "Question was, how do you feel about that, Gordon?"

Ropp: "Mr. Speaker, sounds alright."

Speaker Matijevich: "Gentleman from Cook, Representative LeFlore. Wind it up."

LeFlore: "Thank you, Mr. Speaker. On this particular issue, physical education, we had quite a lengthy discussion in the Instruction and Standards Subcommittee, and it was agreed by the Committee Members, in finalizing our discussion, that we would not demandate physical education. And I would have to support the recommendation of Representative Brunsvold, and I feel that we should go ahead, as we have agreed on, and leave physical education as it is."

Speaker Matijevich: "Representative Ropp, to close."

Ropp: "Thank you, Mr. Speaker and Members of the House. Let me first of all say that this is no way a demandation of P.E."

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If anything, it's providing a greater opportunity for those young boys and girls who are participating in a varsity sport who spend more and more time than any other student going to school in a school activity involved with a physical kind of activity which involves certainly a lot of concerns for their health, particularly if you're a wrestler, and the kinds of food that you eat, or if you're a swimmer, or if you're a track person, or if you're a football player. It creates a greater opportunity for learning cooperation in teamwork, being involved in those competitive sports, and I wholeheartedly support them. Now, those students, because of the fact they put in so much more time and, frankly, if any of you have had children who have been involved in varsity sports, those young people come home and they're pretty darn tired. They need additional time to do some studying. This will grant them that opportunity through this waiver to forego, at the request, individually, case by case, by the school board, to allow them to get involved in extracurricular courses that they need in order to brush up for preparation for college interests or vocational programs, should that student not choose to go onto college, or even the college, or do even become more involved in another particular athletic program. It's a good approach. It provides the opportunity for really expanding the educational opportunities that those people really need because of their contribution in competitive sports representing that school in any kind of conferences all over their particular area. I urge your support. It's a good Amendment and one that is well needed in providing the educational expansion of those people who are involved in competitive varsity sports, and I urge a favorable vote."

Speaker Matijevich: "Representative Ropp has moved for the

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adoption of Amendment #12. Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? Have all voted who wish? Clerk will take the record. Jesse White, one minute to explain his vote."

White: "No, I was going to ask for a verification, but it's... I'll cancel."

Speaker Matijevich: "You're sure? Take the record. On this question there are 59 'ayes', 48 'nays', and Amendment #12 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #13, William Peterson, amends House Bill 1037 as amended."

Speaker Matijevich: "Representative Peterson, on Amendment 13."

Peterson: "Mr. Speaker, I ask leave of the House to withdraw Amendment 13."

Speaker Matijevich: "Leave to withdraw. Amendment 13 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #14, Didrickson, amends House Bill 1037..."

Speaker Matijevich: "Representative Didrickson, on Amendment 14."

Didrickson: "Yes, Mr. Speaker, I would like to withdraw Amendment #..."

Speaker Matijevich: "Leave to withdraw. Amendment 14 is withdrawn. Are there further Amendments?"

Clerk Leone: "Floor Amendment #15, Didrickson, amends House Bill..."

Speaker Matijevich: "Representative Didrickson, on Amendment 15."

Didrickson: "Mr. Speaker, I ask to withdraw Amendment 15."

Speaker Matijevich: "Leave to withdraw. Leave. Further Amendments?"

Clerk Leone: "Floor Amendment #16, Satterthwaite, amends House Bill 1037 as amended."

Speaker Matijevich: "Lady from Champaign, Representative Satterthwaite, on Amendment 16."

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Satterthwaite: "Mr. Speaker and Members of the House, Amendment #16 calls for a program of reading and library materials to be supplied to our schools. The issue was addressed in Committee and was approved by Committee. It did not happen to get amended into this Bill, but it appears to me that if we are going to have a reform package, it should be included here, rather than standing on its own. This is a proposal that had support through the Governor's message on education in recognition of the fact that reading skills are very fundamental to providing a basic education, regardless of what field of specialty one goes into later in life. And in order to enhance the materials available within our classrooms and our media centers, I would move for adoption of Amendment #16."

Speaker Matijevich: "Representative Satterthwaite has moved for the adoption of Amendment #16. All in favor say 'aye', opposed 'nay'. And Amendment 16 is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #17, White, amends House Bill 1037..."

Speaker Matijevich: "Gentleman from Cook, Representative White, Amendment 17."

White: "Mr. Speaker and Ladies and Gentlemen of the House, Amendment #17 deletes certain Sections of the Act, and this is basically the Bill that deals with consumer education. And it tends to delete consumer education from the Bill. First of all, I find it very difficult to provide a proficiency test for consumer education and think that it's important for a young person who is a part of a consumer education class to be a part of this class throughout the entire semester. To give a person an examination in lieu of going through the course, I think, is ill conceived. It would be very difficult for a young person who knows

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absolutely nothing about labor law to take an examination and yet be expected to pass such a test. The second part of the Amendment deals with the health education. I think it's important for a young person to go through the entire... participate in the entire class. It, again, will be difficult to come up with a test dealing with health education that will allow a young person to, number one, pass the test, and with the current lifestyles of our society, I think it would be just totally impossible for a youngster to be required to take the test, pass it and in lieu of taking the course. So, what I'm actually trying to do with this Amendment is to delete some language in the Bill."

Speaker Matijevich: "Representative White has moved for the adoption of Amendment 17. The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I... I stand in opposition to the Gentleman's Amendment. I teach consumer ed as part of a program at the senior level. I would suggest to you that the provision of a proficiency exam in consumer education would not be difficult to prepare and to allow those people to go on and to work in other areas. In fact, the ability to provide a proficiency exam would allow us, in our particular program, to stream students into other areas. Those who could pass the consumer exam... proficiency exam on consumer economics could move on into economics as a discipline to a much greater degree than it would be possible for some of the other students to do who need to have that time on what we might consider to be the basics on the day-to-day kind of operation. I would also suggest to you that it is logical that health fit into the physical education program. The whole scheduling problems for

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schools in terms of setting up semester courses is very difficult, and what it does, it takes away from the programs that Representative Dunn was talking about when we talk about the arts, music, choir, drama, because we have to... they have to take an additional semester out of their sophomore year. And that, I'll tell you, folks, can cut the heart out of the... particularly the arts programs and the music and dance. I think this is a perfectly reasonable way to go and would ask that you resist the Gentleman's Amendment. And I know... he does this in all seriousness and is well intentioned."

Speaker Matijeich: "The Lady from Champaign, Representative Satterthwaite, with Representative Alan Greiman in the Chair."

Speaker Greiman: "Lady from Champaign, Ms. Satterthwaite, on Amendment 17."

Satterthwaite: "Mr. Speaker and Members of the House, this Amendment, again, deletes a provision that was agreed upon by the Committee in regard to trying to list some of the mandates and allow some additional flexibility within our school program. The idea of a proficiency exam can be utilized by schools under the Bill as it currently stands, if they determine that that is enough to judge whether the student already knows the material that would be covered in that course. And so, again, in response to the school districts who have asked us to provide some flexibility in scheduling, I would urge a rejection of this Amendment."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. LeFlore. Yes, Mr. LeFlore."

LeFlore: "Thank you, Mr. Chairman. Again, this is an issue that was discussed in the Subcommittee of Instruction and Standards and also before the full Committee, and the Committee agreed to leave the proficiency tests...to

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administrate the tests instead of giving the course. Often the course is... So, I would go along with the recommendation of the full Committee. I'm sorry that Representative White wasn't there the day that this was discussed, and I can understand what he is saying and what he is trying to get into the mandate."

Speaker Greiman: "Lady from DuPage, Ms. Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like to expand upon the information that was just provided to you by the last speaker who is in accord with my position of opposition to this Amendment. I would like to make some explanation of what the Bill, if this Amendment is defeated, will do. The Bill, as drafted by the Subcommittee and approved by the full Committee, would provide that those students who chose to take a proficiency test in consumer education would be entitled to do so. The test would be standardized. It would be the same given throughout the state. It would be available to be taken only once a year. The provisions of the exact questions and the score that would be required in order to proficiency out of consumer education would be determined by the State Board of Education. The intent is not to let students with a minimal knowledge of the content of that course pass this proficiency test. The intent is that the test should be very comprehensive. But we all know that there are some students, particularly very gifted students, who are already familiar with the course material in any number of courses that are presently taught at the high school level. These proficiency tests, if retained in the original Bill and not removed by this Amendment, would enable those truly gifted students who could pass this test to demonstrate that they already have an adequate grasp of the content of this course and would free those students to

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then take other subject materials such as advanced math, advanced chemistry, dance, drama, art or whatever might be the area of their greatest interest. This is a Bill that is good for students who are very, very bright. We need to help them, too. I urge that we reject this Amendment."

Speaker Greiman: "Further discussion? The Gentleman from Rock Island, Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. I would support Representative White's Amendment on the basis of proficiency tests in courses should not opt a student out of that course because of the interaction that that student would receive in class. For example, in health education, in family living, the response and the interaction between the students is something that you can't opt out of. And if we're going to proficiency test out of these courses, maybe we shouldn't have these courses. And I would support Representative White's Amendment."

Speaker Greiman: "There being no further discussion, the Gentleman from Cook, Mr. White, to close."

White: "Mr. Speaker and Ladies and Gentlemen of the House, earlier today we demanded behind the wheel as a part of the drivers' education program. We've watered down physical education, and I just think it's high time for us to stand up and work in the best interest of these young people and do what we can to help them to get a quality-type program in the area of consumer ed and physical education. I ask for an 'aye' vote on this measure."

Speaker Greiman: "Question is, 'Shall Amendment 17 be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it... What a cacophony of sound. In the opinion of the Chair, we'll have a Roll Call. All those in favor signify by voting

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'aye', those opposed vote 'no'. Voting is now open. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 34 voting 'aye', 75 voting 'no', 2 voting 'present', and the Amendment fails. Further Amendments."

Clerk Leone: "Floor Amendment #18, Didrickson, amends House Bill 1037..."

Speaker Greiman: "Lady from Cook, Ms. Didrickson, on Floor Amendment #18."

Didrickson: "Yes, Mr. Speaker, Members of the House, Amendment #18 is a cleanup Amendment. It was inadvertently left out of the package that came out of Education Committee with regards to charging a reasonable fee and a waiver in which case the fee... the child cannot afford to pay for the course with regards to behind the wheel drivers' education."

Speaker Greiman: "Lady from Cook, Ms. Didrickson, moves for the adoption of Amendment #18 to House Bill 1037. Is there any discussion? The Lady from DuPage, Ms. Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, as the prior speaker has mentioned, this Amendment 18 simply puts into this Bill a portion that was intended to be included in the Bill in the first place; but, because of the large number of pieces to the puzzle that became House Bill 1037, this one somehow did not get included when the final drafting was done. Consequently, it's just a matter of putting it into the position of the accord of the Committee to begin with. I urge its adoption. Thank you."

Speaker Greiman: "Lady from Champaign, Ms. Satterthwaite."

Satterthwaite: "Simply to reiterate what the two previous speakers have said. It is as agreed upon in Committee, and I would approve the Amendment."

Speaker Greiman: "Mr. Dunn. Gentleman from Macon, Mr. Dunn. The

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Gentleman from Cook, Mr. LeFlore."

LeFlore: "Mr. Speaker, I would like to know, will the Sponsor yield for a question?"

Didrickson: "Yes, I will."

LeFlore: "What about the youngster who cannot afford to pay the fee? I think... I know we discussed this, but I just think all the Members should... this should be explained to all the Members."

Didrickson: "Okay. I will again reiterate the fact that the reasonable fee for the student who cannot afford or is unable to pay for such a course, the fee shall be waived, shall be waived."

LeFlore: "How will you determine that?"

Didrickson: "The school board, I would assume, but it is a shall versus may. It shall be waived."

LeFlore: "Okay. No further questions."

Speaker Greiman: "Further discussion? Question is, 'Shall Amendment #18 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's adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of... House Bill 1038 appears on page nine of the Calendar on Second Reading has been previously moved to the Order of Third Reading. Ms. Satterthwaite asks leave of the House to return the Bill to the Order of Second Reading. Mr. LeFlore has an Amendment that was withdrawn and asks leave of the House to have consideration of that Amendment. What number is that Amendment, Mr. Clerk?"

Clerk Leone: "Amendment #5."

Speaker Greiman: "Asks leave of the House to consider Amendment #5. Does the Gentleman have leave? Gentleman has leave?"

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Mr. Clerk, read the Bill on Second Reading and Amendment #5."

Clerk Leone: "House Bill 1038, a Bill for an Act to amend the School Code together with Senate... together with House Amendment #5."

Speaker Greiman: "The Gentleman from Cook, Mr. LeFlore, on Amendment #5."

LeFlore: "Thank you, Mr. Chairman. Amendment #5 is concerning grants for staff development. This Amendment would allow the State Board of Education to award grants to local school districts to other non-profit entities to provide staff development programs. I'd like to... that this Amendment be accepted... as Amendment."

Speaker Greiman: "Gentleman from Cook, Mr. LeFlore, moves for the adoption of House... of Amendment #5 to House Bill 1038. Is there any discussion? The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Yes, would the Sponsor yield for an Amendment... or yield for a question?"

LeFlore: "Yes, I will yield. Yes."

Speaker Greiman: "Yes, proceed. Proceed. Indicates he will."

Hoffman: "Cannot the school district now or the school district now contract with a non-for-profit agency if it so desires?"

LeFlore: "Not in the area of teachers' evaluation."

Hoffman: "Not in the area of teacher evaluation."

LeFlore: "Teacher evaluation, right."

Hoffman: "Are you..."

LeFlore: "That's what I understand it to be."

Hoffman: "Where... What is the source of your information on that, Representative?"

LeFlore: "Well, Carol?"

Speaker Greiman: "Lady from... Excuse me."

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LeFlore: "Okay, Mr. Chairman."

Speaker Greiman: "Proceed."

LeFlore: "I... Actually what we are doing here is making the language more clear, more or less clarifying the language."

Hoffman: "Alright. There is some discussion here at the desk on the issue. I have some reservations in terms of moving money... moving state money for schools directly to non-profit organizations as opposed to running those state monies through the schools themselves. And it seems to me that with the resources that are available we have to be very careful that we're not opening this up for entities beyond the school districts. In other words, if state monies for schools go to schools and then the schools contract for teacher evaluation or whatever else they want, that's, you know... that's their business. If they want to contract for staff development just like they contract for teachers, that's their business. I don't think, however, that... I think we have to be careful we're not, you know, opening this up further than we really intended, and apparently this will be explained."

Speaker Greiman: "Lady from Champaign, Ms. Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, my understanding of the Amendment simply is to allow the school... the State School Board, at their choice, to be able to provide money to a not-for-profit organization for programs such as training teachers in additional reading or writing skills. One example might be, for instance, the Illinois Humanities Council has a program where they take teachers and give them additional skills in writing and composition. And so, my understanding is that this Amendment simply gives more flexibility to the State Board so that funds appropriated for this purpose could either be utilized directly for training programs within the local

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schools or a program such as this could be funded so that teachers from local school districts could participate in ongoing programs. And I would urge the adoption of the Amendment."

Speaker Greiman: "Further discussion? The Lady from Cook, Ms. Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. In response to Representative Hoffman, I think Representative Satterthwaite has very well explained what's involved here. This is really almost just on the level of a technical Amendment in that this... only in this Section pertaining to teacher evaluations was the... was the authority of the State Board limited. It was felt that there was an Amendment needed to clarify that the State Board could do that which the State Board already does in a lot of other areas that we're funding, and that's the only reason for this Amendment. It's not opening any door. It's only closing, if you will, a loophole that would have prohibited some activity that I think all of us want to support which is further training and evaluation for teachers."

Speaker Greiman: "Lady from DuPage, Ms. Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Will the Sponsor yield to a question?"

Speaker Greiman: "Indicates that he will."

Cowlshaw: "He? Pardon me? Who is the Sponsor of this Amendment?"

LeFlore: "There's two of us."

Speaker Greiman: "Mr. LeFlore."

Cowlshaw: "Oh, I'm sorry. I thought it was Representative Braun. Let me make sure that I understand how this sentence will read precisely if this Amendment is adopted. Would you be willing to confirm or deny what... Let me

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read it and see if I have it correct."

LeFlore: "Yes, why don't you read it, and I'll verify it."

Cowlshaw: "If this Amendment were adopted, that sentence in this legislative proposal would read: 'The State Board of Education shall approve school district staff development plans developed under this Section and provide state funds appropriated for this purpose to school districts or other not-for-profit entities to aid in conducting programs'."

LeFlore: "Yes, you're absolutely right."

Cowlshaw: "So, if that is the correct wording of what the Bill would say if this Amendment is adopted, then it is my understanding that the control of whether those state funds are going to be provided through local public school districts or through some other entity that is going to provide this program, that control is with the State Board of Education. Is that correct?"

LeFlore: "Exactly. Exactly. Exactly."

Cowlshaw: "I think that makes it a lot clearer. Thank you very much."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall Amendment #5 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: "No further Amendments."

Speaker Greiman: "Third Reading. Yes, Mr. McCracken.... Mr. McCracken has his light on. For what purpose do you seek recognition, Mr. McCracken?"

McCracken: "You didn't know I had such long arms, did you? Parliamentary inquiry regarding House Bill 202."

Speaker Greiman: "Yes."

McCracken: "Has Amendment #3 been adopted?"

Speaker Greiman: "Yes, it has been."

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McCracken: "And was a pension impact note request made?"

Speaker Greiman: "Yes. Yes, there is a...."

McCracken: "We will withdraw that with leave of the House or..."

Speaker Greiman: "Alright. In that case, with respect... then let's... as long as we're on this and we're hearing a Motion on that... Yes, who seeks... Well, alright, as long as we're on that subject, then let's return to House Bill 202. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 202, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. Amendments 1, 2 and 3 were adopted previously. Amendment #4 lost."

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

Clerk Leone: "No Motions filed."

Speaker Greiman: "Further Amendments?"

Clerk Leone: "No further Amendments."

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

Young: "Mr. Speaker, Ladies and Gentlemen of the House, in regard to House Bill 202, Amendment #4, having voted on the prevailing side of that Amendment which failed, I move to reconsider the action."

Speaker Greiman: "The Bill has been moved to the Order of Third Reading, Mr. Young. That's where it is - on the Order of Third Reading. Yes, Mr. McCracken."

McCracken: "Parliamentary inquiry regarding House Bill 717."

Speaker Greiman: "Yes, excuse me. Yes, Mr. Giorgi."

Giorgi: "Mr. Speaker, Mr. McCracken was going to remove his... the impediment of a fiscal note request on House Bill 717. Inasmuch as he brought out House Bill 202, my Amendment #4 failed and he was going to reconsider it so we could take... put the Amendment #4 back on 202. But I think McCracken all he wanted to do was remove the impediment of

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asking for a fiscal note. He was satisfied with.. the original fiscal note was correct on 717. So that..."

Speaker Greiman: "Well, no, wait. No, wait. Wait. Mr. Giorgi.."

Giorgi: "I'm involved in both Bills."

Speaker Greiman: "We'd like to consider these Bills separately if we could."

Giorgi: "Let's go with McCracken."

Speaker Greiman: "Now, Amendment... Mr. McCracken moved... or requested to withdraw his fiscal... request for a fiscal note. Okay? At that point there was nothing that stopped the Bill from moving to the Order of Third Reading, and the Bill was taken to Third Reading."

Giorgi: "Except you didn't announce it."

Speaker Greiman: "Well, I asked if there were any further Amendments."

Giorgi: "No, you went to 202."

Speaker Greiman: "Yes, Mr. Giorgi."

Giorgi: "Mr. Speaker, House Bill 717, at the request of the IFT, has Representative Braun's Amendment on it. And Mr. McCracken had asked for a fiscal note. He's satisfied that the original fiscal note applies. He wants to withdraw his request for a fiscal note as amended so that the Bill can go to Third, and then we want to go back to 202 to reconsider it because he brought the Bill number up so that we can adopt Amendment #4, which meets with Mrs. Braun's approval."

Speaker Greiman: "What's Amendment 4, Mr. Giorgi? Mr. Giorgi."

Giorgi: "It has to do with creating a statewide medical group program under the tutorage of the IMRF. It's an innocuous Bill."

Speaker Greiman: "Nothing is innocuous on the floor of this House, Mr. Giorgi. Well, Mr. Giorgi, we're going to take

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these Bills separately if we may. Mr. McCracken has been seeking recognition patiently. Mr. McCracken, for what purpose do you seek recognition?"

McCracken: "Amendment #3 was adopted on House Bill 717. I filed a fiscal note request. I withdraw the fiscal note request."

Speaker Greiman: "Alright. Mr. McCracken withdraws the fiscal note request on 717. We will then consider House Bill 717, which is on page eight on the Order of Second Reading. Mr. Clerk."

Clerk Leone: "House Bill 717, on the Order of Second Reading. Amendment #1 was withdrawn. Amendments #2 and 3 were adopted."

Speaker Greiman: "Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Well, Mr. Giorgi... Mr. Young or Mr. Giorgi - I don't know which one - I think that we don't want to compound any confusion here. So, why don't we just proceed on the general Order of Business, allow you all to read the Amendments and perhaps have a discussion and perhaps seek recognition later on? So, therefore, we return to page nine of the Calendar... Mr. Young, for what purpose do you seek recognition now or just... blinking from the past. Alright. So, on the Order of House Bills Second Reading, on page nine of the Calendar, appears House Bill 1062. 1062. Mr. Clerk. Mr. Ropp, would you like to proceed with 1062? Mr. Ropp. Excuse me. If we can excuse you from your business. Alright, thank you. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1062, a Bill for an Act to require the State of Illinois to pay five percent of the contract price to certain Illinois companies that enter into contracts with foreign countries or foreign businesses. Second

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Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "No... Well, Mr. Ropp, we're going to have to keep the Bill on the Order of Second Reading because a fiscal note has been requested. So the Bill will remain on the Order of Second Reading. On the Order of House Bills Second Reading appears House Bill 1090. Mr. Hannig, 1090? Out of the record. Alright. On the Order of House Bills Second Reading appears House Bill 1136. Mr. Clerk, read that Bill."

Clerk Leone: "House Bill 1136, a Bill for an Act to amend the Illinois Lottery Law. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 1143, Mr. Laurino. Mr. Clerk, read the... Mr. Laurino, are you seeking recognition or do you wish the Bill called?"

Laurino: "Mr. Speaker, I'd like to have that Bill put in Interim Study."

Speaker Greiman: "Gentleman asks leave of the House... You're the Chief Sponsor of the Bill, correct? Gentleman asks leave of the House to place the Bill in the Interim Study Calendar. Gentleman have leave? Leave is granted, and House Bill 1143 will be placed in the Order... in the Interim Study Calendar. On the Order of House Bills Second Reading appears House Bill 1143, Mr. McGann. Mr. McGann. Out of the record. On the Order of House Bills Second Reading appears House Bill 1161, Mr. Pangle. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1161, a Bill for an Act to amend the

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Illinois Manufactured Housing and Mobile Home Safety Act.

Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Third Reading. On the Order of House Bills
Second Reading appears House Bill 1198. 1998. Mr.
Kirkland, 1198? Out of the record. On the Order of House
Bills Second Reading appears House Bill 1250. Mr. Clerk,
read the Bill."

Clerk Leone: "House Bill 1250, a Bill for an Act to award state
contracts in targetted areas. Second Reading of the Bill.
No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Soliz, amends House Bill 1250
on page three and so forth."

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

Soliz: "Mr. Speaker, Ladies and Gentlemen of the House, Amendment
#1 is simply a technical Amendment which changes the
numbering on one of the Subsections of the Bill."

Speaker Greiman: "Gentleman from Cook has moved for the adoption
of Amendment #1 to House Bill 1250. 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: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills
Second Reading appears House Bill 1252. Out of the record.
On the Order of House Bills Second Reading appears House
Bill 1279. Out of the record. On the Order of House Bills
Second Reading appears House Bill 1291. Mr. Bowman? Mr.

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Clerk, read the Bill."

Clerk Leone: "House Bill 1291, a Bill for an Act in relationship to acute and subacute medical care. Second Reading of the Bill. Amendments #1 and 2 were adopted previously."

Speaker Greiman: "Any Motions with respect to Amendments 1 and 2?"

Clerk Leone: "No Motions filed."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

Speaker Greiman: "A fiscal note has been requested. Has the fiscal note been filed?"

Clerk Leone: "Fiscal note has been filed."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading, on page ten of the Calendar, appears House Bill 1317. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1317, a Bill for an Act to amend the Use Tax Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "On the Order of... I'm sorry. Committee Amendments. Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Richmond - Hartke, amends House Bill 1317 on page one and so forth."

Speaker Greiman: "The Gentleman from Jackson, Mr. Richmond, on Amendment #1."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment #1 to House Bill 1317 amends the State Sales Tax Act, and it would now, with this enacted, it could completely exempt the sale and use of farm machinery and equipment, including replacement parts, from the tax. The present statutes, which we enacted in 1980, exempted sales tax on farm production equipment with except... but it left a thousand dollar threshold. This Amendment would remove that threshold and make our agribusinesses around

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the state competitive with our neighboring states so that the farmers will not be crossing the state line to spend their thousand dollars in Indiana or the other neighboring states. So I would ask for the approval of this Amendment."

Speaker Greiman: "The Gentleman from Jackson has moved for the adoption of Amendment #1 to House Bill 1317. 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: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 1468. Mr. Giorgi? Mr. Zeke Giorgi? Alright. Mr. Giorgi, 1468. Mr. Clerk, read the Bill, slowly."

Clerk Leone: "House Bill 1468, a Bill for an Act to amend the Metropolitan Civic Center Support Act. It's been read a second time previously. Amendment #1 was adopted."

Speaker Greiman: "Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "And the fiscal note has been filed."

Clerk Leone: "Fiscal note has been filed as amended by Amendment #1."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 1475. Mr. Giorgi, 1475? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1475, a Bill for an Act to amend the Illinois Public Aid Code. It's been read a second time previously. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "No Floor Amendments."

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Speaker Greiman: "A fiscal note has been requested?"

Clerk Leone: "Fiscal note has been filed."

Speaker Greiman: "It has been furnished. Third Reading. On the Order of House Bills Second Reading appears House Bill 1529. Mr. Clerk, read the Bill. I'm sorry. 1475, Third Reading. Now, on the Order of House Bills Second Reading appears House Bill 1529. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1529, a Bill for an Act to amend the School Code. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Has the fiscal... Yes, Mr. Matijevich, for what purpose do you seek recognition?"

Matijevich: "Yes, Mr. Speaker, as you know better than anybody, this is a vehicle Bill, and I just talked to Fred Tuerk who has filed that fiscal note request, and he said he will withdraw that so that we have a vehicle Bill in operation just in case we can finalize those negotiations. So..."

Speaker Greiman: "Alright. Mr. Tuerk is there and indicates he desires to withdraw the fiscal note request to House Bill 1529. The note request will be withdrawn and the Bill will be moved to the Order of Third Reading. On the Order of House Bills Second Reading appears House Bill 1567, Mr. Steczo."

Clerk Leone: "House Bill 1567, a Bill for an Act to amend an Act relating to surcharges collected..."

Speaker Greiman: "Well, wait. Excuse me, Mr. Clerk. Mr. Steczo? Let's take it out of the record. On the Order of House Bills Second Reading appears House Bill 1598. Ms. Breslin, would you come to the Chair. Ms. Pullen, 1598? Ms. Pullen, you wish that to be taken out of the record? Alright. You want to take that out of the

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record...actually out of the record. Alright. Then let's take it out of the record. Alright. We'll just back up for a second. Mr. Clerk, 1567. Read the Bill."

Clerk Leone: "House Bill 1567, a Bill for an Act to amend an Act relating to surcharges collected by the Circuit Court. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Greiman: "Third Reading."

Speaker Breslin: "House Bill 1596. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1596, a Bill for an Act to amend Sections of the Citizens' Utility Board Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 1604, Representative Ronan. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1604, a Bill for an Act to amend Sections of the Code of Civil Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Didrickson - Ewing and Ronan."

Speaker Breslin: "Representative Didrickson."

Didrickson: "Yes, thank you, Mr. Speaker, Members of the House. Amendment #1 is the structured verdicts Amendment to 1604. It provides for structured payments for future payments for; one, medical or health treatment; number two, care or custody; number three, loss of future earnings; number four, loss of bodily function; number five, future pain and suffering; six, future physical impairment and inconvenience. If future damages exceed 50,000 dollars, they shall be structured on a monthly basis until the death

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of the injured person, or, and I would like to underline or, even after death, if actuarial tables would have predicted a longer life with regards to medical and health care costs and noneconomic loss. Payments for economic loss would continue until death of the injured person or the time the actuarial tables predict he or she would have lived, whichever is later. This concept guarantees that survivors would receive payments for economic support that they could reasonably expect from the injured party. I also would like to mention the fact that the California Supreme Court in a recent decision upheld structured verdicts with regards to awards over 50,000 dollars. I would also like to explain that inflation is provided for here and tracked by the treasury bill rate. This method of structured verdicts provides that the way they will be paid, not whether or not they have a right to be paid."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #1 to House Bill 1604. And on that question, the Gentleman from Cook, Representative Greiman."

Greiman: "Yes, I wonder if the Lady would yield for a question?"

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

Greiman: "Now, is it my understanding, Ms. Didrickson, that a jury has to make a finding? First they have to decide how much the medical expenses are in the past up to the time of trial? That's one calculation you have to make?"

Didrickson: "That is covered for..."

Greiman: "They have to make that calculation, is that right?"

Didrickson: "That's correct."

Greiman: "And then they have to calculate how much the medicals would be in the future, is that right?"

Didrickson: "That is correct."

Greiman: "And then they have to calculate how much the pain and suffering would be, that the person has experienced up till

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the time of trial?"

Didrickson: "That is correct."

Greiman: "And then they have to decide on a separate computation somehow? How much the man or woman is going to suffer in the future, is that right?"

Didrickson: "That is correct."

Greiman: "And then they've got to decide how much economic loss he's lost in the past and how much in the future, is that right?"

Didrickson: "That is correct."

Greiman: "So that's a six complicated computations that that jury has to make right off the bat, is that right?"

Didrickson: "Yes, Representative Greiman, that is not unlike what juries have to do right now."

Greiman: "Well, I'm just asking what they have to do under this. Now, there's no... there's no... if right now if you get a judgement or a verdict, you get the entire amount, is that right?"

Didrickson: "Sometimes."

Greiman: "Well, if you get the... you're right. If you can't collect it, you don't get it. But if you can... if you get the verdict and without any agreement to the contrary, you get the entire amount, right?"

Didrickson: "As I understand it, Representative, there is a discount factor that is on a judgmental factor figured in."

Greiman: "Now? Under the law now?"

Didrickson: "Not under the law, but the juries are asked to consider that."

Greiman: "No, no. I'm asking you if they're... Wait, now wait. If someone gets a verdict today for a million dollars because both their legs have been cut off, they get the entire amount, right?"

Didrickson: "It is my understanding that the million dollars..."

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the jury is asked to discount, take into consideration, which is frequently very difficult for them to do, but they are asked to take in that discount presently. So, whereby they may have had a million dollar verdict award, they would not necessarily be guaranteed that they would receive that, and that's presently..."

Greiman: "I don't think that. I think you want to talk to you counsel, you'll find that's not at all the case. I think that just is not the case. The juries don't provide a discount rate for verdicts. Now, I think you want to probably tell the folks that that's the case."

Didrickson: "It reflects..."

Greiman: "Well, I don't know if it reflects or not. I'm just telling you if a jury gives a verdict for a million dollars, it's a million dollar verdict, is that right?"

Didrickson: "Okay, that is true."

Greiman: "Is that right? Just say yes or no, okay? Thanks. Thank you very much."

Didrickson: "Yes, but there's another consideration that you have to take in with regards to that."

Greiman: "Alright. So, that person who's injured then would have an economic advantage in that they could put that money at interest. They could invest it. Is that right?"

Didrickson: "Yes, or they could blow it."

Greiman: "Or they could blow it, but under the structured verdict, the insurance company gets the amount of the investment, isn't that right?"

Didrickson: "Yes, they do, which then reduces the costs of health care."

Greiman: "Now, health care... are health care costs shown in the cost of living index? Do you know if they are?"

Didrickson: "I'm not a hundred percent certain. They are reflected to the best that they can."

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Greiman: "Well so, then why wouldn't your Bill..."

Speaker Breslin: "Excuse me. Excuse me, Representative Greiman.

Excuse me. Could the Gentleman in front of Representative Didrickson sit down or move? The Members are having difficulty watching. Proceed."

Didrickson: "Health care, Representative Greiman, yes, I believe health care costs are reflected, but not on a perfect measurement, no."

Greiman: "What's perfect in our lives?"

Didrickson: "You're right."

Greiman: "So if indeed we... if indeed we do have a calculation of cost of living increase for medical expenses, why would you tag this then to the bond market? I mean, if I need a new iron lung or whatever the state of the art might be, it has nothing to do, does it, with the bond market? My hospital costs... As a matter of fact, hospital costs have significantly risen in a different numbers than the bond market has so that why do you peg my future hospital costs into the bond market? Why wouldn't you plug it into the cost of living?"

Didrickson: "It's not unlike the Lottery, at present. You may win 40 million dollars, but you don't get that immediately."

Greiman: "No, no, but we're... No, no, I understand that. But we're providing someone for their future health costs, future health care."

Didrickson: "That's right. That's correct."

Greiman: "And when we provide him with future health care, we say... you say generously and we plug in inflation to the bond market. Why not plug it into the costs... increased costs of health care which is much higher than the bond market? Doesn't that make more sense? Isn't that a more sensible way of doing it?"

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Didrickson: "Representative Greiman, as I understand it right now, if you ... an annuity company can take 130,000 dollars, okay?"

Greiman: "No, no. These are forced annuity. You can't compare it. You see, this is a mandatory structured settlement."

Didrickson: "Is this a later Amendment if this doesn't get on that you're referring to?"

Greiman: "I'm asking... no. I'm merely asking you - you're the author of this Amendment - why in the world you would tag... you would plug in health care costs and the increase in health care costs to a bond market when there is available a cost of living index on health care? Why wouldn't you... Why would you compare apples and oranges when you have a perfectly good 'indicia' to compare apples and apples?"

Didrickson: "We're simply being reasonable with this and consistent."

Greiman: "Well, I think you're being inconsistent. But okay."

Didrickson: "And it's one of the standards that's recognized universally."

Greiman: "Now, let me ask you this. If a young child is injured by a doctor's negligence, how do we ensure, over the span of 50 years, that that child may live or 60 years or whatever the solvency of the payor? How do we do that?"

Didrickson: "Well, there are provisions in this Amendment and the defendant, number one, is liable."

Greiman: "Well..."

Didrickson: "There's a posting of security. And the bonding company or the insurance company is licensed. And they're normally large companies that we are talking about. And the Director of the State of Illinois' Department of Insurance would be monitoring this."

Greiman: "Alright. Now if I told you that Section 2-1718

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provided that indeed the judgement is satisfied by the... by the preparation and entry of a mandatory structured verdict, you would have to retract what you just said that the defendant is liable, right? The defendant is not liable."

Didrickson: "Representative Greiman, I am missing the last page of my Amendment. And while I am indeed one of the Sponsors..."

Greiman: "Perhaps we could discuss it intelligently..."

Didrickson: "... we also have another Sponsor with regards to Representative Ewing."

Greiman: "Perhaps Representative Ewing could tell us whether Section 2-1718 would not indeed show that what you originally said was incorrect; that, in fact, the defendant is no longer liable once the mandatory structured verdict is put in. Amazing. Amazing. The only time when a defendant has not paid, not paid the judgement and yet he is let off the hook. The defendant is no longer liable on that judgement once the mandatory structured verdict is in."

Didrickson: "It is my understanding that he has to satisfy Section 2-1718."

Greiman: "Section... That merely means that if security is posted. So the defendant is no longer liable once there has been entered a mandatory structured verdict. That's what the Section says, and I think you'll have to at least go back a little bit..."

Didrickson: "This has to be read in context with the rest of the Amendment."

Greiman: "Pardon?"

Didrickson: "This has to be read in context with the rest of the Amendment."

Greiman: "Indeed, and I'm saying to you read it in context then

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before we lose our audience. I think you have to go back.

You have to say that you were in error, right?"

Didrickson: "I believe we are."

Greiman: "You were in error. That's not against the law. You can be in error."

Didrickson: "Yes, I can and so can you, Representative."

Greiman: "Alright. So the next issue is, have any insurance companies gone under in Illinois or in the country that you know of?"

Didrickson: "Sure."

Greiman: "Okay. So..."

Didrickson: "We're talking about large insurance companies."

Greiman: "Well, large ones. We have some large banks that have had some troubles over the years. We're talking about a period of 40, 50 years. Does this Bill have any provision for an injured person to go in, if it shows that the security is not as good 20 years later, if the security is impaired because the company looks like they're going to go under? Is that person just out of luck?"

Didrickson: "Basically, Representative, we're talking about large insurance companies."

Greiman: "We're talking about any insurance company that they'll approve."

Didrickson: "And we're going to be spreading this law, as I understand it, across the state with other insurance companies also with regards to liability."

Greiman: "Well, why don't you look at the provision, then, instead of... and not just talk about large insurance companies. You know, the Continental was a large bank, but they were down here sweating plenty. So... and had to be bailed out by the government. So, largeness doesn't impress me. We're talking about a 50 year period."

Didrickson: "Well, Representative, what would happen if, let's

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say, an injured party received a judgement verdict of, let's say, 27 million dollars. Okay? They could put it in the bank and the bank could go under or the savings and loan could go under, couldn't they?"

Greiman: "It's their judgement to make. This is not their judgement to make. All I'm asking you is if there's any device..."

Didrickson: "And they could blow it."

Greiman: "... in this Bill that would allow a court to come in if the payment of this structured verdict were impaired. And there is not. There is nothing in here that would allow that."

Didrickson: "Would you repeat that please?"

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

Harris: "Thank you, Madam... Thank you, Madam Speaker. I apologize for interrupting the debate, but something seems to be being passed out on the floor which I believe is in violation of Rule 66."

Speaker Breslin: "Could you show it to the Clerk, please?"

Harris: "Yes, thank you."

Speaker Breslin: "Proceed, Representative Greiman."

Greiman: "Pooh-pooh-pooh-doop. Thank you. Well, alright. I think... I think that I would like to address the Bill... the Amendment if I might. Firstly, I want you to know that mandatory structured settlements is not really a total no-no in my vocabulary. From an economics standpoint, it may have some advantages. And if, in fact, we wanted to protect the medical malpractice insurance company from being hit by a huge, unexpected, incredible, excessive verdict, then I might indeed entertain supporting such a verdict... such a proposal. For example, there is no way for an insurance company in truth to plan for a 10 million

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dollar verdict, for a 15 million dollar verdict, because those sums are so astronomical. And so if we had a structured mandatory verdict for large amounts, for verdicts over three million dollars, amounts that the insurance company might not be able to really plan for, I might indeed join with members of the Medical Society across the aisle on this kind of proposal, as long as we provided for a fair, fair consideration of the future economy, future increase in medical costs, a fair return for the person who has invested... who essentially it's his verdict. It's his verdict but the insurance company is holding the funds and taking the property. There is no question about the difference in health care costs. Indeed, one year the health care costs could be very little. The next year they could be incredible. They could be five times that, but there's no provision here to go into court and say, 'Judge, last year it was 10,000 dollars. This year we're having the operation that maybe will make me see again or whatever, and so I need 50,000 dollars this year.' There's no provision for that kind of... of thing. Now, you may say, indeed, 'What if that plaintiff takes all this money and blows it?' Well, then if he does, he does. That's... That's not something we can quite control. But shall we give it to the insurance carriers? That's the question. Who shall we give it to. Again, I would support a structured verdict if it made sense to carry out the purposes for which it is intended. The threshold, my friends, is 50 thousand dollars. Under our inflationary economy, that's a, I guess, a hangnail, you know. So that's... that's not a high verdict. That's not a verdict that's going to set an insurance company on its pins. 'Oh, my God, 50 thousand dollar verdict.' It's the million and million, million dollar verdict that's

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blowing the insurance companies out... out of their... out of the economy. And I say we should do something in those cases. And I say I'm prepared to stand with the... to stand with the Medical Society on those issues and to try... and to try to work out an economic... a sensible way. But 50 thousand dollars means every single verdict, every single verdict is... is going to be a structured... mandatory structured verdict. Also, strange as it may seem, people are using structured settlements. This will end structured settlements - end them forever - because this kind of Bill has a chilling effect on a structured settlement. Why in the world would a... would an insurance company sit down and develop a structured settlement when they know they've got the structured verdict anyhow. There's no inducement at all for them. This... This is a bad Amendment. This... And I don't want to take too long. The parties have worked long and hard, I will say this. We see it as the lawyers versus the doctors. It shouldn't be. You know, we have a lot of this industry versus that industry. It's... Standard of medical care is a concern. It's the health care that we all have. It's the cost of health care. It's the cost of litigation. It's also providing for injured people. This structured verdict Amendment - this is the linchpin of a settlement, I believe, between the lawyers and the doctors, if we wanted to call them the parties. This is really the issue that's the cutting edge. If we defeat this, I believe that there will be a settlement. If we do not, then we will... then the doctors will dig in and the five thousand doctors will come on a bus, and they will yell. And they'll be up here, and they'll be screaming. I think we can settle this. I think we can settle... medical malpractice package if we can defeat this Amendment and sit down tomorrow or the next

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day and the next day and develop it. I'm prepared. I was part of the summit group that's been meeting. I'm prepared to stay now, today, tomorrow, over the weekend to hold both the lawyers. The lawyers have... have taken... have literally agreed and acquiesced to the issue of frivolous, so called frivolous law suits. The lawyers have said, 'We will give that issue to you.' And I say, this is the linchpin of a settlement. Defeat this. I'll stay today, tomorrow, over the weekend, and we'll settle the medical malpractice crisis in Illinois. I say defeat Amendment #1. Thank you."

Speaker Breslin: "Ladies and Gentlemen, it has been called to the Chair's attention that literature has been distributed on the House floor. That is in violation of this House's rules. No literature is permitted to be distributed on the House floor. Members and staff should keep that... that rule in mind. The next person to speak on this issue is the Gentleman from Livingston, Representative Ewing."

Ewing: "Madam Speaker, I'm a Cosponsor. My light was on to answer questions, and I'll be closing on the Bill."

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

Countryman: "Madam Speaker, will the Sponsor yield?"

Speaker Breslin: "The Lady indicates that she will yield for a question. Excuse me. Representative Ewing. Direct your questions to Representative Ewing."

Countryman: "Representative, are you familiar with what are structured settlements?"

Ewing: "Am I familiar with structured settlements? Yes."

Countryman: "And under... Are you familiar with the income tax consequences of the money earned after the money's once invested in structured settlements?"

Ewing: "My understanding that there... this does not change the

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income tax consequences."

Countryman: "Well, in fact, isn't there an amount determined by a jury which would have to exceed 50 thousand dollars for this to come to place? Isn't there, in fact, an ascertainable amount?"

Ewing: "The amount of the structured settlement has to be in excess of 50 thousand dollars. There are provided for here certain lump sum payments up... an advance. The amount to be paid out in the structured settlement has to be 50 thousand or more.

Countryman: "Well, it's my understanding that under the federal income tax law, with regard to structured... structured settlements, that the plaintiff not become aware of the amount that's being paid for the annuity. Is that correct?"

Ewing: "Not become aware?"

Countryman: "Yes. Yes."

Ewing: "You'll have to repeat the question."

Countryman: "It's my understanding that in order for the plaintiff, or the person recovering, not to suffer the income tax consequences under a structured settlement that he not become aware of the amount paid for the annuity contract."

Ewing: "Well, I think that might be the law. I can't say, Representative Countryman. But in this case, I don't... we don't require that the person receiving it become aware of what was paid for the annuity contract."

Countryman: "Well, isn't he going to become aware of that fact by virtue of the court's order?"

Ewing: "No, the value of the contract and the amount that the contract... the person... selling the contract is obligated to pay out, he will be aware of. But the actual cost of that contract by the defendant, I do not think that

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he would have to be aware of that."

Countryman: "How did you come up with a figure of 50 thousand dollars?"

Ewing: "I think that was considered to be an amount that would be worthy of being spread over periodic payments."

Countryman: "Well, isn't it a fact that there are many verdicts in the range of 50 to 100 thousand dollars in just all kinds of cases?"

Ewing: "Yes, and I believe that you would have to have a verdict probably close to excess of 100 thousand before it would even qualify for periodic."

Countryman: "Why?"

Ewing: "Because of the lump sums that are provided for in the Bill - attorney's fees, up front costs, a number of things are provided to be paid out in lump sums at the beginning."

Countryman: "If, in fact, you had three plaintiffs and the verdict was... for future damages was for 100 thousand dollars, then you would have structured settlements for less than 50. Is that correct?"

Ewing: "We're talking about the total verdict."

Countryman: "Pardon? I didn't hear you."

Ewing: "We're talking about the total verdict, yes, the judgment."

Countryman: "So, in fact, this Bill could apply to verdicts for future damages in less than the amount of 50 thousand dollars. Is that right?"

Ewing: "Could, but probably wouldn't, because of the provisions for payment in lump sums."

Countryman: "What say does the plaintiff have in the companies in which the annuities or the other forms of securities are placed?"

Ewing: "The plaintiff wouldn't and I wouldn't think anybody would expect them to have a veto power over that. The court

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does, and those companies have to be approved by the court."

Countryman: "Why not give total discretion to the court with regard to all of this?"

Ewing: "Would you explain... total discretion in what regard?"

Countryman: "Why not make a provision... Obviously I don't agree with your threshold limit, but gives the court discretion to view the best possible alternatives for a plaintiff after a verdict, say in excess of three million dollars, and then let them decide what would be the best possible annuity contracts, so forth."

Ewing: "You're saying that you want to give the court the discretion to decide when we'll have a structured settlement?"

Countryman: "No, I'm not going to give them the discretion. I'm going to give them the discretion how to structure the settlement. What's the best way? And I'll give you an example. I worked on one of these in a miner's case about a year ago. We went through several people and we got different quotations depending upon what company we worked with. And my concern is that we have flexibility and whatever ultimate outcome we come here that we give somebody the ability to determine if Company 'X' will give a better annuity contract than Company 'Y', if there are better reasons to take Company 'X' over 'Y', if they have more security and so forth."

Ewing: "Well, I don't believe that the court... we're taking that away from the court here now. The court is going to approve the... whoever is going to have the annuity contract. They're going to approve the company. That all has to be approved by the court, John."

Countryman: "Why would you eliminate the need for supersedeas bond?"

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Ewing: "I can't answer that."

Countryman: "Madam Speaker, to the Bill."

Speaker Breslin: "Proceed."

Countryman: "I... I would like to echo what Representative Greiman has said. I think that a reasonable structured settlement Bill can be achieved, but I don't think that this one is it. And I think that shortsightedness and shortcomings have been set forth by some of the questions that I have asked. I don't think that the people who sponsored this legislation have looked at the income tax consequences of the monies that are going to be earned over the future years. That's a major concern to everybody involved in this sorts of things. I don't think that they've taken enough interest and concerns in the cases of minors, which are particularly different than the cases of adults. And likewise, I don't think that they've really looked at a realistic amount of a threshold. I don't think it's the 50 thousand or 100 thousand dollar verdicts that are causing what they claim to be the medical malpractice crisis in this state, and I think that they're really trying to put a bunch of overkill in this... in this Amendment. And I think it's a bad Amendment, and I'm going to vote against it."

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

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. Probably no subject has more occupied Members concern and attention so far in this General Assembly Session than the issue of medical malpractice. We have heard speeches today about how the trial attorneys are now willing to give in on the subject of frivolous law suits. And I can confirm to you that that is, in fact, true. But Members of the Assembly consider this, what enormous

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concession is it for lawyers to say that we won't file frivolous suits any more, but we'll put something in the law to reduce the number of frivolous suits filed. Is that a major concession? I would submit to you that it's not. That's something that should have been cured and could have been cured a long time ago if the Bar was willing to be more... more forthcoming on this issue. Members, there is a real world issue..."

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

Preston: "I rise on a... on a point of order, Madam Speaker. I don't think the Gentleman is speaking to this Amendment. He is speaking to other matters."

Speaker Breslin: "Your point is well taken, Representative Preston. Confine your remarks to the Amendment proposed, Representative Vinson."

Vinson: "Certainly, Madam Speaker. There is a real world issue that occasions the need for this Amendment. That real world issue is the fact that just yesterday the largest medical malpractice insurer in the State of Illinois had to make their quarterly filing with the Department of Insurance and report on their losses for the first quarter. For the first quarter of this year, that insurer reported a loss almost as large as for all of last year. There is a skyrocketing cost problem in this field that is driving the cost of medical... medical malpractice insurance through the ceiling. And, in fact, actuaries presented by the Bar Associations admit to that fact and recognize that terrible reality. That is occasioning a terrible cost increase in a variety of ways on health consumers - not on doctors - on health consumers. And that is what we have to address. And one of the most important levers for addressing that issue is this Amendment #1. What Amendment #1 provides is

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no cap, no reduction in the amount of rewards... the award for an injured party who's a victim of medical malpractice. What it does say is that it schedules out in reasonable fashion the payments that are made for that over the person's lifetime. And what that could accomplish is much more predictable losses for the insurance carriers who are dealing with this issue. And if the insurance carriers can't get to predictable losses in this thing, there's not going to be any medical malpractice coverage available for doctors in this state. And that means, #1, no injured plaintiff is going to get anything; and, #2, it means that the potential costs are going to be enormous. Ladies and Gentlemen, we have heard an argument that we ought to defeat this Amendment because we ought to return to negotiations. I submit to you that the place to resolve this issue is in the people's chamber, in the people's floor, with the people who have the constitutional obligation to pass on what the laws of this state should be. This is not a guilt issue that ought to be transferred back to doctors and lawyers. It's a public issue - a pressing public problem - a pressing public problem for health consumers in this state. And if you want to discharge your constitutional obligation, then your constitutional obligation is to vote 'yes' or 'no' on this Amendment based on the merits of this Amendment, not on some desire to return to back room negotiations. We ought to adopt this Amendment. It ought to be part of the law. It is a good Amendment for health consumers in the State of Illinois because it'll lower their costs."

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

Hawkinson: "Thank you Madam Speaker. I think if there's one Amendment in this package that's discriminatory, this is

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it. If you have an elderly victim of malpractice, that award, under this Amendment, is going to be cut off at the later of death or life expectancy. There's no way that the full recovery of what ought to be due that elderly victim can be recovered under this scheme, and I would urge a 'no' vote."

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

Preston: "Thank you, Madam Speaker. Would the Gentleman yield for a question, Representative Ewing?"

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

Preston: "Representative, under the proposals encompassed in this Amendment, the threshold amount is at what level in order to require a... a structured verdict?"

Ewing: "50... 50 thousand after the payment of lump sums."

Preston: "Well, if an individual is injured and a jury awards 60 thousand dollars, what would happen... how would that be structured under this proposal?"

Ewing: "I would say it would not be structured."

Preston: "Then at what level would there be a structured verdict?"

Ewing: "When the amount left to be paid after... after damages... past damages and attorney's fees, costs, these types of things had all been paid out, there's 50 thousand left then it can be structured. For instance, if you get... an award is 60 thousand and the plaintiff feels that he needs a 20 thousand dollar van and they authorize that, there would be no structured settlement. So... Or if you need even a several hundred thousand dollar verdict, if the plaintiff becomes incapacitated, has to have a new modern home which he can get around..."

Preston: "Well, Representative, your... your... I'm trying to get at the majority, the vast majority of the cases, not the

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extreme where a person is catastrophically destroyed so that they need a specially made vehicle and special home. That's... That's so rare that we're... we can't and should not be legislating for that one in a million instances. What we're trying to do to attack the malpractice problem is to attack the vast majority of situations. So let me... let me ask you this. If... If I'm injured because through some negligent error on the part of a physician, my leg was amputated at the thigh when I went in for some other test and it was a chart that was misread, and let's say the jury returns a verdict of 110 thousand dollars, as an example. How would that be structured under the proposal encompassed in this Amendment?"

Ewing: "You would be paid for your past damages in a lump sum. Your attorney would be paid. Your costs would be paid. After all of these payments have been made and any others you might request of the court and be approved by the court, if they're within..."

Preston: "Within... Within what guidelines?"

Ewing: "You didn't wait for me to answer the question. If 50 thousand dollars of future damages are yet to accrued then it would be structured."

Preston: "And what guidelines does the court have when you say, 'You can get anything else you ask for that is approved by the court.' Under what guidelines would the court grant or deny their approval of your request for further amounts?"

Ewing: "On the needs of the plaintiff."

Preston: "Okay. If I may speak to the Bill, Madam Speaker."

Speaker Breslin: "Proceed."

Preston: "I... Or to this Amendment. I am vehemently in opposition to this Amendment. I think that the Medical Society and their proponents have been very successful in characterizing this package and these Amendments as, 'Are

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you with the doctors or are you with the lawyers?' And, indeed, when we've all worked Roll Calls, and most of the people here have worked Roll Calls on the House floor, the answers that you get 90% of the time is, 'I'm with the doctors on this or I'm with the lawyers on this.' And, in fact, this Amendment is not a lawyers versus a doctors proposal. I would more legitimately characterize this as a proposal of negligence in one profession that is not greater than negligence in any other profession, but it's also no less. And it's that negligence, that malpractice, versus the rights of victims. It has nothing to do with... with lawyers - the representatives of victims. You know, I'm a lawyer. I've never represented anyone in malpractice nor will I ever represent anyone in a malpractice suit. But I am familiar with people, and I am familiar with some people who have regrettably been the victims of malpractice. And in some instances, in fact probably in many instances, those victims were victimized by the negligence of a physician who happens to be an excellent, even outstanding, physician, but in a single isolated instance was guilty of negligent performance of... of his art, and that's the art of healing. That doesn't mean that physicians are bad people, but they are no more human than the rest of us and, of course, they're no less human than the rest of us. What this structured verdict would end up doing to people, to the victim, is to require that victim to take a payment and forget the catastrophic payments of the millions of dollars because those are the ones that we read in the newspaper about, but they come down extremely rarely in real life - almost never. Very rarely do we have those catastrophic enormous type verdicts. But what is more common is the lesser, more reasonable verdicts that go to serious injury that is less than the catastrophic life

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changing, life threatening injuries that make a person completely disabled for the rest of their lives. In those cases, a victim would be required to take the compensation that the court would otherwise give to that victim to get started on fixing up his or her life and, instead, require that person to take that verdict, that amount of money over the rest of their life. And the... this proposal says, 'But, well, your attorney's fees will be paid.' Well, that's great, but that doesn't bring any money to the victim whose been injured. 'And you're medical bills will be compensated for.' And that's great, but that doesn't make the person whole. What is not compensated for is the pain, the suffering, the... the loss that the person occasioned where you can't get that in a lump sum to do with that money what you will. Instead of that, we, by law, will be saying you have to take that at thousand dollars a year for the rest of your life or two thousand dollars a year. Well, let me tell you, there's a giant difference in the compensation that you're able to glean if you get a lump sum of 50 thousand dollars in your hand for some injury that you suffered or whether or not you have to take that if you're a 20 year old person and you have a 50 year life expectancy at the rate of a thousand dollars a year over the next 50 years. The difference between those is absurd. One is compensation. The other is... is far, far less than just compensation. So I... I'm asking you not to look when you're voting on this Amendment at who cares about whether the doctors are right or the lawyers are right, because in the end, the doctors and lawyers will all earn fat livings - with your vote, without your vote. But you should concern yourselves only with the rights of the victims who will be injured by this Amendment. This Amendment will stop victims from getting just compensation

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for a grievous injury that they've suffered. So I'd ask you to vote 'no' on this Amendment."

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

Flinn: "Madam Speaker, I just saw Amendment #26 get on our desk, so, therefore, I move the previous question."

Speaker Breslin: "The Gentleman has moved 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... the previous question is put. Representative Ewing to close."

Ewing: "Madam Speaker, Ladies and Gentlemen of the House, we do have a lot of Amendments on this Bill. This is very important piece of legislation, maybe one of the most important that we will consider this Session. And, as always, we spend more time, maybe, on the early parts of the Amendment than we do on the later ones. But this is a very important Amendment. And I would like to answer a few of the challenges and the questions raised during the debate. First of all, the first questioner would have you believe that this Bill will require complicated calculations that are not currently required by a jury in a personal injury or malpractice case. That is not the case. The computations will not be more difficult in this case than in regular cases. In fact, some of the computations will be made by the Judge, someone who should be much more able to make these calculations than a jury. We also address the fact... the factor of inflation, and we, in this Amendment, call for it to be based on the bond rate. Now we all know that it's difficult to judge inflation, but without structured verdicts, the jury must again judge inflation on whatever evidence... Can I have some order,

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Madam Chairman (sic - Speaker)."

Speaker Breslin: "The Gentleman is closing on Amendment #1.
Proceed, Representative Ewing."

Ewing: "Thank you. The inflation factor should not be considered as detrimental to this Amendment because whether it's a jury, whether it's a lump sum payment or whether it's structured, the inflation factor must be taken into consideration. Currently we have structured verdicts by agreement. In fact, recently the Supreme Court or the Court in California upheld structured verdicts such as we are asking for in this Amendment. What we aim for is to make the injured party whole. All of us, all of us who are citizens of this state are faced with the problem of malpractice and the cost of malpractice in our own insurance costs. It is a very real cost to all of us. The aim of this Amendment is to make every injured party whole, but to do it at the most reasonable cost to society. All of you, who represent taxpayers and constituents and those who have to pay for medical costs at home, know that it's important that we hold down those medical costs. One of the most important things we can do is find a way to address the malpractice problem in this state. The opponents of this Bill would have us believe that they have done everything to reach a settlement. That is as far from the truth as anything I have heard here today. Only when this House addresses that problem, when this House takes some concrete action and says to the lawyers and to the doctors, 'We want this problem solved,' will they come to the table and negotiate in all honesty and earnestness. I think it is important that this Amendment be added to this Bill. 1604 is a sham without the needed Amendments to address the malpractice problem in this state, and I would ask for a favorable vote on the 1st Amendment."

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Speaker Breslin: "The question is, 'Shall Amendment #1 to House Bill 1604 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Gentleman from Cook, Representative Huff, one minute to explain your vote."

Huff: "Yes, very simply, Madam Chairman (sic - Speaker), my 'no' vote explains that I feel that this Amendment 1 is a sham. It will absolutely evaporate before it will do any good for the recipient, because what the lawyers don't get, the IRS will get the rest. So it's a sham. Put a red vote..."

Speaker Breslin: "Have all voted who wish? The Gentleman from Livingston, one minute to explain your vote."

Ewing: "Madam Speaker, Ladies and Gentlemen of the House, I am, of course, disappointed that we don't have some more green votes up there, but I'm pleased that we're ahead of the red votes. I hope that everyone will earnestly give this Amendment their strong consideration. Let's bring an end or let's get started with solving the malpractice problem in this state."

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

Younge: "Madam Chairman (sic - Speaker), Ladies and Gentlemen of the House, I'd just like to say that of all these Amendments this is absolutely the worst one. Representative Vinson pointed out that this is the people's chamber. Well, this Amendment hurts the people of this state, and I urge 'no' votes."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Madam Speaker and Members of the House, it was my understanding when House Bill 1604 was brought out of Committee that this was an indication that the trial

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lawyers and the people from the Medical Society were going to sit down and present us with an agreed package of legislation that we could vote on. I don't believe that we are capable here on the House floor of sorting through these very complicated issues and knowing whether, in fact, we are doing anybody a favor except, perhaps, the insurance companies in allowing these measures to come to a direct vote. I think that we should be urging more negotiations on these issues, rather than having to deal with them one by one. Many of us, who have not heard the issues in Committee and are not familiar enough with this area of legislation to make good decisions... If it is of any help for this Amendment to be defeated, then I am willing to add my vote to the 'no' column to help to do that to force people back to the bargaining table. And so I will vote 'no', not so much on the basis of whether this Amendment is good or bad, but on the basis of the fact that the process seems to have broken down by which I understood a resolution was going to come forth."

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

Greiman: "Yes. No. I spoke in debate, Madam Speaker..."

Speaker Breslin: "Very good."

Greiman: "But I just wanted to suggest that if this should appear to carry, I would like to verify the Roll... the Affirmative Roll Call."

Speaker Breslin: "Very good. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 60 voting 'aye', 56 voting 'no' and 1 voting 'present'. The Gentleman from Cook, Representative Greiman, has asked for a... a verification of the Affirmative Roll Call. Representative Ewing, for what reason do you rise?"

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Ewing: "Well, we'll poll the absentees, of course."

Speaker Breslin: "Very good. Representative Ewing would like to poll the absentees first, Mr. Clerk. Representative Piel, for what reason do you rise?"

Piel: "Leave to be verified."

Speaker Breslin: "Representative Piel asks leave to be verified, Representative Greiman."

Clerk O'Brien: "A Poll of the Absentee. Krska. No further."

Speaker Breslin: "Poll the affirmative vote, please."

Clerk O'Brien: "Poll of the Affirmative. Barger. Barnes. Brookins. Capparelli. Churchill. Cowlshaw. Daniels. Davis. Deuchler."

Speaker Breslin: "Representative Steczo wishes to change his vote from 'present' to 'no'. Proceed, Mr. Clerk."

Clerk O'Brien: "Continuing the Poll of the Affirmative. Deuchler. Didrickson. Ewing. Farley. Flinn. Virginia Frederick. Dwight Friedrich. Goforth. Hallock. Hannig. Harris. Hastert. Hensel. Hicks. Hoffman. Keane. Klemm. Koehler. Kubik. Nays. McAuliffe. McCracken. McMaster. Oblinger. Olson. Parcels. Parke. B. Pedersen. W. Peterson. Piel. Pullen. Rea. Regan. Rice. Richmond. Ronan. Ropp. Ryder. Shaw. Stange. Stephens. Tate. Terzich. Tuerk. Vinson. Wait. Washington. Weaver. White. Williamson. Wojcik. Woodyard. No further."

Speaker Breslin: "Do you have any questions of the Affirmative Roll Call, Representative Greiman."

Greiman: "Yes, Mr. Goforth, please."

Speaker Breslin: "The Gentleman is in the back of the chamber."

Greiman: "Mr. Hallock."

Speaker Breslin: "Representative Hallock. Is the Gentleman in the chamber? He is."

Greiman: "Okay. Mr. Harris."

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Speaker Breslin: "Representative Harris. The Gentleman is in the back of the chamber."

Greiman: "Mr. Wait."

Speaker Breslin: "Representative Wait. The Gentleman is in the back of the chamber."

Greiman: "Mr. Richmond."

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

Greiman: "Mr. McAuliffe."

Speaker Breslin: "Representative McAuliffe. The Gentleman if in the back of the chamber, and Representative Richmond has returned to the chamber. Add him to the Roll Call."

Greiman: "Mr... Mr. Hoffman."

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

Greiman: "Yes, Mr. Parke."

Speaker Breslin: "Representative Parke. The Gentleman is in the chamber."

Greiman: "I have no further challenges."

Speaker Breslin: "Mr. Clerk, what is... the Roll Call. Representative Hoffman has returned to the chamber. Add him to the Roll Call. On this Amendment, there are 60 voting 'aye', 57 voting 'no' and 1 voting 'present'... none voting 'present', and the Amendment fails. Excuse me. The Amendment is adopted. Excuse me. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #2, offered by Representative Leverenz - Ronan and Mautino."

Speaker Breslin: "Representative Leverenz. Representative Cullerton, for what reason do you rise?"

Cullerton: "Madam Speaker, I believe that Amendment is out of order."

Speaker Breslin: "Would you give me a copy of the Amendment, Mr."

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Clerk? Representative Johnson, for what reason do you rise?"

Johnson: "Just making sure that I can talk on the issue."

Speaker Breslin: "Very good."

Johnson: "Advanced preparation."

Speaker Breslin: "Representative Leverenz, why don't you tell us what the Amendment does while we look at the Amendment, please?"

Leverenz: "I'd be delighted. Amendment #2 would provide a limitation on noneconomical loss. It would set that at 200 thousand in medical malpractice actions."

Speaker Breslin: "Representative Leverenz, Representative Cullerton's point is well taken. You're Amendment is out of order."

Leverenz: "I don't think he's well taken at all in that case, Madam Speaker."

Speaker Breslin: "Do you wish to withdraw the Amendment? It is out of order."

Leverenz: "What other choices do I have?"

Speaker Breslin: "You don't have any other choice. Okay. Amendment #2 is out of order. Are there any further Amendments? Representative Vinson, for what reason do you rise?"

Vinson: "Madam Speaker, would the Chair specify why the Amendment's out of order?"

Speaker Breslin: "Yes. The Amendment provides for a Section 2 and proceeds on with Section 2. We have just adopted Amendment #1 that provides for an addition... additional language which is Section 2. So we can't have two Section 2's in the Amendment. So the Amendment... Two Section 2's in the Bill, I guess you would say, so the Amendment is out of order. Are there any further Amendments?"

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

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Churchill and Ronan."

Speaker Breslin: "Representative Churchill. Representative Cullerton, for what reason do you rise?"

Cullerton: "Yes, apparently the Medical Society didn't trust the lawyers down in the Reference Bureau to draft this Amendment either, and I believe it also is out of order."

Speaker Breslin: "Could I see the Amendment, Mr. Clerk, please? Mr. Churchill, your Amendment is out of order, again for the same reason. You provide for a Section 2. A Section 2 has already been adopted in Amendment #1. This Amendment is out of order. Are there any further Amendments, Mr. Clerk?"

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

Speaker Breslin: "Representative Bullock. Representative Ronan. Representative Cullerton, for what reason do you rise?"

Cullerton: "Yes, I believe the Amendment is out of order."

Speaker Breslin: "Representative Cullerton, you are correct. Amendment... This Amendment also contains a Section 2, so the Amendment is out of order. And are there any further Amendments?"

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

Speaker Breslin: "Representative McCracken. Representative Ronan. Representative Cullerton, for what reason do you rise?"

Cullerton: "I'm not sure, but I believe Amendment #5 is out of order."

Speaker Breslin: "Could I see the Amendment, please? Representative McCracken, for what reason do you rise?"

McCracken: "Madam Speaker, I believe when he refers to a Section 2, he's not talking about a duplicative Section 2. The Act and the 1st Amendment purports to amend two different Acts

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- the Medical Practice Act and the Code of Civil Procedure
- so that the Section 2 referred to in the succeeding
Amendments is not a duplicative Section 2. It is a Section
2 to an Act that was not amended by the first Amendment, so
that none of these has been out of order. They have not
been duplicative of the previously amended Act."

Speaker Breslin: "Mr. McCracken, you are incorrect, because this
Amendment provides for a Section 2 in the Bill. It
specifically says, 'By inserting at the end of the Bill the
following: Section 2.' We already have a Section 2 in the
Bill, so the Amendment is out of order as we cannot have
two Sections 2's. Representative McCracken."

McCracken: "The Section 2 does not relate to the Bill. It
relates to the Code of Civil Procedure to create a new
Section 2."

Speaker Breslin: "That may be your intent, Sir, but that is not
the language of the Amendment, and the Amendment is out of
order. Are there any further Amendments?"

Clerk O'Brien: Floor Amendment #6, offered by Representative Wait
and Ronan."

Speaker Breslin: "Representative Wait. Representative Cullerton,
for what reason do you rise?"

Cullerton: "I believe the Amendment #6 is out of order."

Speaker Breslin: "Let me see the Amendment, please?
Representative Cullerton's point is well taken,
Representative Wait. Your Amendment is out of order for
the same reason. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #7, offered by Representative
Leverenz - Ronan and Mautino."

Speaker Breslin: "Representative Leverenz on Amendment #7.
Representative Cullerton, for what reason do you rise?"

Cullerton: "I believe Amendment #7 is out of order."

Speaker Breslin: "Could I see Amendment #7, please?"

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Representative Leverenz, Representative Cullerton is correct. Amendment #7 is out of order for the same reason. Are there any further Amendments? Excuse me. Representative Huff, for what reason do you rise?"

Huff: "Yes, just on a point of inquiry, Madam Chairman (sic - Speaker). In light of the Amendment #2 not going on because it's been ruled out of order, wouldn't it follow that all the other Amendments, and I believe there's 24 some Amendments, wouldn't they also be out of order?"

Speaker Breslin: "No, that is not correct, Representative Huff. They may not provide for Sections 2's. We have to look at each one individually. Representative Leverenz, for what reason do you rise?"

Leverenz: "An inquiry of the Chair. Could you provide all of the LRB numbers on Amendments 1 through as far as they go? Can the Clerk provide that for us in writing?"

Speaker Breslin: "We understand that the first 14 do not have LRB numbers on them at all, Representative Leverenz. We will look at the others and try to give you that kind of a list when we get there. Are there any further Amendments... Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #8, offered by Representative Tate and Ronan."

Speaker Breslin: "Representative Tate on Amendment #8. Representative Cullerton, for what reason do you rise?"

Cullerton: "Amendment #8 is definitely out of order."

Speaker Breslin: "Please show me the Amendment, please. Representative Tate, Representative Cullerton's point is well taken. Your Amendment is out of order for the same reason. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #9, offered by Representative Oblinger and Ronan."

Speaker Breslin: "Representative Oblinger on Amendment #9."

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Oblinger: "Madam Speaker and Members of the General Assembly,
Amendment #9..."

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

Cullerton: "Amendment #9 is out of order."

Speaker Breslin: "Representative Oblinger, Representative
Cullerton's point is well taken. Your Amendment is out of
order for the same reason as the previous ones. Are there
any further Amendments?"

Clerk O'Brien: "Floor Amendment #10, offered by Representative
Churchill and Ronan."

Speaker Breslin: "Representative Churchill on Amendment #10.
Representative Cullerton, for what reason do you rise?"

Cullerton: "Amendment is out of order. Amendment #10 is out of
order."

Speaker Breslin: "Representative Churchill, the Gentleman's point
is well taken. For the same reasons given on the previous
Amendments, this Amendment is out of order. Are there any
further Amendments?"

Clerk O'Brien: "Floor Amendment #11, offered by Representative
Shaw and Ronan."

Speaker Breslin: "Representative Shaw on Amendment #11.
Representative Shaw on Amendment #11. Do you wish to
withdraw this Amendment, Representative Shaw?
Representative Cullerton, for what reason do you rise?"

Cullerton: "I believe Amendment #11 is out of order."

Speaker Breslin: "Could I see the Amendment, please?
Representative Shaw, Representative Cullerton is correct.
Your Amendment is out of order. Are there any further
Amendments?"

Clerk O'Brien: "Floor Amendment #12, offered by Representative
Ryder and Ronan."

Speaker Breslin: "Representative Ryder on Amendment #12.

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Representative Cullerton, for what reason do you rise?"

Cullerton: "They turned my light on before I even had a chance to... I believe that Amendment #12 is out of order."

Speaker Breslin: "Representative Ryder, Representative Cullerton is correct. Your Amendment is improperly drawn and is out of order. Representative Ryder, for what reason do you rise?"

Ryder: "Madam... Madam Speaker, I would just wish a clarification so that I understand, as well as the rest of the Members of the House, the exact reason that this particular Amendment was ruled out of order."

Speaker Breslin: "It is out of order for the same reasons as given as the previous other 11 Amendments."

Ryder: "Fine. I appreciate that, but I just wished to state the reason, not saying the others. If you'll just please tell me the particular reason."

Speaker Breslin: "It provides for two Section 2's in the Bill if it should be adopted and is, thus, out of order. Representative Ewing, for what reason..."

Ryder: "Excuse me."

Speaker Breslin: "Yes."

Ryder: "I apologize for continuing the clarification, but it's my understanding that that came about as a result of the adoption of Amendment 1."

Speaker Breslin: "That's correct. Representative Ewing, for what reason do you rise?"

Ewing: "Madam Speaker, as the Sponsor of this Bill, I move to table the 1st Amendment."

Speaker Breslin: "The Gentleman moves to table Amendment #1 of House Bill 1604. And on that question, is there any discussion? Representative Johnson, for what reason do you rise?"

Johnson: "Inquiry of the Chair. Since we're not... we weren't on

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the Order of Amendment #1 is it appropriate to make that Motion?"

Speaker Breslin: "I think it can be made at any time, Sir."

Johnson: "Okay."

Speaker Breslin: "The Gentleman has been recognized for a Motion, and he is making it."

Johnson: "Thank you."

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

Greiman: "Yes, an inquiry of the Chair. When a... an Amendment has been ruled out of order and the... a subsequent Amendment or an earlier Amendment is tabled, are the... are we allowed to... are we... do we then consider the Amendments that have been ruled out of order or are they still out of order? Have they... Are they before the Body, in fact?"

Speaker Breslin: "I'll have to look at the rules, Representative Greiman."

Greiman: "Thanks."

Speaker Breslin: "Representative Greiman, the answer to your inquiry is that should an... a previous Amendment be tabled that has made these other Amendments out of order, those other Amendments having not been withdrawn can still be considered by this Body if the Members wish to present those Amendments. There... The Motion pending before us, Ladies and Gentlemen, is a Motion to table Amendment #1 to House Bill 1604. That Motion is debatable. Does anyone wish to speak to the issue of the tabling of Amendment #1 to House Bill 1604? There being no discussion, the question is, 'Shall Amendment #1 to House Bill 1604 be tabled?' All those in favor say 'aye', all those opposed say 'no'. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have

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all voted who wish? The Clerk will take the record. On this question, there are 59 voting 'aye', 50 voting 'no' and none voting 'present', and the Motion to table carries. Are there any further Amendments, Mr. Clerk?"

Clerk O'Brien: "Floor Amendment #13, offered by Representative Ryder and Ronan."

Speaker Breslin: "Representative Ryder."

Ryder: "Thank you, Madam Chairman (sic - Speaker). Amendment 13 is the omnibus Amendment that carries with it each of the Amendments, other than Amendment 1, that had previously been ruled out of order by the Chair. I will state to this Body the same that I stated to anyone else that asked me that in the event that we had received a hearing on those Amendments that we would have proceeded with tabling #13."

Speaker Breslin: "Representative Ryder, it should be pointed out by the Chair that should any Member wish to present any of those previous Amendments, they will be considered."

Ryder: "I appreciate the ruling of the Chair; however, it would be my understanding that the ruling of the Chair would also be consistent that in the event that any one of those Amendments were to be accepted that the remainder of those Amendments would, therefore, be out of order."

Speaker Breslin: "It would have to be consistent, of course; however, you must realize that the Amendments were prepared not by the LRB, which is generally in order. In addition to that the... you have control of this Bill. You are the Sponsor of this Bill, and you can hold this Bill on Second Reading in order to prepare your Amendments in the proper fashion if you so desire."

Ryder: "Thank you. I understand the ruling of the Chair, and we are abiding by that. However, it is our intention at this point to proceed with Amendment #13, which is the omnibus Amendment to this Bill. It contains within it all of those

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Amendments which have previously been presented to the House and to the Judiciary Committee. We have discussed Amendment #1 which is the part of this Bill which concerns the structured settlements. #2 is a cap on noneconomic loss which after discussion has been increased. #3, which is part of this... I am, by the way, referring to the numbers simply for purposes of discussion. Those numbers are not part of the Bill, but rather refer to the other separate Amendments which could have been considered individually, and that would bar punitive damages in a similar case. There is provisions for a panel to file an affidavit of meritorious cause. This is similar to but not exactly the same as another Bill which we will consider and which there is required to be evidence shown that the plaintiffs counsel has obtained competent information by experts indicating that a meritorious suit would be appropriate. It requires itemization of economic loss of all personal injury cases. The collateral source rule is also effected by this. There are items concerning an affidavit which would... the affidavit would be by one of the defendants indicating that the defendant was not involved and, therefore, would be not part of the suit. The affidavit would allow that person, that plaintiff, to have... to be dismissed from the case prior to the pleading stage. In the event, however, that the plaintiff would be able to prove to the Judge of the... jurisdiction a decision that the defendant was, indeed, involved the defendant would remain part of the suit. These are part and very brief the Amendments to this most important Bill. I believe that the Amendments, as a package, have to be now considered as to their... their ability to meet the overwhelming crisis which is before us - that crisis which is one of affordability, one that goes into the care and

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the pocketbook of each and every person in the State of Illinois. I will do my best to answer those questions which the Members may wish to pose."

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

Greiman: "Thank you, Speaker. I have no questions of the Sponsor of this Bill, and I do not intend for a moment to address the many issues that one could talk about in this Bill. There is but a single issue that I will address. This Bill contains a cap of 200 thousand dollars for noneconomic loss. That's pain and suffering. That's what that means. That means that if I'm a singer and you blind me, if I can keep singing, I don't have to keep seeing, and I haven't lost anything if it's not economic. It means that the pain of blindness isn't compensated unless I can show an economic gain. And eye for one... this 100 thousand and maybe this is the other 100 thousand. It means that my anguish, even if I'm a singer and lose my voice, that the anguish that I go through, the suffering would not be compensated. But most people aren't singers, but they're just people. And if they lose a leg or if they lose both their legs through medical malpractice - we're talking negligence... We're talking about malpractice. You know, this isn't just an economic issue. This is a negligence issue. This is some doctor has done something. This is not frivolous stuff. This is the serious errors that doctors make. We all make mistakes. If you drive your car... If the doctor drives, and he hits me, and he's negligent, and I'm injured, and I lose my... and I'll never walk again, and I spend the rest of my life in a wheelchair, I can be compensated. But if he does the same thing in the operating room, because he's drunk, because he's incompetent, because he's not able to do the job or

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because he's not paying attention, then he limits pain and suffering for the rest of my life to 200 thousand dollars. I don't know what... You know, I read the verdicts like you do. I see in the paper, you know, a million, two million, 12 million, and I don't know how juries get to that point. That seems like a lot of money for an individual. I don't know how they do. But I know that the pain, and the suffering and the anguish, that the kind of negligence that happens, 200 thousand dollars is an outrage. And whoever dreamed up that 200 thousand dollars shows a callousness, shows an uncaring lack of concern, lack of feeling. You think I don't have doctors in my district. In my district, every boy thinks he can grow up to be a doctor. I understand, but we have to turn our ear, our deaf ear... Mr. Vinson, the Gentleman from DeWitt, told us about how we are here doing public policy. I ask you to do public policy. I ask you to think about what the costs are for serious permanent injury. These are not frivolous law suits. These are not law suits brought by some sharp lawyer that wants to throw it in and see if he can settle it. These are serious permanent injuries that you would sell them out for, sell them out for, 200 thousand dollars and a pat on the butt from the Medical Society. I say, and I address no other issue in Amendment 13, but if you ever voted with a sense of compassion, a sense of understanding, a sense of caring about anything, you'll vote 'no' on Amendment 13."

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

Johnson: "I wasn't... wasn't prepared initially anyway to discuss this issue in its biggest sense because I thought that we'd be able to consider individual issues, because I know there's a legitimate difference of opinion. Forgive me if

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I'm a little emotional, but I... I can't think of a subject matter in the nine years that I've been here that if Legislators did more than just say, 'I'm for the doctors; I'm for the lawyers,' that they'd see how really cruel this package is, how unbelievably inhumane and unfeeling this proposal, as a package, is. You know, for years I've had and still do the highest regard for the medical profession and the Sponsor of this Bill. And I've heard him talk for years about the free enterprise system. We have too much legislation. Don't socialize medicine. Beat the Kennedy proposal and so forth. And yet, one of these Bills, maybe with good reason, puts the cap on attorneys' fees. Now that's okay because they say they want to... they want to have more money for the patients, for the people who are legitimately injured as a result of malpractice. If they'd be willing to consider an Amendment later on to put a cap on doctors' fees at some reasonable limit, the same way as we're willing to accept something on legal fees, I'd be willing to accept them at their... at their face value. I don't think they'd be willing to do that. Indeed, I'm certain that they wouldn't be willing to do that. And I don't begrudge any physician the fact that outside of Lotto winners, they're the most high... highly paid profession in our society today by vast amounts. And through this crisis, quote, unquote, that their incomes have gone up dramatically - the bottom line. I don't begrudge them that. But how can they tell us that... that there's a crisis and that we ought to cut off the rights of dead people, and paraplegics, and quadraplegics and people without arms or legs when they're at that status in society. They tell us they want more money for the victims. That's why we have a limitation on lawyer fees. And I'll even forget the doctor fees and agree with them.

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That's a legitimate objective. But how can they turn around in the same voice to say that they want more money for victims and tell a quadraplegic or tell a human vegetable that they're worth 200 thousand dollars, or to tell a housewife, who's 21 years old, who has children, and who has no economic loss per se that's all that's worth for the rest of the 60 years of their life expectancy is 200 thousand dollars. Three thousand dollars a year to lie on their back and look at the ceiling as a vegetable. Three thousand dollars a year never to be able to play with their children, to be able to throw a ball with their children, to have relations with... with their spouses. That is worth 200 thousand dollars? Or to tell a father or a mother that the loss of their seven year old child is presumptively worth 25 thousand dollars or less. That's what we're all about in this chamber? Is that what kind of price we have on society. Is that what kind of price we have on our votes I don't think so. I have a higher regard for the Members of the General Assembly than to look at this as a lawyer issue or a doctor issue. I don't think either one of those people other than being simply members of society and their deserve... and they ought to receive consideration in that regard ought to receive special consideration. What we're talking about is people. And we're talking not about the... the beneficiaries or the victims of frivolous suits because other Bills and parts of this Bill address that. We're talking about people that legitimately have lost their limbs, have lost their genital parts, have lost their brain and will never move, or talk or walk again, and tell, in the one case if they're dead, that's 25 thousand dollars, and in the case of somebody who's simply injured and won't walk, or talk, or move or see again, that that's worth 200 thousand dollars. And on

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the other hand, another part of this Bill for the Medical Society that's so concerned about individual victims, listen to this. You all have state paid medical insurance. For 15 years, or 10 years or however long you've been, you've paid 12 hundred dollars or 15 hundred dollars a year into a medical... into insurance, and you never have any occasion to use it other than for maybe minor expenses. And then you happen to be maybe the unfortunate victim or a member of your family of a catastrophic result of medical malpractice. It only happens in one case out of 100 thousand, but it happens. And as result of that your parent, or your child or your spouse is victimized and will never move again. What this Bill wants to say is, that if there's 100 thousand dollars in medical expenses that are paid by your privately paid, privately contracted health insurance people that the negligent doctor or hospital get credit for what you've paid in for 15 years. Now they are, I think with one of these Amendments, going to give you credit for two years of premiums. So if you have 100 thousand dollars in medical expenses, they'll reduce it to 97 thousand, and we appreciate that generosity. I don't want to... I don't want to go on. I don't do medical malpractice cases. This isn't going to cost me a dime one way or the other. All I'm saying is, look inside your hearts; look inside your souls. This Amendment, if enacted, would do the most catastrophic results for the little people, the people who aren't here lobbying with the medical society. They're not here lobbying with the Illinois Trial Lawyers Association, or the Hospital Association or the Bar Association cause they can't, Ladies and Gentlemen. They're lying on their backs as vegetables. They're in a wheelchair because they'll never move again. They're blind. They can't see. They can't get here

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without a seeing eye dog. And you're going to tell them as an elected Representative of the people that that's worth over your life expectancy for noneconomic loss about three thousand dollars a year. Is that why we're here? I don't... It's difficult for me. And I... And I say that to talk rationally about this subject. I hope I'm being rational. I think I'm being rational. They can't be here, some of them, because they can't be here, and a lot of them can't be here because they haven't been the victim yet. They're the person who three years from now is going to have their intestine taken out, rather than their liver, and they'll never be able to use their urinary tract or bowel tract again. And this Bill says that's worth three thousand dollars a year, if you're only 20 years of age. Maybe some of the individual elements of this package are okay. Maybe we ought to have itemized verdicts in all cases. We've introduced legislation into House Bill 1787 that addresses frivolous law suits. But what this package does is that it puts this House of Representatives on... on record as supporting a series of measures that if enacted and signed into law would totally and absolutely strip a legitimately injured person of his or her right to compensation in our society. I'll take the limitation on lawyer fees if the medical profession will do their part at addressing the problem of spiraling costs. I agree it's a problem. I agree we ought to address the problem of frivolous suits. But this Bill is the most cruel, inhumane, across the board abrogation of everything that everybody in here in their heart believes that will enact. Now, just leave you with one question. If your spouse, or your son or your daughter can't walk tomorrow as a result of medical malpractice, or a year from now they die, or a year from now they'll never see again, or they'll never be

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able to play ball with you, they'll never be able to recognize you, they'll never be able to recognize those things that make this world a decent place to live in, and you're going to tell them by your vote today that in the case that they're dead that's worth 25 thousand dollars and in the case that they'll never do anything as a normal human being again that that's worth a maximum of 200 thousand dollars, then more power to you. If you can say that to your constituents because you get all kinds of letters on the issue, then that's fine. But if you talk to your doctors and you talk to your doctors families, individually, not just a form letter in response and ask them if they think their child, or their arms and legs or their brain is worth 25 or 200 thousand dollars, I think they'll give you the same answer that you ought to give this Amendment and that is a 'no' vote."

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

Keane: "Thank you, Madam Speaker. I believe we ought to put this Bill and the other medical malpractice Bills in perspective. We now have a lawyers' Bill on the floor. This is the Medical Association's Bill. We shouldn't get excited about it because it's going to come back on a Conference Committee Report. We've got a lawyers' Bill coming over from the Senate. In order to continue negotiations that have been started by our Leadership between the medical and the legal profession, I think we ought to just pass this Bill out. I don't... I agree that we need a change and look hard at the... the caps that are on this Amendment. I don't think that these are the caps that will come out of the Conference Committee. I agree with many things that the previous speaker has said, but I don't see that we can get all excited about this because we all know that it's going to go into a Conference Committee,

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and this will be worked out."

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

Countryman: "The Sponsor yield?"

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

Countryman: "Representative Ryder, does this Bill contain a cap for a death case?"

Ryder: "I'm sorry. I didn't understand the question."

Countryman: "Does the Bill contain a 25 thousand dollar... the Amendment contain a 25 thousand dollar cap in the event somebody dies?"

Ryder: "I think that's correct."

Countryman: "So, in essence, the victim of a medical malpractice is better... the doctor's better off with him dead than he is alive."

Ryder: "Representative Countryman, you are a... respected Member of this House, and I will respond to that question in the same way that I hope that it was intended, as a friend and person who firmly believes in the positions that you espouse. That dollar amount is a presumption in the event that a death occurs. That is a presumption that can be overcome. But that is correct. It is 25 thousand dollars."

Countryman: "How would you go about overcoming that presumption?"

Ryder: "I don't practice that kind of law. I am not experienced in that, and I don't intend to tell someone how they would be able to try their case, but I believe that it would be possible."

Countryman: "Well, why did you want to put that presumption in this Amendment?"

Ryder: "I wanted a presumption in here so that it could be overcome. Because in those... situations in which the future earning capacity or other circumstances that could

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be considered to overcome that presumption could then be used to overcome it in that circumstance. I did not want to put in this Amendment something that was absolute and could not be overcome."

Countryman: "Why is there... I still don't understand why there's a need for any presumption at all."

Ryder: "The need is there based on the philosophy of caps, Representative. One that's on noneconomic loss, as we're indicating now, and that's the reason that it's there. I am not going to be able to stand here after the kinds of very appropriate comments that have been made and indicate that one dollar amount is appropriate or not appropriate. We were not allowed, because of the rulings of the Chair, which I have not appealed, nor do I argue at this point, to talk about this individually. We are now looking at a... an Amendment to put this into the perspective requested by the Sponsors."

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

Speaker Breslin: "The Gentleman from Cook, Representative O'Connell."

O'Connell: "A question of the Sponsor."

Speaker Breslin: "Proceed."

O'Connell: "Representative Ryder, using the example of the 21 year old housewife, that Representative Johnson alluded to in his comments, who is not an income producer. In the event that she went for an operation and due to medical negligence she died, what would her total award be? Now, mind you, there are no medical costs because she's dead. There's no income because she has no income producing occupation. But she dies. What is her total award?"

Ryder: "The presumption is 25 thousand."

O'Connell: "So this 21 year old housewife, who has two children, with a lifetime ahead of her, who due to a tragic negligent

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act, her total award is 25 thousand dollars. To the Bill,
Madam Speaker."

Speaker Breslin: "Proceed."

O'Connell: "I think that example is something that everyone should keep in mind. We have bantered about words of legal and medical terminology throughout this whole package. Many of the issues that the Medical Society in their package have raised are valid issues and should be considered. Hopefully, they will be considered primarily on the frivolous law suit issue. In this case, however, in the wrongful death action and the cap on injuries for pain and suffering, you've got to look at a living example. And the example that was just given by Representative Johnson and the questions answered by Representative Ryder were the total award for a 21 year old housewife who dies due to a negligent act is 25 thousand, is tragic and catastrophic. And I would ask you to vote against this Amendment."

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

Ewing: "Madam Speaker, Ladies and Gentlemen of the House, we debated long on the first Amendment, and I felt very strongly on that Amendment. I realize that all of the proposals are included in this Amendment, but I think that one of the previous speakers said it well, and we've had a lot of emotional speeches here. This is not final passage of this Bill. This is only a step as it winds its way through the legislative process. We all know there's a problem out there. I can talk emotionally about the little people that are being hurt by high costs, too. We can talk about how much any of us are worth - 27 million. How high are they going to go? Yes, we need to take some action in this area. This Bill is not going to the Governor's desk today. This is only a beginning. Let's put this Amendment

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on there. Let's get the doctors and the lawyers to the table, and let's do what is right for the people of this state, the injured people and the people paying the costs of medical care. Let's put something out that's good.

This is a step to do that. Vote 'yes' on this Amendment."

Speaker Breslin: "The Gentleman from McDonough, Representative Slater."

Slater: "Speaker."

Speaker Breslin: "Proceed."

Slater: "Thank you, Madam Speaker. Mr. Ewing says, 'Let's put something out that's good.' This is not good. This is the most blatant example of special interest legislation that this chamber will see all year. Consider... Consider if you will what Mr. Johnson said and why we're here. And we're not here for special interests groups, but we're here for the people. I urge a 'no' vote."

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

Stephens: "Thank you, Madam Chairman (sic - Speaker). As I sit and listen to the debate, I hear some very good points on both sides. And I think that the issue might have been forgotten when we hear the emotional pleas, that if we just listen to the emotional pleas, we don't get to the point. The point is that something has to be done about medical malpractice and just awards for those who are hurt by medical malpractice. And I think that this Body should take a correct step and move this Bill on. The point was made that the... it will be discussed in Conference Committee. The two groups need to come together. And we need to remember that it's not just those victims that have been described so far in this Body, but the victims, the young families, who have to pay the price of the high cost of medical malpractice insurance, in order to address that

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issue we need to move this Bill... this Amendment and the Bill out of this Body so that the compromise can be made. I urge a 'yes' vote on this Amendment, so that that very procedure can take place. Thank you, Madam Chairman (sic - Speaker)."

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

McCracken: "No phone calls. I echo the remarks of Representative Keane (sic - Stephens). You know, it seems that every speaker has admitted there's some problem to be addressed out there, and the Medical Society attempted to address that issue in a series of 12 Bills. You could have voted up or down on the merits of each Bill, and you could have passed out a few good ones, killed a few bad ones. But instead, you put a... you put their position in a posture where you come back to us now and say, 'This is a crummy Bill. It's a terrible Bill. It's an unconscionable Bill.' You didn't have to rule those Bills out of order. You didn't have to make the Motion. You could have voted the Bills on the merits, and now you come back to us and say that we're the bad guys. The lawyers' Bill is on the table. We didn't ask for any Amendments on Second Reading, Representative Cullerton. We're not looking to this as a final stage. Let's put the issue on the table, and... There are parts of this I don't like. There are parts of this that I think everybody doesn't like. But you forced us into Amendment 13. We could have voted on the merits, as to each individual issue. You chose not to conduct the debate in that way. So let's put it on the table. It's going to come back in a Conference Committee, and it's going to be in a form which, I hope, resolves the problem fairly."

Speaker Breslin: "The Gentleman from Fulton, Representative

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Homer."

Homer: "Thank you, Madam... Thank you, Madam Speaker and Ladies and Gentlemen. As one who is an attorney and as one who has never had occasion to be involved in a medical malpractice suit, I can tell you that there are times where I, and I'm sure some of my lawyer colleagues resent the idea that's expressed, that somehow this has become an issue with the lawyers versus the doctors, and that somehow I, by virtue of my profession, have a vested interest in voting against these Bills. In fact, I brought this matter to the attention of my own Fulton County Bar Association some few weeks ago, and out of the 32 attorneys, who attended that meeting, we found that none of them had ever taken a medical malpractice suit and none of them had an intention to. Why? Because often times in the smaller counties, the doctors and lawyers are friendly with each other, and lawyers choose, for one reason or another, not to get involved in particular areas of the law. And so there are just a very select few attorneys in the Peoria area, where I'm from, who actually handle medical malpractice suits and who have an actual vested interest in these Bills as an attorney. The vast overwhelming majority of attorneys, including myself, have no financial vested pecuniary interest in these Bills. And I think it's necessary that we set the record straight on that fact. Now I have, nonetheless, become convinced in talking to doctors, and in talking to the Medical Society and in talking to others, I become convinced that there is a crisis in the medical malpractice insurance field and that it's incumbent upon us to do all that is reasonable to attempt to address and remedy that problem. And I came here today prepared to vote in favor of many of the Bills... many of the Amendments, which I feel certainly

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would go toward accomplishing that purpose without... without unduly impairing the right of... of the legitimate case where we have an injured party at the hand of a negligent medical attention without denying their access to the courts and their redress in the courts. Because after all, I think that's our duty as Legislators is to strike the fair course, weigh the various competing interests and try to come down on the side of what is right and what is proper for our constituents, not for any particular set of professionals. Now one of the Amendments, which is incorporated into the comprehensive Amendment #13 is this Amendment #2. And that Amendment, I believe, to be the most objectionable. We've heard objections to others. But let me just briefly touch on Amendment #2, so that all of you who are going to be voting upon this comprehensive Amendment know what you're voting for. Now Amendment #2 would place a cap of 200 thousand dollars on noneconomic loss. And in discussing that concept with some of the other Representatives here, I think there's some confusion as to what that term means. Some of them think it means punitive damages, which I, perhaps, and some others are prepared to vote to abolish. It does not mean punitive damages. Punitive damages is an entirely different concept. Punitive damages are damages that are awarded by a court against a defendant, not because of the negligence, not because of the damaged caused to the plaintiff, but because the defendant was willful and wanton in his or her conduct, and; therefore, the jury or the court determines that some special penalty in addition to compensation ought to be awarded to the plaintiff. Now, I think those are rare cases where doctors are willful and wanton. I don't think there are very many cases where it can be honestly shown that that has really taken place. And for that

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reason, I think it may be reasonable for us to say, 'Yes, let's eliminate punitive damages.' Because I think there have been cases where abuses by juries and getting emotional in cases in awarding punitive damages. But that's not the issue with Amendment #2 that's now in this Amendment #13, which has to do with noneconomic loss. That's a whole different thing. That's not... That's not punitive damage. Economic loss has to do with the out-of-pocket expenses, the medical costs that someone suffers or their loss of wages. Those actually identifiable costs out of their pocket. Noneconomic loss has to do with some other factors. And let me just... because the Amendment is very brief, noneconomic loss, as defined in this Amendment, means loss of consortium for one thing. What's loss of consortium? That's loss of marital relationship with one's spouse because of the injury. It also means damages such as pain and suffering. For example, if someone were to have a ruptured disc or some sort of a... some sort of an injury as a result of malpractice, where... where it was a continually painful experience for them to the extent that they couldn't sleep, they couldn't function, they couldn't work, they couldn't do so many things. That would be a noneconomic loss. Another example would be, where someone, perhaps, is confined to a wheelchair for life, where someone is blinded for life, where someone is disfigured, someone who has been badly scarred, or burned or disfigured, where any kind of physical impairment takes places. These are what we're talking about when we talk about noneconomic loss. Now this Amendment says that juries or Judges should be limited to 200 thousand dollars. There's other Amendments I see coming across my desk in the 30 numbers that say that that should be a 500 thousand dollars limit. Ladies and

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Gentleman, I... I don't know what that limit should be. And that's why we have court cases. That's why cases are decided on a case by case basis by juries after hearing the particular circumstances of an individual's case. Are they blinded? What was their profession? What is the extent of their pain and suffering? And maybe 100 thousand or 200 thousand is too much in a case. Maybe it's not nearly enough. What we're doing here today is putting in some arbitrary figure - here 200 thousand, down the road someone's got an idea that it should be 500 thousand - when we don't even know what the case is we're talking about. This is a function that should be left to the court, to the jury, to the trier of fact and to the party who has to... who has to actually consider the merits of the case. So, I would say to you that I'm prepared to vote for many of these proposals. I'm not prepared to vote for that one. I'm not prepared to vote for a couple of the others; and, therefore, I'm going to vote against this proposal. And I would urge all of you, as many of you as can, to join with me in doing just that. Thank you."

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

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. The fact of the matter is that this Amendment is only before the Body because of the rulings of the Chair that prevented us from, on an orderly, Amendment by Amendment, idea by idea, process, voting each one up or down. We could have done that, and we sought to do that...
"

Speaker Breslin: "Representative Vinson. Representative Vinson, it has been pointed out to the Sponsors of this Bill, in previous occasions... "

Vinson: "Are you speaking from the Chair, Madam Speaker?"

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Speaker Breslin: "Yes, I am. On behalf of the Chair... "

Vinson: "Are you going to give your speech from the Chair?"

Speaker Breslin: "On behalf of the Chair, and you mentioned the Chair, Sir, the rulings of the Chair still allow for consideration of all of these Amendments. That has been made clear previously. Proceed, Sir."

Vinson: "Madam Speaker and Members of the Assembly, the fact of the matter is, as Representative McCracken, somebody who is a trial lawyer and somebody who practices every day, pointed out, in Committee, individual Bills were killed that were not permitted to come to this floor. And now, on the floor, we have been denied the opportunity to debate these issues on an idea by idea, Amendment by Amendment basis. The consequence is that we must go to the omnibus Amendment to have anymore than one concept in this Bill. Now, when you do that, you mix things together that perhaps ought not be mixed together. But we were compelled by the rulings of the Chair to mix those things together. Let's talk about what is mixed together, to see just how bad it is. Number one, some people say that by putting limits on awards, that you're doing something terrible to injured victims of malpractice. That piece of literature that I distributed to you earlier today and is on your desks, if you care to look at it, is a study from the Rand Corporation of jury verdicts in Cook County. Now, what you will see in that study is that on an individual injury basis, awards vary dramatically by who the defendant is. If it's a negligent defendant in an automobile case, the fractured arm is worth \$6,000, but if the fractured arm is to a victim of medical malpractice - again, a negligence case - the fractured arm is worth \$24,000."

Speaker Breslin: "Representative Vinson, are you referring to Table 4.6 that was passed out in violation of the rules of

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this House?"

Vinson: "That is precisely the table I am referring to."

Speaker Breslin: "Representative, it should be noted that the Chair has noted that it is improper and a violation of these rules to pass out such material."

Vinson: "That's the table I'm referring to, and I hope everybody can see it. It's on most of your desks. I know there's a conspiracy to try to deny knowledge to the Members of this Assembly on this issue."

Speaker Breslin: "Representative Vinson, are you responsible for the circulation of this material?"

Vinson: "Yes, I am."

Speaker Breslin: "Thank you."

Vinson: "Now, if you look at the quadriplegic that has been referred to, in malpractice, it's for \$754,000, but in an automobile case, it's under \$200,000, the limit in this Bill. That is not justice, equal justice for equally negligent defendants, and that is why we have a problem and why we have to address something in terms of the severity of malpractice awards. They are unjust at this point. They are too high. They are not equal to the awards for other negligence cases. And all we seek to do is to make the tortfeasor, if he is a doctor, equal and liable with the tortfeasor who is an automobile driver. It's equal justice for defendants. Now, why do we do that? It's not to benefit doctors, nor do I believe that the attorneys who oppose this Bill are doing so to benefit attorneys. In both cases, it's a concept of the public good, and people who charge on this issue that there are ulterior purposes at work, whether they charge that against attorneys or against doctors, are doing a drastic disservice to the debate on this issue and to the Membership of this chamber, wherever the Membership votes on this issue. This is an

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issue as to how available we want to make the health care system or whether we want to get to the point where, by driving up malpractice insurance premiums sky high and the cost of health care sky high, we want to begin to preclude people from having access to the health care system. I don't believe that that is what this chamber ought to do, and I believe that for that reason, enacting Amendment #13 will precipitate a real decision on this issue that honestly begins to reform the tort system in this state, so that health care is truly available to people. Ladies and Gentlemen, I'm an attorney, and I wouldn't do something that I thought violated fundamental justice, nor do I believe that the attorneys who oppose this are doing something to violate fundamental justice, and they have often dealt with cases, not in this field, generally, in this chamber, but cases where people have to have access to the legal system, too, and I understand their concern on that. But Ladies and Gentlemen, I want to call your attention to something that happened just five and a half years ago. Five and a half years ago, I had a very serious stroke, was taken to the emergency center at St. John's Hospital, and at that time, the doctors who handled the case told my parents - my parents told me afterward - that they expected to lose me that night. Now, I understand what you're talking about when you're talking about the injured person. That is something that strikes home closely to me, too. I am for this, and I am for reform in this area, not to hurt injured persons, but because I believe that the availability of that health care system that night is what saved my life. I would ask you to vote 'yes' on Amendment #13, because I believe that it will precipitate a true solution to this problem that will be equitable for everyone."

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

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I've heard so many outrageous statements concerning this Bill here today that I almost don't know where to begin. I would like to just mention a few of them. I heard repeatedly, by more than one speaker, statements that it is somehow the ruling of the Chair that made the negligent drafting of these Amendments fail to be presented to this Body. The Chair didn't draft these Amendments that were ruled out of order. The Chair simply followed the rules. Following that, the previous speaker talked about his belief in fundamental justice immediately on the heels of his arrogant statement that, 'Yes, again I violated the rules, and I'm happy to violate the rules, and let me hold up my piece of paper that violates the rules on disseminating information on the floor of the House in violation of those rules.' And says it with an arrogant smile on his face, as if he's proud of it. And then I hear previous speakers talk about this Bill - and this is perhaps the most outrageous - talk about this Bill as being one of those 'merely' Bills. This Bill doesn't do anything. It just changes the course of jurisprudence in this state. It's a 'merely' Bill. This Bill, that's been debated in Committee and has been the subject of meeting after meeting after meeting, is a 'merely' Bill. We're going to solve this problem in Conference Committee. Well, if you wanted to solve this problem in Conference Committee, when you got your first Amendment on this Bill, in that form, the Bill could have gone to the Senate, and in that form you could have worried about it in Conference Committee, but instead of doing that, this Amendment here attaches to it... to this Bill, every grievous portion that

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was thrown out. There's no one, no one in this room except the Medical Society's staunchest soldiers that agrees with every one of the points in this Amendment. I haven't heard anyone who can stand up here and say that I'm in favor of putting a \$25,000 presumed cap on wrongful death. Which one of you are worth only \$25,000? Which one of your children are? Which one of your spouses or brothers or sisters are? Which one of your family members who was made into a paraplegic or a quadriplegic should be restricted to a lifetime, as Representative Johnson stated, \$3,000 a year recovery for that kind of an injury? There is no one who can agree with all these points in this omnibus Christmas tree Amendment. There is no way that we can take the chance that, at the last minute, all of a sudden, this Medical Society is going to all of a sudden be... become an ameliorating type organization that will say, after they win in this House, 'Well, let's give out some gifts, now.' Who are you kidding? They won't give away snow in winter once they've won the whole ball game, and this is the whole ball game. And it has nothing to do, as previously has been said, with lawyers. The hell with lawyers. We're talking about victims. We're talking about the people that Representative Johnson referred to. This is a terrible Amendment. I can't believe anyone could support this Amendment, and I... I pray for a 'no' vote."

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

Hawkinson: "Thank you, Madam Speaker. I would also like to address the previous speakers that have suggested, none of them, I believe, that this is a totally good Bill, and yet have suggested that somehow we should pass this on to Conference Committee and that it will all work out into some Bill that we can all support in the end and make

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everybody happy. I think the previous speaker has aptly pointed out that this Bill, taken as a package, is a horrible Bill. In Committee, I supported parts of it. On individual Bills, I opposed parts of it, but not a single speaker here today, even the staunchest proponents, have agreed that the Bill is entirely good. I submit that not one of us can go back to our constituents, doctors, lawyers or other citizens, and say that we have done well by passing this Amendment. I would also submit to you that with negotiations breaking down yesterday, that this is the effort of one side to jam through the entire proposal and to get their will, and if that happens, there will be no further negotiations. The only way to get people back to the bargaining table is to do as Representative Satterthwaite suggested in explaining her vote on Amendment 1, is to do what was initially intended by letting this Bill out, to let it become a vehicle. Let's put 118 red votes on this Amendment and let them go on with their negotiations."

Speaker Breslin: "The Lady from Cook, Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I believe there is a crisis in medical malpractice, and two weeks ago, I helped to get this Bill on the floor so that both sides would have a vehicle pursuant to which negotiations could continue. We've seen today, however, that Amendments proposed to this Body that are just as bad as anything we ever saw in Committee, indeed, are worse. In fact, if anything, there seems to be a pattern developing that the Amendments that have been put before this Body, before us as Members, have been worse and worse and worse. Every single reincarnation on this... of this issue via Amendment has reached a... has reached a step that is to the point now, as Representative Preston says,

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no one in good conscience could support this. I don't understand why the negotiations have broken down. I do hope the parties will go back, but I think it is really unconscionable to call upon this membership to ask it to stand foursquare in support of a \$25,000 cap on wrongful death, a \$200,000 cap on permanent injury, at a time when this is a serious issue. This, it seems to me, insults the Members of this General Assembly. I hope that my friends in the Medical Society and my friends in the Trial Lawyers get together and work out a compromise that does not take it out on the victims. If anything, we have an obligation here, not as professionals, but as people who are given a sacred trust to protect the public interest not to have legislation looking like this coming out of the House of Representatives. I urge a 'no' vote on Amendment 13."

Speaker Breslin: "The Gentleman from Will, Representative Van Dwyne."

Van Dwyne: "Yes, Madam Speaker. Before we all get irreparable ear damage, I move the previous question."

Speaker Breslin: "The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Ryder is recognized to close. Or is it Representative Ronan? Representative Ronan will close."

Ronan: "Thank you, Madam Speaker and Members of the House. We've obviously had a thorough debate on this Amendment. I don't think any Member expects that this would have been the final version of the Bill. Obviously, the Bill would have been called if this Amendment stopped it. I think we've got a dialogue started. I think it's important that the Medical Society and the Trial Lawyers continue

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negotiations, hopefully with... coming up with a solution to this very serious problem. The issue that we have to face as Members of the General Assembly is providing services for our constituencies, protecting our constituencies, but at the same time trying to limit health care costs to the best of our ability. I urge an 'aye', vote on this Amendment, and that's it."

Speaker Breslin: "The question is, 'Shall Amendment #13 to House Bill 1604 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. The Gentleman from Marion, Representative Friedrich, to explain his vote."

Friedrich: "Madam Speaker and Members of the House, in explaining my vote, I would like to respond to one of the opponents of this Amendment, who suggested that we shouldn't be fooling around with numbers on this, just leave it up to the courts. Frankly, and I hate to say this, but I think you're getting at the problem right there. If the courts would throw out on the Motion to dismiss a lot of the frivolous cases, if they would limit the awards to where they're reasonable in many cases, we wouldn't be discussing this here today. But that's the problem. A lot of the cost of malpractice is for the protection and defense on frivolous suits, and a lot of the problem is the unbelievable awards that are given in some cases. We do have malpractice in Illinois, and the people who are the victims of it have a right to some recovery, but I think that the courts, if it's turned over to the courts with no limit, then I think we're right back to square one."

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

Mautino: "Thank you very much, Madam Speaker. I think that in the six terms I've served in this great Body, history was

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made today. I saw a very important issue that was near and dear to the Medical Society being presented as Amendment #1 and being adopted. I saw the artful opposition present their views, and then a unique thing happened here today. I saw a Gentleman table a winning Amendment that put Legislators in a very precarious position. Two very powerful special interest groups have Legislators shooting themselves in the hip and in the foot and in the head. I've never seen this before. I don't know if it's greed, or what possessed a winning Amendment to be tabled, and then put the rest of the Members of this General Assembly, who support portions of what's in 13 and oppose portions of what is in 13, in a ridiculous situation. Members who have made commitments to both the Medical Society and the attorneys and the patients and clients of this state, are going to have one hell of a time trying to explain how Amendment #1, which did what some people wanted it to do, got tabled for... excuse me... for what I think was a ridiculous position, because now you're not going to have anything completed, and probably Amendment 13 will be defeated."

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

Washington: "Yes, Madam Speaker, Members of the House, tonight... this evening I've heard much. I listened to some doctors in my district, and their cry was simply that what is and what is happening to those people who least can afford to pay for medical coverage... medical costs, what will happen to them if the doctors packed up and left? They would be left like they have left right now. I had a commitment, and I fulfilled that commitment, because to me, your word is your bond. My vote in this matter now is only to go back to what I had agreed with and have negotiation, and I

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feel as though that that would bring that about. And for that reason, my vote will reflect for them to get together, the doctors and certainly the lawyers to get together and negotiate this thing out in a fair and equitable way."

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

Brookins: "I rise to echo what our previous Legislator said. I know the cost and the high cost of not only living, but the high cost of dying. There has to be something done in this area. I know that we must... I know that we must have some control and some sense of fairness involved in these negotiation. So therefore, I must vote 'no', when I was prepared to support many, many of the Amendments that would have been presented."

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

Shaw: "Madam Speaker and Ladies and Gentlemen of the House, I supported the Amendment #1, and I supported some of the other Amendments that are in this... that have been filed here today, but 13, there is some things in there that I can't support, and back some three months ago, I did file a Resolution in the House to investigate the high cost of malpractice insurance. I think it's a matter that should be investigated. I think that something should be done about it, and I would like to see the doctors and the trial lawyers get together and work out the problems that... work out some compromise that we all, as Members of the House, can vote on where that we would be in a position to protect the public interest. That's why we are down here. It's to protect the public interest. You and I know, if you talk... if you go to a hospital or visit a doctor's office, you know that the cost of visiting that doctor or that hospital, you can hardly afford to pay it. So therefore, I would hope, as a result of this vote here this afternoon, I

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would hope that the trial lawyers and the doctors would get together and think in terms of the public interest, the little people out there in the street, and I don't mean Representative Cullerton. The little people. Protect their interests."

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

Olson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is, indeed, as many people have described, a very serious issue. I'm going to cast a very tentative 'yes' vote for this measure in this Amendment stage with the strong assurance that unless the issues that have been raised relative to caps, contingency fees and some other things that are addressed in the final passage, and I make that a charge to Leadership on both sides of the aisle."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 55 voting 'aye', 60 voting 'no', and none voting 'present', and the Amendment... Representative.. There's no one seeking recognition here. Representative Vinson, for what reason do you rise?"

Vinson: "To request a verification of the Negative Roll Call."

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

Johnson: "In the event that the result of that verification would be to reverse the result, I would move to verify the 'yes' votes."

Speaker Breslin: "Very good. The... Representative Washington asks leave to be verified as voting 'no'. Representative.. Mr. Clerk, would you poll the negative votes. Representative Turner asks leave to be verified, Mr. Vinson. And Washington had leave to be verified, yes. That's two. Proceed, Mr. Clerk."

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Clerk O'Brien: "Poll of the Negative. Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Bullock. Christensen. Countryman. Cullerton. Curran. Currie. DeJaegher. DeLeo. Dunn."

Speaker Breslin: "Representative Matijevich asks leave to be verified. Mr. Vinson, Matijevich? And Representative.. Representative Stange, you're voting green. We're verifying the negative."

Clerk O'Brien: "Continuing the Poll of the Negative. Flowers. Giglio. Giorgi. Greiman. Harris. Hartke. Hawkinson. Hicks. Homer. Johnson. Kirkland. Kulas. Laurino. LeFlore. Levin. Matijevich. Mautino. McGann. McNamara. McPike. Mulcahey. Nash. O'Connell. Panayotovich. Phelps. Preston. Rice. Saltsman. Satterthwaite. Shaw. Slater. Soliz. Steczo. Stern. Sutker. Turner. Van Duynes. Vitek. Washington. Wolf. Anthony Young. Wyvetter Younge. Zwick and Mr. Speaker."

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

Vinson: "Yes, Madam Speaker, I do. Representative Berrios."

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

Vinson: "Representative Brunsvold."

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

Vinson: "Representative Giglio."

Speaker Breslin: "Representative Giglio. Representative Giglio. Is the Gentleman in the Chamber? Remove him. Representative Giglio is in the chamber. Excuse me. Add him to the Roll Call."

Vinson: "Representative Hicks."

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

Vinson: "Representative Hartke."

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

Vinson: "Representative Laurino."

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

Vinson: "Representative Mulcahey."

Speaker Breslin: "Representative Mulcahey is in the rear."

Vinson: "Representative Panayotovich."

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

Vinson: "Representative McNamara."

Speaker Breslin: "Representative McNamara is in the back of the
chamber."

Vinson: "Representative Phelps."

Speaker Breslin: "Representative Phelps is by his seat."

Vinson: "Representative Shaw."

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

Vinson: "Representative Steczo."

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

Vinson: "Representative Sutker."

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

Vinson: "Representative Van Dwyne."

Speaker Breslin: "Representative Van Dwyne is in his chair."

Vinson: "Representative Anthony Young."

Speaker Breslin: "Representative Young is in his seat."

Vinson: "Representative DeLeo."

Speaker Breslin: "Representative DeLeo is in the back of the
chamber."

Vinson: "Representative Bullock."

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

Vinson: "Representative Nash."

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

Vinson: "Representative Madigan."

Speaker Breslin: "Representative Madigan is in his seat."

Vinson: "Representative Harris."

Speaker Breslin: "Representative Harris. Representative Harris

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is in the chamber."

Vinson: "No further questions, Madam Speaker."

Speaker Breslin: "Mr. Clerk, can you give us the count? On this question, there are 55 voting 'aye', 59 voting 'no', and none voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #14, offered by Representative Zwick."

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

Ronan: "Thank you, Madam Speaker. I'd like to take the Bill out of the record."

Speaker Breslin: "Out of the record. House Bill 1665, Representative Panayotovich. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1665, a Bill for an Act to amend an Act concerning public purchases. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Representative Panayotovich, there is a fiscal note requested, and it is not filed. Representative Panayotovich."

Panayotovich: "Madam Speaker, I presented that fiscal note about a half hour ago up at the Clerk's table."

Speaker Breslin: "Would the Clerks do a search of the fiscal note? You are indeed correct. You are correct, Representative Panayotovich. The fiscal note has been filed, and this Bill now moves to Third Reading. House Bill 1667, Representative Terzich. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1667, a Bill for an Act to amend Sections of the Illinois Pension Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

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Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would very much like your support for this friendly Amendment to House Bill 1667. It again is the prospective Amendment with regard to the deposit of pension funds or the use of pension funds to support South African business operations. It is not intended to be hostile to the Gentleman's Bill but simply to make clear that any of the pension increases that we would be voting here will not go to benefit the operation of business in South Africa. And I encourage your support."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #2 to House Bill 1667. And on that question, the Gentleman from Cook, Representative Terzich."

Terzich: "Well, two things. One is, I'm against the Amendment as previously stated, and the other one, that the Bill already had the Second Reading. The only reason it was on Second Reading was for the impact statement, which has been filed, and whether or not that this would even be in order. I, you know, that's the only reason the Bill was held from being moved to Third was because of the filing of an impact statement."

Speaker Breslin: "Are you making a parliamentary inquiry, Representative Terzich?"

Terzich: "Yes, I am."

Speaker Breslin: "Please give us the Bill, Mr. Clerk. While we're looking at the Bill, the Gentleman from Cook, Representative Shaw, to speak to the Amendment."

Shaw: "Yes, Madam Speaker and Ladies and Gentlemen of the House,

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I believe that Amendment #2 is a good Amendment, and I think that this Amendment should be adopted. You know, we... we've talked about, as I said a little while ago, the Great Emancipator in Illinois was a fellow by the name of Abe Lincoln, and what we are talking about here is what's right by the people of this state and fair play by people of South Africa. There's no way that we, the Members of this House, should vote to continuously spend money in South Africa. We're not talking about taking all of the money out. We're talking about new money. Don't spend any additional money. And I think, and the record will show, that you can get the same return on the pension benefits that you... same type of return on investments elsewhere that you get in South Africa. I think that was pointed out this morning, but yet, those of us who go back and talk about how liberal we are and how much we want to do the right thing, and many of the people that's voting against this will vote to kill this Amendment. You know they represent black constituencies in their district, and come election time, they appeal to the black constituency in their district, talk about how good and what programs they have been for for blacks. This is the program that you can go and tell the people about in your district, if you have any people of color in those districts. But I think today is the day that you should stand up and be counted, whether you can truly go back to your respective district and tell those people of color that you really stood up for them and that you believe in the right thing, and that you voted to stop spending the pensioners' money in South Africa to finance the apartheid government there in South Africa."

Speaker Breslin: "In answer to Representative Terzich's question, his question was whether or not this Amendment was in order when it was placed on the Bill while the Bill was being

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held for the purposes of a fiscal note. The ruling of the Chair is, Amendments can be filed and entertained by this House at any time that the Bill is on Second Reading, for whatever reason. There being no further discussion on the Amendment, therefore the Amendment is in order. There being no further discussion on the Amendment, Representative Braun to close."

Braun: "Thank you, Madam Speaker. Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is an issue... This issue... "

Speaker Breslin: "Excuse me, Representative Braun. Representative Terzich indicates that now he wishes to speak to the substance of the Amendment, so it you will wait, could we hear Representative Terzich's response? Proceed, Representative Terzich."

Terzich: "Well, you know, there are other Members in the House, but I have my point as well on that Amendment. I asked the question whether or not, just because someone puts a fiscal note request or something that the Bill already had a Second Reading, and it was all set to be moved to Third because someone requests an impact statement or a fiscal note, that that thing comes back for Second Reading to be heard once again."

Speaker Breslin: "And the ruling of the Chair is that that is correct."

Terzich: "And that's the way it's going to be."

Speaker Breslin: "That is correct. And it has always been for all previous Bills, and it has hapened many other times this Session, Sir."

Terzich: "Well, with regard to the Amendment, I previously spoke on the Amendment. I am definitely against this type of an Amendment. I do not care to have anybody messing around with the pension funds, that the feduciary responsibility

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is up to the Board of Trustees of that pension system, and if they want to invest their money in South Africa or Ethiopia or any where else, that they have the right to do it, and we in the General Assembly have no right to tell them how to invest their money in a fiduciarial manner, and therefore, that's the reason I oppose this Amendment, and I wish I'd get the support of the House to defeat the Amendment."

Speaker Breslin: "Representative Braun, to close."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is not just an issue of color. This is not an issue of black and white. This is an issue of wrong versus right. The right thing to do is to take our state dollars, be they pension dollars, development dollars, whatever dollars, from the taxpayers, from the retirees or from whatever source derived, to make certain that those dollars do not go to continue to support apartheid. I say to you, Ladies and Gentlemen, this is consistent with our fiduciary responsibility, with our responsibility that these investments be made prudently and be made properly. The fact of the matter is that our pensioners stand to lose everything if, indeed, that country goes the way of violent overthrow of the government. I think there's another way. I think that we can begin to take a position strongly against apartheid and in so doing, encourage non-violent, sensible change in that troubled country. I believe that this Amendment is appropriate and proper, and I encourage your support."

Breslin: "The question is, 'Shall Amendment #2 to House Bill 1667 be adopted?' All those in favor say 'aye', all those opposed say 'no'. Does the Lady desire a Roll Call? She does. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The

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Clerk will take the record. On this question, there are 32 voting 'aye', 54 voting 'no', 15 voting 'present', and the Amendment loses. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 1694, Representative Turner. Representative Turner. Out of the Record. House Bill 1722, Representative O'Connell. Clerk, read the Bill."

Clerk Leone: "House Bill 1722, a Bill for an Act to amend the Illinois Pension Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Braun - Bowman, amends House Bill 1722."

Speaker Breslin: "Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. You know, I just... it's very difficult for me, as it probably is for all of you, to hear us talk about South Africa and the horrors of that country on every single pension Bill. And it's probably going to be very difficult as we go through the remainder of this Session to hear us talk about South Africa on every single spending Bill, but I have to tell you, Ladies and Gentlemen, that there is no way that we can, in conscience, stand by and watch us continually appropriate money, continually spend dollars, knowing, in all conscience, that those dollars are simply going to go to provide support for apartheid. I believe that... I've already gone through it on some of the others. I would encourage this... the adoption of this Amendment, so again, we can make a statement that future dollars - future dollars only - not go to support the apartheid racist government in South Africa."

Speaker Breslin: "The Gentleman from... The Lady has moved for

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the adoption of Amendment #1. And on that question, the Gentleman from Cook, Representative O'Connell."

O'Connell: "Thank you, Madam Speaker. I, along with, I'm certain, other Members in the chamber are impressed with the sincerity of Representative Braun's commitment to doing something about apartheid, but unfortunately, we're talking about a very pragmatic piece of legislation which addressed a pension fund affecting hundreds of people. And for that reason, I think that the issue of the MSD pension fund is better left without the apartheid Amendment on it, and I would request a Sponsor of the substantive Bill to oppose this Amendment."

Speaker Breslin: "There being no further discussion, the... the Gentleman from Cook does wish to discuss it. Do you wish to close, Sir? Representative Bowman will close on the issue."

Bowman: "I will close on the issue. It does distress me to hear the statements in opposition, because they speak as if their pension funds will not be increased. This Amendment does not prevent or preclude any increase in pension funding or pension benefits. All it does is to direct the trustees of the system in their discharge of their duties as to how the pension funds shall be invested. The pensioners will be unaffected by this Amendment, and this Amendment indeed affects the lives of thousands and hundreds of thousands of people, even as the underlying Bill does. I believe that we have to look at this Amendment on it's merits and consider it for what it is. It is a restatement of the prudent man rule, or the prudent person rule, which is to govern fiduciary responsibility, and our position is, it is not prudent to make investments in the Republic of South Africa or to support the... the policies of that country. It is not prudent. Any

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investments in that country are sorely in jeopardy, and I think the sooner the trustees of our respective pension systems recognize that, the better off all of us will be. I urge support for this Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #1 to House Bill 1722 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Terzich, one minute to explain your vote."

Terzich: "I had a question of the Sponsor, is what I wanted to do. I've been trying to get attention. Could I ask a question of the Sponsor of the Amendment?"

Speaker Breslin: "Representative Terzich, you did not turn on your light until after the Gentleman had... "

Terzich: "I had my light on since he was speaking, Madam Speaker. You even recognize me."

Speaker Breslin: "But the Gentleman had been recognized to close, Sir, and once... "

Terzich: "You recognized me before he closed."

Speaker Breslin: "He is... He was the Sponsor, Sir, of the Amendment."

Terzich: "And I had my light on for... so I could speak. You seen me. You've looked at me. I told you I wanted to ask a question. Can I ask the Sponsor?"

Speaker Breslin: "But the Gentleman was closing, Sir. He was in the middle of his close. Now, you've been in this Assembly a long time, so I think you know the procedure. If you wish to explain your vote, you may. There being no further discussion, have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 26 voting 'aye', 34 voting 'no', and 36 voting 'present', and the Amendment fails. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, O'Connell, amends House Bill

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1722."

Speaker Breslin: "Representative O'Connell, on Amendment #2."

O'Connell: "Madam Speaker, Amendment #2 increases by... from three-fifths to four-fifths, the Extraordinary Majority which would increase pension rates. It... I would simply ask for its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 1722. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 to House Bill 1722 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 1741, Representative Satterthwaite. Clerk, read the Bill."

Clerk Leone: "House Bill 1741, a Bill for an Act to amend the School Code. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, McNamara."

Speaker Breslin: "Representative McNamara."

McNamara: "Thank you, Madam Chairman. This Amendment merely returns the language of the original package as it was originally presented, and I urge for its adoption."

Speaker Breslin: "The Gentleman... The Gentleman has moved for the adoption of Amendment #2 to House Bill 1741. And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Will the Gentleman yield?"

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

McCracken: "Representative McNamara, were you present in the Committee when Amendment #1 was adopted? Are you a Member? I don't know if you're a Member of the Committee."

McNamara: "I am a Member of the Committee, and I was not present when that Amendment was adopted."

McCracken: "Well then, may... With leave of the Chair, may I address some questions about Amendment #1 to Representative Satterthwaite?"

Speaker Breslin: "I'm sorry. We are on Amendment #2."

McCracken: "Does this... Representative McNamara, does this render Amendment #1 meaningless? Does it return it to the original Bill?"

McNamara: "It returns it to the state of the original Bill."

McCracken: "Okay. To the Amendment."

Speaker Breslin: "Proceed."

McCracken: "In my file, I do not have an indication of who the Sponsor of the Amendment was. However, Amendment #1 deleted from the Bill the requirement that this allocation of funds be made pursuant to Chapter 2 of the Federal Education and Consolidation Improvement Act. The practical effect of Amendment #1 was to allow allocation on a basis to be decided by this General Assembly and not on a basis already dictated by the Federal Government. That Amendment obviously was important, because it was adopted in Committee, and for the Sponsor of Amendment #2 to essentially gut the Bill, I think, is something we should not be agreeing with. I'd ask that the Amendment be opposed."

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

Satterthwaite: "Madam Speaker and Members of the House, I regret having to oppose one of my colleagues with the Amendment,

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but the discussion in the Committee and the reason for adopting Amendment #1 was to leave it open for the Board of Education to determine the distribution of these funds. I think that there is some confusion in regard to what the distribution would actually be if it were by the method suggested in Amendment #2, and it also, I think, would be difficult for us to know whether it gives access to public schools by other students if there were, in fact, materials distributed under the language in Amendment #2. And so, for sake of clarity and for sake of going back to the Committee action, I would respectfully suggest a 'no' on Amendment #2."

Speaker Breslin: "There being no further discussion, Representative McNamara is recognized to close."

McNamara: "Thank you. Just a slight clarification. This does not gut the Bill. What this really does is return the Bill to the original language, which is under the provisions of Chapter II of the Federal Education and Consolidation Improvement Act of 1981. So, it actually brings it back to the original state that the Bill was, and I urge that you adopt the Amendment. Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #2 to House Bill 1741 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 83 voting 'aye', 14 voting 'no', and 3 voting 'present', and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Representative Satterthwaite, do you want this Bill moved to Third Reading?"

Satterthwaite: "Yes, please."

Speaker Breslin: "She does. This Bill moves to Third Reading."

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House Bill 1778. Out of the Record. House Bill 1814, Representative Hastert. Clerk, read the Bill. No. Yes, Clerk, read the Bill. Out of the Record. House Bill 1828, Representative Steczko. Clerk, read the Bill."

Clerk Leone: "House Bill 1828, a Bill for an Act to amend an Act in relationship to the regulation of underground petroleum storage tanks. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Steczko, amends House Bill 1828."

Speaker Breslin: "Representative Steczko."

Steczko: "Thank you, Madam Speaker, Members of the House. Amendment #1 to House Bill 1828 is an attempt to conform the Bill to the memorandum of understanding by the Governor between the Environmental Protection Agency and the State Fire Marshall's Office. What it does is to provide for an orphan underground storage tank fund to be established and a fee of five dollars per tank that will be paid as of July 1, 1986, to go into the fund once a registry of tanks in the State of Illinois is completed by May 1, 1986. I would move, Madam Speaker, for the adoption of Amendment #1."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 1828. And on that question, the Gentleman from Cook, Representative Cullerton."

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

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

Cullerton: "Representative, the Bill, that is the Amendment, which deletes everything after the enacting clause, makes a cross-reference to a Section which does not yet exist, but which will be added if House Bill 2250 passes. Are you... Do you know anything about House Bill 2250?"

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Steczo: "Representative Cullerton, I'm afraid I do not know anything about House Bill 2250."

Cullerton: "Well then, I think you might want to... Well... This Amendment was the subject matter of another Bill, wasn't it?"

Steczo: "I believe there were other Bills introduced relative to the subject matter. This... House Bill 1828 was one of three, I believe."

Cullerton: "I think maybe this Amendment was House Bill 2250, and I just think we might want to take it out of the record so we can clear this up to see if it's proper. Or you might want to move it to Third, and we can... without the Amendment, and then we can see if you want to bring it back for an Amendment later. But I don't think it's the way you want it to be right now."

Speaker Breslin: "What is your pleasure, Representative Steczo?"

Steczo: "Madam Speaker, would it be possible to take it out of the record now and come back with it this evening."

Speaker Breslin: "I will try to do that, Representative Steczo. I'm not sure that it's possible to do this evening. We want to get all the way through Second Readings, but we will try to do that."

Steczo: "Madam Speaker, if it would be permissible, I would like to withdraw Amendment #1, then, and move the Bill to Third."

Speaker Breslin: "The Gentleman withdraws Amendment #1. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 1841, Representative McCracken. Out of the Record. House Bill 1848, Representative Currie. Excuse me, Representative McCracken. Did you want to call that Bill? Okay. House Bill 1848, Representative Currie. Representative Currie."

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Out of the Record. Excuse me. The Lady is here. Read the Bill, Mr. Clerk. Okay. House Bill 1848 is out of the record. House Bill 1849, Representative Currie. Clerk, read the Bill."

Clerk Leone: "House Bill 1849, a Bill for an Act relating to joint land resource management programs. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. House Bill 1850, Representative Currie. Clerk, read the Bill."

Clerk Leone: "House Bill 1850, a Bill for an Act to amend the Illinois Municipal Code and in relationship to county zoning. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. House Bill 1869, Representative McGann. Representative McGann. Out of the Record. House Bill 1884, Representative Vinson. Out of the Record. House Bill 1885, Representative Vinson - Greiman. Out of the Record. House Bill 1885. Did you wish to move that Bill, Representative Greiman? Okay. It's out of the record. House Bill 1900, Representative Keane. Out of the Record. House Bill 1902, Representative Vinson - Madigan. Out of the Record. House Bill 1918, Representative Davis. Clerk, read the Bill."

Clerk Leone: "House Bill 1918, a Bill for an Act to amend the Unified Code of Corrections and the State Printing Contracts Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Davis, amends House Bill 18..."

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1918 on page two and so forth."

Speaker Breslin: "Representative Davis."

Davis: "Thank you, Madam Speaker. The Amendment offered to House Bill 1918 was agreed upon between the Department of Central Management Services and the Department of Corrections that creates language that authorizes the Department of Corrections Industrial Operations Program to provide printing for state agencies without requirements of the Act only when authorized by the Department of Central Management Services and when they can't do it. And that's Amendment #1, Madam Speaker. And I would move for its adoption."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #1 to House Bill 1918. And on that question, is there any discussion? There being no discussion... There being... The Gentleman from Cook, Representative Cullerton does wish to discuss it. Representative Cullerton."

Cullerton: "Yes, I just want to add my support to this Amendment."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Amendment #1 to House Bill 1918 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 1922, Representative Vinson. Out of the Record. House Bill 1950, Representative Hensel. Representative Hensel. Out of the Record. House Bill 1999, Representative Currie. Representative Currie. Out of the Record. House Bill 2009, Representative Parcels. Out of the Record. Representative Currie is now back in the chamber. With leave of the Body, we will go back to House Bill 1939.

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Representative Currie. Clerk, read the Bill."

Clerk Leone: "House Bill 1999, a Bill for an Act to amend the Code of Criminal Procedure. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Currie, amends House Bill 1999 on page two and so forth."

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. The Amendment is basically a clarification. The underlying Bill is a response to a recent United States Supreme Court decision with respect to provision of psychiatric and psychological support for indigent defendants. I move adoption of the Amendment, and I'm happy to answer any questions."

Speaker Breslin: "The Lady moves for the adoption of Amendment #1 to House Bill 1999. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 to House Bill 1999 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 2032, Representative Tate. Representative Tate. Clerk, read the Bill."

Clerk Leone: "House Bill 2032, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "None."

Speaker Breslin: "Third Reading. House Bill 2036, Representative Daniels. Daniels - Hallock. Out of the Record. Excuse me. Representative Hallock wishes to call 2036. Mr.

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Clerk, read the Bill."

Clerk Leone: "House Bill 2036, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Representative Hallock. Are there any Amendments from the floor?"

Clerk Leone: "Floor Amendment #1, Daniels - Hallock - Churchill et al, amends House Bill 2036."

Speaker Breslin: "Representative Hallock."

Hallock: "Thank you, Madam Speaker and Members of the House. The Amendment to House Bill 2036 is our effort to enact a Bill which we would call the Public Awareness and Response Act. What this Bill will do is, in essence, provide that any company in Illinois which manufactures, sells or produces hazardous chemicals must file this with the EPA on an annual basis, just what those chemicals are, where they are and what quantities. We would further state within this Amendment that the Department of Labor, which currently has on file the worker right to know information. It would send that information down to the local ESDS emergency services agencies or the local county sheriff. We further provide within this Bill that there should be an emergency procedures which would be stated and followed by the local governments in conjunction with the local businesses in case an accident should occur. This is, I believe, a very good right to know Bill. It on the one hand protects the environment, protects the consumer, protects all citizens in Illinois, but at the same time, it really isn't very punitive for business. I urge your support of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 2036. And on that question, the Gentleman from Madison, Representative McPike. The

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Gentleman from Cook, Representative Bowman."

Bowman: "Parliamentary inquiry, Madam Speaker. I believe Amendment #1 is improperly drafted and should be ruled out of order. Where in the Bill is this to be inserted? That is the nature of my inquiry."

Speaker Breslin: "Thank you. We will examine the Bill. In the meantime, is there any Member who wishes to debate the Amendment? The Gentleman from Madison, Representative McPike, on the Amendment."

McPike: "Will the Sponsor yield?"

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

McPike: "Thank you, Madam Speaker. What information is to be supplied to the county sheriff?"

Hallock: "We utilize the Worker Right to Know Law. As you are aware, we passed that good law in the last year and a half. That law now has to be submitted in an alphabetical list to the Department of Labor. We ask that that list be submitted from them then down to the local ESDA agency or the county sheriff."

McPike: "The only thing that they would submit to the county sheriff would be a... the list that is currently available at the department?"

Hallock: "Yes. Yes. They would submit, to the county sheriff, the list which is covered under the worker right to know list, a list which is already currently available at the Department of Labor. They would send that list down to the local sheriff."

McPike: "Terrific."

Speaker Breslin: "Representative Bowman, in response to your inquiry, I believe your point is well taken. Representative Hallock, if you will look at your Amendment, it indicates that you want to delete the title and insert in lieu thereof the following. However, in your first

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paragraph, you also, after the semicolon on line eight, you also say, 'and inserting in lieu thereof the following'. So we don't know where that could fit into the Bill. So I believe your Amendment is out of order. Representative Hallock."

Hallock: "Madam Speaker, that's kind of a spurious argument. This Amendment was drafted in conjunction with the LRB by our staff. It's very proper. As a matter of fact, it's been drafted twice and filed twice on the floor. There are two Amendments circulating, both of which are in proper form, and I would submit that what we have here apparently is the Sponsor of one chemical right to know Bill, House Bill 300, trying to find another one out of order. This is very proper. LRB has signed off on this, and I believe it's in proper form."

Speaker Breslin: "Can you explain to the Chair what the line on line eight means? What would you be inserting in lieu thereof? What would be stricken from the Bill that was not previously stricken from the Bill? While you examine the Bill, I'll recognize Representative Cullerton. For what reason do you rise, Sir?"

Cullerton: "I wanted to ask, Representative Hallock indicated that he worked on this Amendment in conjunction with the Reference Bureau. There's no Reference Bureau number on here, and I wonder if we're looking at the right Amendment. And I think that these arguments about how we're trying to use the power of the Chair to defeat Amendments is ludicrous, when they don't even take these Amendments to the Reference Bureau."

Speaker Breslin: "Excuse me, Representative Hallock. Are you looking at the Bill itself or an explanation of the Bill?"

Hallock: "I'm looking at the Amendment itself."

Speaker Breslin: "The Amendment."

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Cullerton: "What's the... What's the number? What Reference Bureau number is on there?"

Hallock: "I'm looking at the Bill itself, which is... the Amendment itself, which is on your desk, Amendments to House Bill 2036, Amendment #1, which says, 'by deleting the title and inserting in lieu thereof the following'. It then proceeds to enact within there exactly what we are doing, and I believe it's in proper order."

Speaker Breslin: "Mr. Clerk, would you give us back the Amendment, please? As you can see... Okay. How many pages do you have to your Amendment, Representative Hallock?"

Hallock: "Eleven... Twelve."

Speaker Breslin: "Twelve? Okay. Okay, I believe, then, we're looking at the same Amendment."

Hallock: "Right."

Speaker Breslin: "And that Amendment... "

Hallock: "This Amendment was prepared by our staff. Our staff prepared the Amendment as is commonly done. Most staffs prepare Amendments. They took it to LRB. LRB proofread the Amendment and said it was okay, in good form."

Speaker Breslin: "Representative Hallock, I'm sorry, but as you can see from the Amendment, it is not in proper form. You still, of course, have the right to hold the Bill on Second Reading, get it in proper form. But that is the problem with the Amendment. It is out of order."

Hallock: "Well, Madam Speaker, the Amendment is in the best form and okayed to by the LRB. As you read the first paragraph, the paragraph fits in with the Bill. Now, if it appears... You know, I had kind of assumed that what the Chair might do was, in order to try to avoid debating the issue on the merits, get into procedures. If you would prefer, I would like to overrule the Chair on this, if you want to vote on it that way. I would still prefer to vote on the substance

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of the question, but if you'd rather have a procedural vote, and that's the way we'll do it. But the Amendment, according to the LRB, is in good shape."

Speaker Breslin: "Do you wish to make a Motion, Representative Hallock? The Motion is... The Amendment is out of order."

Hallock: "Well, it's not too often I make that Motion, and I really don't want to make it here today, and maybe I'll withdraw that Motion, but we'll leave the Bill on Second."

Speaker Breslin: "Very good. We'll take the Bill out of the record, then. House Bill 2036 is out of the record. Representative Greiman is going to take the Chair. One thing I would like to point out, however, before I leave the Chair, is that the Pages on both sides of the aisle are to be instructed that it is against the rules of this House to distribute literature on the floor of this House. You are not to do so at the request of any Member, no matter who that Member is. That is the rule of this House, and it is not to be violated. Thank you. Representative Greiman in the Chair."

Speaker Greiman: "On the Order of House Bills Second Reading appears House Bill 2106. Mr. Clerk."

Clerk Leone: "House Bill 2106, a Bill for an Act to amend the Juvenile Court Act. Second Reading of the Bill. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, McNamara, amends House Bill 2106... "

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

McNamara: "Has Amendment #1 been printed and distributed?"

Speaker Greiman: "Yes, it has been. Proceed, Sir."

McNamara: "Thank you. This Bill addresses the problem of children and families of the detained minors who have been

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ordered released by the... by the Department of... or by the Judge and are actually released on request. What I have done in this particular Amendment, which eliminates the original... the original language of the Bill, brings about, after my discussions with the Judges involved, brings about a situation whereby children that are retained in the court system for any purpose and are not released within the 24 hours, that immediately, a subpoena would be issued to the parents or guardian and also that the... that the caseworker would go out and investigate the... the proper situation of this case and report back to a hearing within seven days. It leaves open the Judge's prerogative to judge on the merits of that case and hopefully, it will alleviate a problem that is currently occurring where, in one case, there has been a child held in the court system for in excess of a year. I'll be happy to answer any questions on this Amendment."

Speaker Greiman: "The Gentleman from Cook, Mr. McNamara, has moved for the adoption of Amendment #1 to House Bill 2106. 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: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of House Bills Second Reading appears House Bill 31... Alright. On the Calendar on page 15 on the Order of House Bills Third Reading, Short Debate, this is final action, appears House Bill 375, Mr. Hicks. Out of the Record. On the Order of House Bills Third Reading, Short Debate, appears House Bill 467, Mr. Steczo. Alright. I see that we have... Alright. We will proceed to Bills not called on Third Reading Short

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Debate, which would begin at the top of page 16. Okay. On the Order of House Bills Third Reading, Short Debate, appears House Bill 900. Mr. Clerk, read the Bill. Yes, Mr. Keane? Are you seeking recognition?"

Keane: "Yes. Whenever it's appropriate, I'd ask leave to take the Bill back for an Amendment."

Speaker Greiman: "Yeah. Alright. The Gentleman asks leave of the House to return the Bill to the Order of Second Reading for the purpose of an Amendment. Does the Gentleman have leave? He has leave of the House, and the Bill is returned to the Order of Second Reading. Mr. Clerk, call the Bill on Second Reading."

Clerk Leone: "Amendment #1, Keane, amends House Bill 900 on page one and so forth."

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

Keane: "Thank you, Mr. Speaker. Amendment #1 to House Bill 900 makes a technical change that was requested by staff, and it... the first part of it just deletes text that was inadvertently duplicated by LRB. Another part of the Amendment of Amendment 1 adds a 'hold harmless' clause. This Bill - 900 - is the previous year's EAV Bill. It's anticipated that this 'hold harmless' clause that we're putting in may or may not be the final 'hold harmless' structure, but we're putting one in, and we're going to be working... continuing to work on the Bill, and I'd ask for its... I'd be happy to answer any questions and then move for the adoption of Amendment #1."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, moves for the adoption of Amendment #1 to House Bill 900. 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

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opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Mr. Keane."

Keane: "I'd ask for leave to hear the Bill on Third Reading... suspend the appropriate rule so that we can hear the Bill on Third Reading."

Speaker Greiman: "The Gentleman moves to waive Rule 37(c) of the rules so that House Bill 900 may be heard on the Order of Third Reading today. Does the Gentleman have leave to use the Attendance Roll Call? Leave is granted. Mr. Clerk, call the Bill."

Clerk Leone: "House Bill 900, a Bill for an Act in relationship to state... to property tax levies in all counties. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, on House Bill 900."

Keane: "Thank you, Mr. Speaker. House Bill 900 as amended is what we're calling a previous year's EAV Bill. It's a Bill that's had a great deal of conversation in the revenue areas. The Senate has passed, or is passing, a similar Bill, and what we're talking about is allowing governments - local governments - for the purpose of making the levy process a lot more definite so that they can levy against a known amount, use the previous year's EAV. There's still a great deal of work to be done on the Bill. We anticipate that the Members of the Revenue Committee anticipate that the Bill will go to the Senate and may, in fact, be the subject of a Conference Committee so that we can work out the 'hold harmless' provisions of the Bill. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, moves for the passage of House Bill 900. Does anyone stand in

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opposition? The Gentleman from Edgar, Mr. Woodyard."

Woodyard: "Thank you, Mr. Speaker. Certainly not in opposition, but in support. This concept has been around for quite a while, and now that the assessed valuations have somewhat flattened, it does look like this is the time to move for passage of the previous year EAV. I know this is a very important Bill to an awful lot of school systems, and I do urge its passage."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. Pedersen."

Pedersen: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. I was an assessor in Cook County for 17 years, and I thoroughly agree with Representative Keane's efforts in this Bill."

Speaker Greiman: "Further discussion? There being none, Mr. Keane, to close. The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'aye', none voting 'no', none voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate appears House Bill 904. Out of the Record. On the Order of House Bills Third Reading, Short Debate appears House Bill 921. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 921, a Bill for an Act concerning veterans, amending certain Acts herein named. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Adams, Mr. Mays, on House Bill 921."

Mays: "Thank you very much. Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 921

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basically does two things. It gives statutory authority to the Department of Veterans' Affairs to manage locally held trust funds for the Illinois Veterans' Home in Quincy, and it also raises the Illinois disabled veterans' housing grant maximum to 12,000 from \$10,000, and for adaptive housing from \$1,670 to \$2,000. I move for its passage."

Speaker Greiman: "The Gentleman from Adams, Mr. Mays, moves for the passage of House Bill 921. Does anyone stand in opposition? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, Representative Mays, I believe that House Amendment #1 was put on the Bill?"

Mays: "That's correct."

Cullerton: "And this would say that the monthly charges that are currently assessed against the residents be deposited... which are now deposited in the General Revenue Fund, that they would... under this Bill, they would stay at the home. Is that right?"

Mays: "Let me get a copy of the Amendment. I thought the Amendment simply clarified that it was going to be the Illinois Veterans' Home at Quincy, rather than the Quincy Veterans' Home. Hold on for a second. In either case..."

Cullerton: "I thought there was another Bill that that Amendment did that."

Mays: "There's another Bill that handles the situation where Members want to give money to the home. It goes to the Veterans' Home fund, then conduits to the General Revenue Fund. That was House Bill 1975. This one involves the trust funds at the home - the two chapel funds, the amusement fund, the fishing fund - there's five funds total, that the members themselves contribute to at the home. The Department of Children and Family Services had the ability to manage those funds before the Department of Veterans' Affairs was created in 1975. This is one of the

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things that they discovered in a recent audit for the management of these funds."

Cullerton: "Well, okay. How is it changed in the current law? In other words, where do these funds go now?"

Mays: "Currently, the Illinois Veterans' Home. These funds were managed by the Illinois... the Department of Veterans' Affairs. The Auditor General's report brought out that when DCFS transferred authority to the Department of Veterans' Affairs, the newly created Department of Veterans' Affairs for the running of the home, this was one statute that did not transfer with it."

Cullerton: "Okay. Just so we are clear, though, on page two of the Bill, line five, the... Well, the sentence reads now, 'The amounts received from such charges shall be transmitted to the Treasurer of the State of Illinois for deposit in the General Revenue Fund. And with your Amendment, you strike... Amendment #1, you strike the word 'General Revenue' and you insert in lieu thereof 'Quincy Veterans' Home'. And so apparently, there are some funds which now go to General Revenue which are going to be staying at the home. Now, I'm not necessarily objecting to that. I just wanted to know if that's what it does, and if it does, how much money are we taking from the General Revenue Fund and giving to Quincy. This is in your district, isn't it?"

Mays: "I have no idea as to the impact that this would be on the General Revenue Fund. It would be minimal at best. It's funds that are deposited by Members, the Catholic chapel fund, the Protestant chapel fund, the fishing fund, the movie fund and the recreation fund, and, you know, those are deposited by members in the Illinois Veterans' Home fund for the management by the Illinois Veterans' Home, by the Department of Veterans', once this Amendment... or this

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Bill gets passed."

Cullerton: "I just don't know if that's exactly what you're... what it does. This seems to talk about these charges. The Bill talks about all these charges for care at the home that are charged. I mean, the state pays for this home, and we charge the residents, the money goes to the General Revenue Fund. Now, what you want to do is have the money stay at the home, have the state continue to support the home, but the home to get more money somehow. I mean... "

Mays: "Yeah, the state continues to support our home. These are members' funds... members funds that have gone for activities at the home. An audit report indicated that the statutory authority to manage those fund did not transfer in 1975 from DCPS to Department of Veterans' Affairs when that Department was formed, and this Bill simply does that stated purpose."

Cullerton: "Thank you for that explanation."

Speaker Greiman: "Further discussion? The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. 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 109 voting 'aye', none voting 'present... I'm sorry... none voting 'no', none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. We did... the Bills on page 15 were called previously and a couple passed out or taken out of the record. So, with leave of the House, I'd like to return to Bills for which there is an Amendment, which we'll be returning to the Order of Third Reading... Second Reading. Mr. Clerk, House Bill 608. Mr Clerk."

Clerk Leone: "House Bill 608, a Bill for an Act relating to the

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Departments of Mental Health and Developmental Disabilities
and Central Management Services. Third Reading of the
Bill."

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

McGann: "Thank you, Mr. Speaker and Members of the House. I'd
ask leave to return House Bill 608 to Second Reading for
the purpose of Amendments."

Speaker Greiman: "The Gentleman asks leave of the House to return
House Bill 608 to the Order of Second Reading for the
purpose of Amendment. Does the Gentleman have leave? The
Gentleman has leave, and the Bill is on the Order of Second
Reading. Mr. Clerk."

Clerk Leone: "Amendment #3, McGann - Madigan - McAuliffe, amends
House Bill 608 on page 3 and so forth."

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

McGann: "Mr. Chairman...Pardon me. Mr. Speaker and Members of
the Assembly, I would ask if I could go back and table
Amendment #1 which was approved in the Committee. And I'd
move to table that Amendment. Yes, it is my Amendment."

Speaker Greiman: "Alright. The Gentleman from Cook, Mr. McGann,
moves to table Amendment #1 to House Bill 608, and on that
is there any discussion? There being none, the question
is, 'Shall Amendment #1 be tabled?' All those in favor
signify by saying 'aye', those opposed 'no'. In the
opinion of the Chair, the 'ayes' have it, and Amendment #1
is tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #3, McGann."

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

McGann: "Mr. Chairman and Members of the Assembly, I would ask
leave to go back and table... Excuse me, Members of the
Assembly. We now have Amendment #3, which is in its proper

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order to comply with the request of the Department of Mental Health. Due to a Section error, originally it was Amendment #1, now it's Amendment #3. And I would ask approval of this Amendment, which states that no State Funds will be used for the construction of a City College of Chicago, Wright College, on this land that the Bill is speaking to and that the Bill is addressing. So, I'd ask approval of Amendment #3."

Speaker Greiman: "The Gentleman from Cook moves for the adoption of Amendment #3 to House Bill 608, is there any discussion? There being none, the question is, 'Shall Amendment #3 be adopted?' All 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 Leone: "Floor Amendment #4, McGann - et al, amends House Bill..."

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

McGann: "And... Thank you, Mr. Speaker and Members of the Assembly. I'd like to ask leave of the House to withdraw Amendment #4."

Speaker Greiman: "Amendment #4 is withdrawn."

Clerk Leone: "Floor Amendment #5, McGann, amends House Bill..."

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

McGann: "And... Mr. Speaker and Members of the Assembly, I present to you this Amendment #5, which is a request of the Department of Transportation. And I would ask its approval. Amendment #5 to House Bill 608."

Speaker Greiman: "The Gentleman from Cook, Mr. McGann, moves for the adoption of Amendment #5 to House Bill 608, and on that is there any discussion? There being none, the question is, 'Shall Amendment #5 be adopted?' All in favor signify

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by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Yes, Mr. McGann."

McGann: "Mr. Speaker, could I ask leave of the House to hear this House Bill 608 on Third Reading at this time?"

Speaker Greiman: "The Gentleman from Cook asks for the waiver of Rule 37(c) so that the Bill may be heard for immediate... have immediate consideration at this time. Does the Gentleman have leave to use the Attendance Roll Call? Yes, Mr. Mautino, the Gentleman from Bureau, for what purpose do you seek recognition?"

Mautino: "Question if I will, before you make a determination on whether or not there is objection. Is Amendment #1 on or off of this Bill now?"

Speaker Greiman: "Amendment #1 was tabled."

Mautino: "Okay, that's my... that was my question. You're getting it... You're getting it back to the situation where we are conveying property and there will be no State Funds used by virtue of Amendment #3 towards expansion or development of that property and how many... Well... How many acres are we talking about?"

Speaker Greiman: "Well, Mr. McGann, you... you answer."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. Representative Mautino, this 32 acres of land, and I will get into that when I explain the Bill. But Amendment #3 takes care of the obligations of the City College of Chicago to the State of Illinois. In as much as we agreed with the Department of Mental Health and also the Department of Central Management Services, that those State Funds would be used to erect the college on this site. That would be done by the Local Funds through the Public

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Building Commission in the City of Chicago."

Speaker Greiman: "Alright. Does Mr. McGann have leave of the House using the Attendance Roll Call to waive Rule 37 (c)? The Gentleman has leave with the Attendance... use of the Attendance Roll Call."

McGann: "Thank you, Mr. Speaker."

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

McGann: "Thank you."

Speaker Greiman: "... McGann. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 608, a Bill for an Act relating to the Department of Mental Health and Developmental Disabilities and Central Management Services. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. McGann, on House Bill 608."

McGann: "Thank you, Mr. Speaker and Members of the Assembly. A number of years' work has gone into the preparation of this House Bill 608, in which we are asking the State of Illinois to convey in an in-kind contribution to the Community College District #508, the City Colleges of Chicago, 32 acres in order for the City Colleges of Chicago to erect a new Wright College. The urgency of this matter is the fact, and the simple fact, that we have borderlined on probation from the North Central Association in the City College of Chicago because of not having a suitable site on Wright College. We have worked with the Department of Mental Health and Developmental Disabilities. We have worked with Central Management Services, and we have worked with the Department of Transportation, in asking of this in-kind contribution. We are not asking we, the City College of Chicago, they are not asking for this land for nothing. It's an in-kind contribution with the knowledge that's already been expressed in Amendment #3, that the

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City Colleges would not look to the State of Illinois for funds to build Wright College, inasmuch as it would cost the state 33 million dollars to erect Wright College. We are in essence - we, the City Colleges of Chicago - are, in essence, saving the State of Illinois 28 million dollars. The 32 acres would be worth approximately 6 million dollars. If the 75 percent which is required by the... be produced by the state through the Capitol Development Board and 25 percent from the local, that's the explanation. The City Colleges of Chicago will look for their funding from the Public Building Commission of the City College of Chicago which has already made a commitment. As I stated in my preface of my remarks, a lot of work has gone into this. We've had the cooperation of the departments that are concerned, and we have the support of those departments. And I ask your support this afternoon, or I should say this evening in passing this House Bill 608. And I'd be very happy to answer any questions, Mr. Speaker."

Speaker Greiman: "The Gentleman from Cook, Mr. McGann, moves for the passage of House Bill 608, and is there any discussion? The Gentleman from DeWitt, Mr. Vinson."

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

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

Vinson: "Representative McGann, is it the intention for the construction of the Community College that that will be done through the Public Building Commission?"

McGann: "That... That is correct Representative Vinson."

Vinson: "Mr. Speaker and Members of the Assembly, I rise in support of the Gentleman's Bill because of the factor that he just described. The intention is to use this land for a Community College. The intention is not for the Community

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College to come to the state for the... for Construction Funds as has previously been done with other Community Colleges around the full State of Illinois. The intention is to rely on the Public Building Commission. I think that the combination of those two things makes this Bill equitable for everybody involved. Yet, it does involve some degree of state support, but when the Community Colleges going to the Public Building Commission to pay for its construction. I think that that makes this Bill a very fair and equitable thing for all the citizens of the State of Illinois, and I would urge an 'aye' vote on the Gentleman's Bill."

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

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, the present Wright Junior College and the site of the proposed new Wright Junior College is in my district, and I live very close to it, and I've been familiar with it for years. The present site is adandoned mental health property, and it's overgrown with weeds and very unsightly, and there is a definite need for a new college. The present Wright College is inadequate to meet the community's needs, and I stand in full support of this... of this Bill. I ask for your 'aye' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 113 'aye', 1 voting 'no', none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. With leave of the House, move back to just a Bill or so for House Bill 578. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 578, a Bill for an Act to amend the

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Civil Administrative Code of Illinois. Third Reading of
the Bill."

Speaker Greiman: "The Gentleman from Sangamon, Mr. Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of House.
House Bill 578 establishes the State Employees' Suggestion
Award Board to implement a State Employees' Suggestion
Award Program. It's a good idea, because it will encourage
and award those individuals... Oh, excuse me, Mr. Speaker.
I'd like leave to take this Bill back to Second Reading for
purpose of a technical Amendment."

Speaker Greiman: "Yes. Alright. The Gentleman from Sangamon
moves... asks leave of the House to return the Bill to the
Order of Second Reading. Does the Gentleman have leave?
You have leave, Sir. Mr. Clerk."

Clerk Leone: "Amendment #4, Cullerton, amends House Bill 578."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, on
Amendment 4 to House Bill 578."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of
the House. I know it's late, and I hope everyone would
bear with me. Representative Ropp had an Amendment on this
Bill, Amendment #3, that we would call the 99 cent gap
Amendment. That if you would saved 20,001.50 you wouldn't
get any award at all, but if you saved \$20,001.00 you'd get
an award of \$1,000. So, there was a 99 cent gap in his
Amendment. And so, Amendment #4 removes the 99 cent gap,
and I move for the adoption."

Speaker Greiman: "The Gentleman from Cook moves for the adoption
of Amendment 4 to House Bill 578, on that is there any
discussion? Yes, the Gentleman from Lake, Mr. Churchill."

Churchill: "Thank you, Mr. Speaker. Has this been printed and
distributed, yet?"

Speaker Greiman: "No, it has not been printed and distributed.
Okay, the Gentleman... Alright. The question is, 'Shall

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Amendment #4 be adopted?' What? Oh, you didn't... Did you want... What do you want to do? Do you want to table it? Do you want to take it out of the record? Do you want to ask the Sponsor to take it out of the record? What is that's your pleasure, Mr. Churchill? Mr. Churchill, please. Were you seeking recognition, Mr. Churchill?"

Churchill: "Why don't you just take it out of the record for a minute, and you can come back to it if it gets printed and distributed?"

Speaker Greiman: "Well, Mr. Cullerton of course is not the... he's the Sponsor of the Amendment. Mr. Curran is the Sponsor of the Bill. Mr. Ropp is seeking recognition. For what purpose do you seek recognition, Mr. Ropp?"

Ropp: "Well, Mr. Speaker, I suppose to help resolve the problem. Some of the staff just came over and said that this is what we'd like to do, and I just thought the normal policy of the House chamber would be to at least introduce it and have it printed and brought around. I mean I know that we're pressed for time, but I didn't assume that we would just jump right into it without the normal process that we all as Members are expected to do."

Speaker Greiman: "Well, Mr. Curran."

Curran: "Mr. Speaker, this Bill was taken out of the record for a similar problem about a week ago. Given the time in the Session, I'd like to dispense with Amendment #4, move it back to Third Reading and pass the Bill. Amendment #4 didn't do very much. It was a technical Amendment in sort of service to Representative Ropp's Amendment. Representative Ropp's Amendment has a 99 cent gap. I'm willing to live with that. I don't think that anybody would actually exclude anybody for an award under that basis. So, what I'd like to do is go to Third Reading and pass this Bill and forget Amendment #4."

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Speaker Greiman: "Well, Mr. Cullerton, of course may care to withdraw that Amendment. Mr. Cullerton withdraws Amendment #4. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Mr. Clerk, call the Bill."

Clerk Leone: "House Bill 578, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Sangamon, Mr. Curran."

Curran: "Thank you, Mr. Speaker. I believe this Bill is a great idea because it encourages savings from state employees. It encourages their ideas to produce savings. It will show our commitment as Legislators to reducing the cost to government. The State Employees Suggestion Award Board as I mentioned is composed of seven members designated by the Governor, the Comptroller, the Director of the Department of Central Management Services and the four... the four legislative leaders. The maximum award any state employee can be given with a good savings idea will be \$5,000, and that will be paid in one lump sum from the first year of savings. Representative Ropp has the Amendment which determines the formula for awarding that award. I'm sure that I will be glad to and Representative Ropp will be glad to answer any questions. However, I believe there's no opposition to this Bill, and I ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Sangamon, Mr. Curran, moves for the passage of House Bill 578, does anyone stand in opposition? There being none... no one, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are

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107 voting 'aye', none voting 'no', 1 voting 'present'.
And this Bill, having received the Constitutional Majority,
is hereby declared passed. On the Order of House Bills
Third Reading, Short Debate, on page 16 on the Calendar,
appears House Bill 943, Mr. LeFlore. Mr. Clerk, read the
Bill."

Clerk Leone: "House Bill 943, a Bill for an Act in relationship
to Alcohol and Substances Abuse Programs. Third Reading of
the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. LeFlore, on House
Bill 943."

LeFlore: "Thank you, Mr. Chairman, Ladies and Gentlemen of the
House. 943 amends the Public Aid Code and the Alcohol and
Substance Abuse Act, requiring that the Department of
Public Aid and Department of Alcohol and Substance Abuse
will offer programs and treatments and preventions for
alcoholic and substance abuse to recipient of public aid.
This Bill will merely entitle those new clients who are
first clients of public aid to be given some type of a
documentation indicating where these sites are located
where they'd be able to receive treatments. I'd like to
have a favorable vote."

Speaker Greiman: "The Gentleman from Cook, Mr. LeFlore, moves for
the passage of House Bill 943. Does anyone stand in
opposition? There being no one, the question is, 'Shall
this Bill pass?' All those in favor signify by voting
'aye', those opposed vote 'no'. This is final action.
Have all voted who wished? Yes. Have all voted who wish?
Mr. Clerk, take the record. On this question, there are
107 voting 'aye', none voting 'no', none voting 'present'.
This Bill, having received the Constitutional Majority, is
hereby declared passed. Alright, yes. Alright. Mr.
Clerk, the Chair would like to correct a record... the

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previous temporary Speaker in error advanced a Bill to the Order of Third Reading, House Bill 1665. Apparently, a request for a fiscal note had been asked for. A State Mandate's Act fiscal note instead was filed, and the Bill, House Bill 1665, should be returned to the Order of Second Reading. And Mr. Panayotovich will be required to furnish a fiscal note. On the Order of the House Bills Second Reading, appears House Bill 949. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 949, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Leverenz, on House Bill 949."

Leverenz: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 949 would provide a... an exemption from licensing by municipalities for school buses in the State of Illinois the way it was a few years ago. The licensing of school buses by municipalities to the best of my knowledge has been in affect for about a year or a year and a half, and the Bill came out of Committee with no descending votes. I'd like to see that restoration. The loss in municipal licensing to the best of my knowledge is about 6... \$16,000 a year. And what in effect your doing is taking school money raised by taxes and handing it over to the municipalities. I don't believe it amounts to a great deal, but before the whole thing gets cast in stone we want to restore the exemption as it existed prior to the 82nd General Assembly. I'll answer any questions you might have, and ask for your 'aye' vote to pass the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Leverenz, moves for the passage of House Bill 949. Does anyone stand in opposition? The Gentleman from Cook, Mr. O'Connell."

O'Connell: "A question of the Sponsor."

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Speaker Greiman: "Proceed."

O'Connell: "Representative, how do you define licensing?"

Leverenz: "Vehicle stickers."

O'Connell: "Vehicle stickers."

Leverenz: "I said licensing by municipalities. I thought that was vehicle stickers."

O'Connell: "Does this mean then that a municipality that charges every other owner of a vehicle a fee for a vehicle sticker will no longer be able to charge a fee to a school bus company?"

Leverenz: "The Bill specifically states, 'motor vehicles used to transport for hire, students to or from a school'. Did that answer your question?"

O'Connell: "I think the answer to the question is, that every municipality under one million would be precluded from charging a fee for vehicle stickers on school bus vehicles."

Leverenz: "That's correct."

O'Connell: "That are domicile in that municipality."

Leverenz: "That's correct. The only thing that you included, that I did not include, is that it's under a million."

O'Connell: "I'm sorry."

Leverenz: "... the population figure."

O'Connell: "So, Chicago is included."

Leverenz: "Is in the Bill, yes."

O'Connell: "Is this Bill on Short Debate, Mr. Speaker?"

Speaker Greiman: "Yes, the Bill is on Short Debate, Mr. O'Connell."

O'Connell: "I would ask the requisite number of people to join me to take this Bill off Short Debate."

Speaker Greiman: "Well, I see seven hands asking for..."

Leverenz: "Mines up too, let's go."

Speaker Greiman: "Mr. Leverenz included. Mr. O'Connell, proceed."

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You have the floor, Sir."

O'Connell: "May I address the Bill. Mr. Speaker, this issue has come up several times. The first time the issue came up was in 1981. It was a Bill sponsored by Representative Huskey, I believe, whose intent in... in introducing a Bill was to prevent municipalities from regulating school buses that were already regulated by the state. I stress the word, regulation, because the distinction was drawn between regulation and licensing. The intent of the Sponsor as told me at that time was that he was not attempting to preclude a municipality from licensing... that is licensing in the form of vehicle stickers on school buses. The Bill was passed. The Bill was enacted into law and was then implemented. Concurrently with the implementation of the law, the School Bus Association wrote to their members that they no longer had to pay vehicle stickers to their municipalities because this Bill said that they didn't have to do that. The issue, the law, was a subject of a declaratory judgement action in a municipality which I happen to represent as counsel, and it was adjudicated by the Circuit Court that indeed the intent of this Bill and the thrust of the Bill was not to preclude a municipality from issuing vehicle stickers to these school bus companies. Now, I stress to you, that you do have municipalities that have domicile in their communities school bus companies. Some of these school buses have 50, 60 or more school buses that use their roads, use their streets and utilize the police operations of those communities. What we are doing with this Bill would be to preempt them from charging a vehicle sticker. The same vehicle sticker that they charge their residents who have their own privately owned vehicles to raise the... the necessary revenues to pay for the police operations, to pay

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for the road improvements and the utilization of their streets and highways. I would ask Members of this General Assembly not to vote for this Bill, to vote 'no'. It is preempting many municipalities, and it is not a very wise measure."

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

Bowman: "No thank you."

Speaker Greiman: "Further discussion? There being none, Mr. Leverenz to close."

Leverenz: "Well, I'm not on a retainer here, but I simply have a Bill that I think we've passed before. And the Bill restores what we had or what we thought we had before, and that is, that municipalities under a million a school bus doesn't have to have a vehicle sticker. I don't know all the things that you discussed there, Representative to the south. However, we're only trying to provide the exemption that existed prior. I'd ask for your 'aye' vote to pass the Bill."

Speaker Greiman: "Mr. O'Connell, for what purpose do you seek recognition?"

O'Connell: "A point of personal privilege, Mr. Speaker. There was a reference to retainer. It is true that I am the attorney for a municipality that did involve itself in litigation. The litigation is long since over. I am voicing my opinion as a member of this body. This Bill affects many other municipalities, and a municipality that I happen to represent. I got no contingency fee. Nothing out of that action, and it is long since over. And I resent the Gentleman's insinuation, and I would ask the Chair, since this appears to preempt home rule municipalities, does this require 70 votes?"

Speaker Greiman: "We'll look at it. Mr. O'Connell, with respect

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to your inquiry, pursuant to Section 6, Subsection H of the Constitution dealing with powers of home rule units, this does indeed preempt the power and authority of a municipality. However, under the Constitution it is one of those kinds of preemption which only takes a 60 vote number. If you will note, the other Sections of Article... or Section 6 of the Constitution provide for specific Three-Fifths or Extraordinary Majority. This particular Subsection, Subsection H, does not so provide. Accordingly the answer is yes it does and no it doesn't. The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those... those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Yes, Mr. Davis, for what purpose do you seek recognition?"

Davis: "Nothing."

Speaker Greiman: "Wish to explain your vote, Sir?"

Davis: "No, not now."

Speaker Greiman: "Alright. Take the record. Mr. O'Connell."

O'Connell: "I'd ask for a verification of the affirmative votes."

Speaker Greiman: "Alright. So, on this question there are 65 voting 'aye', 20 voting 'no', 22 voting 'present'. Mr. Leverenz asks for a Poll of the Absentees."

Clerk Leone: "Poll of the Absentees. Braun. Bullock. Currie. Didrickson. Giglio. Greiman. Krska. Laurino. LeFlore. Oblinger. And Wolf. No further."

Speaker Greiman: "Mr. Clerk, verify the Affirmative Roll Call."

Clerk Leone: "Poll of the Affirmative. Alexander. Barnes. Berrios."

Speaker Greiman: "Excuse me. Mr. Steczo asks leave to be verified. Mr. O'Connell, Mr. Steczo asks leave to be verified. Proceed."

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Clerk Leone: "Brookins. Capparelli. Christensen. Churchill.
Cowlshaw. Daniels. Davis. DeJaeger. DeLeo.
Deuchler. Flinn. Virginia Frederick. Dwight Friedrich.
Goforth. Hallock. Hartke. Hastert. Hicks. Hoffman.
Homer. Klemm. Kubik. Kulas. Leverenz. Mautino. Mays.
McAuliffe. McGann. Mulcahey. Nash. Panayotovich.
Parcells. Parke. Bernard Pedersen. William Peterson.
Phelps. Piel. Pullen. Rea. Began. Richmond. Ropp.
Ryder. Saltsman. Satterthwaite. Shaw. Slater. Soliz.
Stange. Steczo. Tate. Terzich. Turner. Van Duynes.
Vinson. Vitek. Washington. Weaver. Williamson. Anthony
Young. Wyvetter Younge. And Zwick."

Speaker Greiman: "Mr. Young, for what purpose do you seek
recognition. Change Mr. Young's vote from 'aye' to
'present'. Greiman, 'aye'. Greiman 'aye'. Mr. O'Connell,
questions of the Affirmative Roll Call."

O'Connell: "Representative Alexander."

Speaker Greiman: "Miss Alexander is in her seat."

O'Connell: "Representative Brookins."

Speaker Greiman: "Mr. Brookins. Is Mr. Brookins in the chamber?
How is Mr. Brookins recorded?"

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

Speaker Greiman: "Remove Mr. Brookins from the Roll Call."

O'Connell: "Representative..."

Speaker Greiman: "Mr. Brookins is at the door. Add Mr. Brookins
back."

O'Connell: "Representative McGann."

Speaker Greiman: "Mr. McGann. Mr. McGann in the chamber? How is
Mr. McGann recorded?"

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

Speaker Greiman: "Remove Mr. McGann. Mr. McCracken votes... goes
from 'no' to 'present'. Proceed."

O'Connell: "Representative Panayotovich."

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Speaker Greiman: "Mr. Panayotovich. Mr Panayotovich in the chamber? No, Mr. Rice, you're not Mr. Panayotovich. How is Mr. Panayotovich recorded?"

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

Speaker Greiman: "Remove Mr. Panayotovich. Now, Mr. Rice, for what purpose do you seek recognition? Mr. Rice goes from 'present' to 'aye'. Proceed."

O'Connell: "Representative Rea."

Speaker Greiman: "Mr. Rea. Is Mr. Rea in the chamber? Mr. Rea is over on the side. Mr. Matijevich votes 'aye'."

O'Connell: "Representative Satterthwaite."

Speaker Greiman: "Miss Satterthwaite is down here with Mr. Dunn."

O'Connell: "Representative Terzich."

Speaker Greiman: "Mr. Terzich. Mr. Terzich is right in the center aisle."

O'Connell: "Representative Turner. Mr. Turner. Mr. Turner. How is Mr. Turner recorded?"

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

Speaker Greiman: "Remove Mr. Turner. Mr. White goes from 'present' to 'aye'. Mr. White goes 'present' to 'aye'."

O'Connell: "Representative Klemm."

Speaker Greiman: "Mr. Klemm. Mr. Klemm is in his chair. Miss Flowers goes from 'present' to 'aye'."

O'Connell: "No further questions."

Speaker Greiman: "Mr. Terzich goes from 'aye' to 'no'. Miss Braun votes 'aye'. Mr. Ewing, for what purpose do you seek recognition? Pardon. Mr. Ewing."

Ewing: "How am I recorded?"

Speaker Greiman: "You're recorded as voting 'no'."

Ewing: "Change me to 'aye', please."

Speaker Greiman: "Mr. Ewing goes from 'no' to 'aye'. Mr. Wait. Mr. Wait goes from 'present' to 'aye'. Mr. Pangle. Mr. Pangle goes from 'present' to 'aye'. Miss Breslin. Miss

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Breslin goes from 'no' to 'aye'. Mr. LeFlore. Mr. LeFlore votes 'aye'. Mr. Mulcahey. Mr. Mulcahey remains 'aye'. Alright. On this question, there are 71 voting 'aye', 18 voting 'no', 18 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate, appears House Bill 964, Mr. Ropp. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 964, a Bill for an Act to amend the Illinois Purchasing Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. House Bill 964 amends the Illinois Purchasing Act. Requires advertisements for bids to approximate the number of days between contractors, vendors or vendors submission of a Bill and the state's payment. There have been a number of times when people who have provided services for the state seem to receive their payment long, long after what they considered was justifiably right, and so this just states that the Department... the state when letting advertisements in the newspaper that they would also include the approximate date after which the submission of the bill by the vendor would be until they would receive payment by the state. I welcome your support."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp, moves for the passage of House Bill 964. Does anyone stand in opposition? The Gentleman from McHenry, Mr. Klemm."

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

Speaker Greiman: "Yes, he will yield for questions."

Klemm: "I noticed that if they do not put this provision in there, it's a penalty clause in there, is that correct?"

Ropp: "Yes."

Klemm: "Is it just a violation if they don't follow all these

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provisions?"

Ropp: "Yes, it's a violation and... well it's not that big a deal just to include it in there..."

Klemm: "Well, my question is what happens if the funds were to lapse after the bid and the contractor takes on a bid? The fund lapse in the Department. They don't pay them when... when you've advertised with... And because they don't, is it a violation? It becomes under Class A."

Ropp: "No, it's not the violation that would circum. It would be the violation if they weren't put in the bid in a state newspaper."

Klemm: "Alright. So, to say when they'll get paid is one thing and if they lapse the funds in that Department or that agency and that contractor doesn't get paid, it doesn't mean anything anyhow, does it?"

Ropp: "You're correct."

Klemm: "Okay. Thank you."

Ropp: "This is just an approximation date anyway."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take... Mr. Clerk, take the record. On this question, there are 105 voting 'aye', 1 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Short Debate, appears House Bill 975. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 975, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Rock Island, Mr. Brunsvold."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment 3 to 975 is the Bill. It does three

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things. One, it puts rifles that are 16 inches or less into the same language as Federal Law addressing a sawed off rifle. Number two, it addresses the... a machine gun situation where one pull of the trigger would result in one function of the weapon. That's the same as Federal Law. Right now, Illinois Law says that you can one function of the trigger and eight shots fired. And number three, it includes confiscation of a vehicle or aircraft in the commission of a residential burglary. Now that situation there are confiscation of vehicles and aircraft for lesser offenses. This simply puts it into... into the residential burglary area. I would... be... or happy to answer any questions."

Speaker Greiman: "The Gentleman from Rock Island, Mr. Brunsvold, moves for the passage of House Bill 975. Does anyone stand in opposition? The Gentleman from Cook, Mr. Bowman."

Bowman: "Will the Gentleman yield for a question? Representative Brunsvold, I'm... I was on the floor a couple of years ago when we inadvertently legalized the private use of machine guns, and the explanation the Sponsor gave at that time... it was not you, it was the Gentleman who's no longer here, by the way. The explanation the Sponsor gave was that well we were just conforming the language of State Law to Federal Law, and we discovered that there was a glitch in the law which because the Federal Law also cross referenced State Laws that it turned out that... practical effect of what we did was to legalize the private ownership and possession of machine guns. Now, have you researched this yourself to... to... can you assure us personally that we're not going to get ourselves in the same kind of jam?"

Brunsvold: "I have talked to the individual you were referring to about this situation, and he said this did not... did not effect what he was doing back in those days. And I've got

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the support. I've run this by the NRA. They are neutral on the Bill. The Speaker..."

Bowman: "That's precisely what concerns me, Representative Brunsvold."

Brunsvold: "The Speaker's Law Enforcement Advisory Committee which the chiefs of police, the sheriffs, state's attorneys, the corrections, the Department of Law Enforcement are all in favor of the Bill."

Bowman: "And that's it. There's no one else who's in favor of the Bill. I mean these are the same... these are the same people that were in favor of the Bill before."

Brunsvold: "Right. The purpose of the one function of the trigger with one round being fired basically addresses the same language as a Federal Law and that's were I took that language from."

Bowman: "Yes, I'm... Representative Brunsvold, I... I won't take up much more of your time or the body's time, but this is a source of concern to me because it looks to me, as far as I can tell, I can't see any difference between what we did before and what we're doing now except the nature of the weapon is different. And so I just wanted to voice my concern, and so I hope you'll understand if I cast a safe vote on this Bill."

Brunsvold: "Okay."

Speaker Greiman: "Further discussion? There are a number of people seeking recognition. I remind you that the Bill is on Short Debate. Under our rules, you are allowed a certain amount of time, reasonable time, to ask questions. The Gentleman from Cook, Mr. Shaw."

Shaw: "Yes, Mr. Speaker, will the Sponsor yield? Mr. Speaker, I ask to be joined by the record number of people to take... to remove this from Short Debate."

Speaker Greiman: "There are appropriate hands to take the... rule

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the Bill from the Order of Short Debate. Proceed, Mr. Shaw."

Shaw: "Yes, will the Sponsor yield?"

Brunsvold: "Yes."

Shaw: "On Amendment #4..."

Brunsvold: "4? That's been withdrawn."

Shaw: "Oh, it has?"

Brunsvold: "Yes."

Shaw: "Alright."

Brunsvold: "That was Representative Greiman's Amendment, I believe, that he withdrew."

Shaw: "No questions then."

Speaker Greiman: "Miss Koehler, the Lady from Marshall, seeking recognition."

Koehler: "Well, thank you, Mr. Chairman and Ladies and Gentlemen of the House. I along with Representative Bowman remember full well the time when we inadvertently made an incorrect piece of legislation with regard to machine guns. And knowing that you come from the same community, the Rock Island - Moline area, as did the former Sponsor, I just wanted to inquire as to the origin of your idea for this legislation."

Brunsvold: "Representative the whole genesis of this Bill is to put in state language the same language as in the federal laws. So that if law enforcement agents find a... an unlawful situation with sawed-off rifles or shotguns, they do not in fact have to go to federal court. If the feds decide they don't want to prosecute, then the local officials can't do anything. And the local... local people want to enforce this law, the federal law, but they can't do it unless the feds agree to do it and sometimes they won't and then the local people can't do anything about it. And that's the whole genesis of the Bill."

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Koehler: "Well, my... my question to you is, is it local law enforcement officials who have requested this, or is it the local machine gun manufacturer who has requested this?"

Brunsvold: "No. The request for this Bill came from the Rock Island Police Department."

Koehler: "Well, alright then, Mr. Brunsvold, I shall support your legislation. But I was concerned that it might be that same machine gun manufacturer who comes from your community who got us into trouble last time."

Brunsvold: "He was from Geneseo, as I remember talking to the former Representative. I have no desire to do what... what happened with the former Representative."

Koehler: "Well, and we have no desire to repeat that occasion either. Thank you."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp."

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

Brunsvold: "Yes."

Ropp: "Could you tell me, does this have any bearing or affect on an individual collector of either antiques or weapons of this kind?"

Brunsvold: "No. That has nothing to do with the antiques or collectors of guns."

Ropp: "Okay. Thank you."

Speaker Greiman: "Alright. Further discussion? There being none... Oh, I'm sorry. Mr. Homer, the Gentleman from Fulton."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. I certainly am willing to stick my neck out and cast a vote in favor of this Bill. It's a very simple Bill. It prohibits the possession of rifles with barrels less than 16 inches. It prohibits the possession of shotguns with barrels of less than 16 inches. It prohibits the possession of any rifle or shotgun with a total length of

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less than 26 inches. It prohibits the possession of any gun which can fire more than one shot with a single function of the trigger to protect against the possession of hand machine guns or guns that burst more than one bullet with one pull of the trigger. And finally, it simply adds a... a totally unrelated Section of the Criminal Code dealing with seizure of vehicles. The situation where a vehicle is used in the commission of a residential burglary. That's all this Bill does. I really don't think it really should be controversial, and all of us should be able to support it whether we're for gun control or not. It's... It's a good Bill and that's all it does."

Speaker Greiman: "The Gentleman from Rock Island, Mr. Brunsvold, to close. Mr. Brunsvold to close."

Brunsvold: "Thank you, Mr. Speaker. In closing, the language that's incorporated in the first two Sections dealing with sawed-off rifles and machine guns, simply is quoting the federal law, and I would ask for your support for House Bill 975."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 103 voting 'aye', none voting 'no', 10 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Why am I seeking recognition, Currie? Vote me 'present', Currie. Vote me 'present'. So, it will be 102 voting 'aye', none voting 'no', 9 voting 'present'... 11 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative Breslin in the Chair."

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Speaker Breslin: "House Bill 990, Representative Kirkland.
Clerk, read the Bill."

Clerk Leone: "House Bill 990, a Bill for an Act to amend the
Illinois Student Records Act. Third Reading of the Bill."

Speaker Breslin: "Representative Kirkland."

Kirkland: "Thank you, Madam Speaker, Ladies and Gentlemen of the
House. House Bill 990 amends the Illinois School Student
Records Act to permit disclosures of school student records
for research, statistical reporting, or planning provided
the person to whom the information is released signs an
affidavit agreeing to comply with all applicable statutes
and rules pertaining to the school student records. That
affidavit is not currently required. It is currently
required that the State Board of Education give approval
for release of records, and this Bill deletes that... that
State Board of Education requirement."

Speaker Breslin: "The Gentleman moves for the passage of House
Bill 990, and on that question is there any discussion?
There being no discussion, the question is, 'Shall House
Bill 990 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 DeLeo, do you wish
to explain your vote? Very good. Have all voted who wish?
The Clerk will take the... Representative Preston. Could
someone turn around and vote Representative Preston
'present'? Very good. The Clerk will take the record. On
this question, there are 110 voting 'aye', none voting
'no', and 6 voting 'present'. This Bill, having received
the Constitutional Majority, is hereby declared passed.
House Bill 992, Representative Kirkland. Clerk, read the
Bill."

Clerk Leone: "House Bill 992, a Bill for an Act to amend the
School Code. Third Reading of the Bill."

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Speaker Breslin: "Representative Kirkland."

Kirkland: "Madam Speaker, I ask for leave of the Body to take this back to Second Reading for an Amendment."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading. Is there any objection? Hearing no objection, the Gentleman has leave. Mr. Clerk, read the Bill on Second Reading."

Clerk Leone: "House Bill 992, Second Reading of the Bill. Amendment #1 was adopted previously. Floor Amendment #2, Kirkland, amends House Bill 992."

Speaker Breslin: "Representative Kirkland."

Kirkland: "Withdraw that Amendment, please."

Speaker Breslin: "The Gentleman withdraws Amendment #2. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Kirkland, amends House Bill 992."

Speaker Breslin: "Representative Kirkland."

Kirkland: "Okay. Amendment 3 does what Amendment 2 did technically incorrectly. It amends the gifted education portion of the School Code, Section 14(a)-3, to clarify authority of the Illinois State Board of Education to establish standards for personnel as part of supervising gifted programs."

Speaker Breslin: "The Gentleman has moved for the passage of Amendment... or adoption of Amendment #3 to House Bill 992, and on that question is there any discussion? The Gentleman from Macon, Representative Dunn, on Amendment #3."

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

Speaker Breslin: "He will yield."

Dunn: "If I read my analysis correctly, there are two ways... in the main Bill... Well, I'm not really talking about the Amendment I guess..."

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Kirkland: "Okay."

Dunn: "Go ahead."

Speaker Breslin: "Have you finished, Representative Dunn? He has. There being no further discussion, the question is, 'Shall Amendment #3 to House Bill 992 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Kirkland now asks leave for the Body for immediate consideration of House Bill 992 as amended on Third Reading, is there any objection? Hearing no objection, this Bill will be heard immediately on Third Reading. Proceed, Mr. Clerk."

Clerk Leone: "House Bill 992, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Kirkland."

Kirkland: "The Bill now does three basic things. One is what I just described in the Amendment. Another thing that it does, it changes the chief school business official endorsement in the administrative certificate Section of the School Code to eliminate one of two ways that you can become endorsed as a business official. It eliminate... The way eliminates is a... is a way that the State Board of Education... by rule already does not use. It requires the more stringent requirements of the second way, that is a master's degree with so many hours within that master degree in a program area. The Bill also then adds some language which was agreed to after some negotiation I guess between the State Board and JCAR, establishing statutory authority and guidelines for a process that I guess has been occurring since 1966, which is that the State Board of Education by rule sets higher standards... higher our

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standards than the statutory minimum for administrative certificates. I'd be glad to explain any of that language, but the... of what it does."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 992. And on that question, the Gentleman from Marion, Representative Friedrich."

Friedrich: "Would the Sponsor yield?"

Kirkland: "Sure."

Friedrich: "I see the word 'endorsement', does that mean that that's mandatory that a school cannot hire their school business administrator without having this... having master's degree and all that?"

Kirkland: "Yes."

Friedrich: "You mean that I... you'd have to have a master's degree to be hired as a school business official."

Kirkland: "That would be the law now. That would be the minimum standard required under this Amendment."

Friedrich: "Okay, then to the Bill. I think this is a little absurd. I don't think you have to have a master's degree to done... to run the business of a school which is fairly minimal. We've got schools with very small attendance. They're total business doesn't amount to a million dollars a year, and we've got businesses all over this country run with people who don't have a master's degree. And why we have to have a master's degree to run the business of a small school, I can't figure it out."

Kirkland: "Okay. Can I respond? Just that it's my understanding that the State Board of Education by rule already requires a master's degree and doesn't even refer to the statutory minimum."

Speaker Breslin: "The question is, 'Shall House Bill 992 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted

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who wish? The Clerk will take the record. On this question there are 82 voting 'aye', 22 voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1008, Representative Harris. Clerk, read the Bill."

Clerk Leone: "House Bill 1008, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Breslin: "Representative Harris. Representative..."

Harris: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, House Bill 1008 provides that the library levy for municipal or township libraries would be listed separately on a... a taxpayers' property tax bill. The Illinois Library Association is in support of this Bill. It received unanimous vote in Committee, and I would ask for a favorable vote on the House."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1008, and on that question is there any discussion? Can we clear the board, Mr. Clerk? While we wait for the board to clear, is there any discussion on this Bill? There being no discussion, the question is, 'Shall House Bill 1008 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 111 voting 'aye', 1 voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1016, Representative Van Dwyne on his 42nd wedding anniversary. Mr.... Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1016, a Bill for an Act to amend the Humane Care for Animals Act. Third Reading of the Bill."

Speaker Breslin: "Representative Van Dwyne."

Van Dwyne: "Yes, Madam Speaker, on this Humane Bill for us animals I'd just like to report that it came out of

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Committee unanimously. It is supported by all agencies of the... of the agriculture and the veterinarian for the people and the people who support these type of things. And we have no opposition at all that I know of, and I ask for your support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1016. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Okay. This is the Bill that we didn't put the 'knowingly' Amendment on. So, true story, woman doctor gets called in the middle of the night to go to the hospital. She gets in the car. She races off to the hospital. There's somebody trying to catch-up to her with another car, but she's in a hurry. She's got to go to the hospital. She gets to the hospital. She gets out of her car, and she is reminded of the fact that she tied her dog to the bumper of the car. She goes to jail for a year under this Bill. Even though she didn't intend to harm the animal, we made it a strict liability law. And I'm going to vote 'present'."

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

Klemm: "This sounds more like a malpractice act, I don't know. I don't know, of course, if the animal was injured or anything else, and there's a distinct difference between them. Anyhow, I don't think anybody would prosecute under those conditions anyhow, but I think the provisions of the Bill are adequate. I think we certainly need some protection. And I think the Bill deserves our support in spite of the incident Representative Cullerton gave us."

Speaker Breslin: "The Gentleman from Lee, Representative Olson, on the question. Remember that this Bill is on the Order of Short Debate."

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Olson: "I'll make my... my issues brief. Thank you, Madam Speaker, Ladies and Gentlemen of the House. I too rise in support of the Bill. Representative Cullerton described it as a lady doctor. Somebody on our side of the aisle said it happened in the Galesburg area last Saturday night, might have been the same. I agree with Representative Klemm, I doubt if a prosecutor would move that. The essence of the Bill is that it will send a strong and clear message to people who abandon animals. Who would treat them cruelly. What we need is a prosecutor under the proper circumstances who would move on it. Therefore, I would urge passage of the Bill."

Speaker Breslin: "... To remind Members when we are on Short Debate, the rules provide that one person speaks in favor of the Bill, one person speaks in opposition to the Bill. If that has already happened, Members are allowed to ask questions, but that is all. Are there any Members that still wish to talk on this Bill? If so, they must ask questions. The Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Madam Speaker, in violation of the rules again to that, I would like to ask Representative Cullerton if that dog had a seatbelt on it or not?"

Speaker Breslin: "Your question is out of order, Representative Vinson. There being no further discussion, the Gentleman from Will, Representative Van Dwyne, is allowed to close."

Van Dwyne: "Thank you, Madam Speaker. Well I've already used my time, and this is the time to Myron Olson. So, thank you very much. I just ask for your support."

Speaker Breslin: "Very good. The question is, 'Shall House Bill 1016 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.

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On this question, there are 96 voting 'aye', 2 voting 'no' and 12 voting 'present'. This Bill, having received... Representative Johnson asks to be voted 'aye'. There are, therefore, 97 voting 'aye', 2 voting 'no', 12 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1035, Representative Soliz. Clerk, read the Bill."

Clerk Leone: "House Bill 1035, a Bill for an Act to amend the General Not-For-Profit Corporation Act. Third Reading of the Bill."

Speaker Breslin: "Excuse me, Representative Soliz. Representative Parke, for what reason did you seek recognition?"

Parke: "I would like to cast a 'yes' vote."

Speaker Breslin: "Okay, Representative Parke. You may not be added to the Roll Call once the Roll Call is taken, but the record can note that you wish to be voted 'aye' on House Bill 1016. Representative Soliz on House Bill 1035."

Soliz: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This is a very simple Bill. Presently, under current law corporations that operate in this state for profit can use their foreign name when they're register with the Secretary of State. For example, if there's a corporation that makes tacos, they can be... Tacos and legitimately register with the Secretary of State as a for-profit corporation. Under current law, non-for-profit corporations cannot register under the foreign name. This Bill simply allows non-for-profit corporations to register with the Secretary of State under their foreign name. The Secretary of State's Office does not oppose this Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1035, and on that question is there any discussion? There being no discussion, the question is,

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'Shall House Bill 1035 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 115 voting 'aye', none voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1042, Representative Levin. Clerk, read the Bill."

Clerk Leone: "House Bill 1042, a Bill for an Act to amend the Illinois Administrative Procedure Act. Third Reading of the Bill."

Speaker Breslin: "Representative Levin."

Levin: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1042 as amended allows the use of emergency rule making under Section 5.02 of the Illinois Administrative Procedure Act to implement consent decrees or other court orders adopting settlements negotiated by state agency. It prohibits the use of peremptory rule making which is reserved for the implementation of rules when the agency has no discretion in their implementation for this purpose. This is a Bill sponsored by the Joint Committee on Administrative Rules, and with the addition of Amendment #2 was worked out with the Department of Public Aid."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1042, and on that question, is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Will the... Will the Gentleman yield?"

Speaker Breslin: "He will."

McCracken: "Just for the record I'm... I'm unclear on the distinction. What is the significance of peremptory rule making?"

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Levin: "Peremptory rule making is a procedure by which where there is no discretion on the part of the agency. You can bypass any of the notice requirements and just go and adopt the rule."

McCracken: "And emergency rule making."

Levin: "Emergency rule making is a procedure by which a rule may be put into effect for a 150 days."

McCracken: "So, there's a time limit on its affectiveness..."

Levin: "Yes, and during this... during this time you could be proposing a permanent rule."

McCracken: "Okay, and it would expire by its own terms. There'd no sunset vote or anything. It would expire by its own terms."

Levin: "The emergency rule?"

McCracken: "Yes."

Levin: "Yes."

McCracken: "And you are now proposing that the emergency rule making authority be given..."

Levin: "Yes."

McCracken: "As opposed to peremptory."

Levin: "Correct."

McCracken: "Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall House Bill 1042 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 113 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Hallock, I understand that you had a... a Motion to present. We'll change the Order of Business to consider Representative Hallock's Motion. Representative

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Hallock."

Hallock: "If you're talking about 1165, we'll do it now. Thank you, Madam Speaker. 1165 is a Bill which I'm sponsoring which was on the Consent Calendar. We had removed it from there for purpose of establishing some legislative intent that need is no longer necessary, and I would ask leave of the House to put it back on the Consent Calendar."

Speaker Breslin: "The Gentleman asks leave by unanimous consent to put House Bill 1165 on the Consent Calendar. Hearing no objection, the Gentleman has leave by the use of unanimous consent. Ladies and Gentlemen, on page 55 on your Calendar appears the Consent Calendar. Consent Calendar Third Reading, Second Day. Mr. Clerk, read the Bills."

Clerk Leone: "House Bill 1957, a Bill for an Act to amend an Act relating to the eradication of Bovine Tuberculosis and Bovine Berculosis in Illinois, and House Bill 2088, a Bill for an Act in relationship to the practice of barbering and cosmetology. Third Reading of these Bills."

Speaker Breslin: "The question is, 'Shall the Bills on the Consent Calendar be passed?' This is final action. All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? To iaform the Body of what we are doing, there is an inquiry as to whether or not one of the Bills on Third Reading would require an Extraordinary Majority, and we are researching that at the moment. The Clerk will take the record. On this question, there are 115 voting 'aye', none voting 'no', and 1 voting 'present'. This... These Bills, having received the Constitutional Majority, are hereby declared passed. It should be noted that neither of the Bills required an Extraordinary Majority for passage. On page 6 on your... 56 on your Calendar, Ladies and Gentlemen, appears Constitutional Amendments Second

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Reading. HJRC 1, Representative Madigan. Clerk, read the Bill. Would you read the title, Mr. Clerk, please?"

Clerk Leone: "House Joint Resolution Constitutional Amendment #1, provides for the instance of Bill subject to Amendatory Veto for the General Assembly may reject the Governor's specific recommendations for change and pass a Bill by record vote of the Majority. It has been read a second time previously."

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

Clerk Leone: "Floor Amendment #1, Madigan - Greiman, amends House Joint Resolution Constitutional Amendment #1."

Speaker Breslin: "Representative Cullerton on the Amendment."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Constitutional Amendment deals with the Amendatory Veto process, and one of the things that it does is to reduce the number of votes needed in certain circumstances. And what the Amendment does is to make it clear that this does not reduce the number of votes required for such things as preemption or bond requirements. I move for the adoption of Amendment #1."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to HJRC 1. And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Will the Sponsor yield?"

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

McCracken: "Representative, I'm looking at the Bill, and I'm not clear on how the Amendment changes the Bill as originally proposed, could you detail that, please?"

Cullerton: "Alright. The first part of the Amendment is just technical. It just rewrites it... what was already in the original Constitutional Amendment. And the second part is a... is a second need for the Amendment, is a clarification

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that even though we're... in some cases we're reducing the amount of votes that you need to override the Governor, this does not change the amount of votes you need when you have bonding requirements, which require 71 votes, or if you have a preemption situation, which also requires 71 votes."

McCracken: "Would a Constitutional Majority as opposed to an Extraordinary Majority suffice if this became law for an override? I mean what is it... what is it that the number would be reduced to?"

Cullerton: "60"

McCracken: "60"

Cullerton: "From 71, in certain circumstances."

McCracken: "Do you know how many Bills there were last year in the Veto Session that were considered for override? Just roughly. I don't... I don't recall."

Cullerton: "I don't know, even though we will have an opportunity to debate this Constitutional Amendment."

McCracken: "Hundreds. Hundreds and hundreds."

Cullerton: "We will have an opportunity to debate this on Third Reading."

McCracken: "Oh, this only relates to Amendatory Vetoes."

Cullerton: "Yes, and this is an Amendment to a Constitutional Amendment. We're on Second Reading so..."

McCracken: "Right. I'm just asking. It only relates to Amendatory Vetoes."

Cullerton: "Right. Right."

McCracken: "Okay. Alright. Now in that situation are there any germaneness requirements on the Amendatory Veto affected by this proposed Amendment?"

Cullerton: "No."

McCracken: "I'm glad you said that. I have no further questions."

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Speaker Breslin: "There being no further discussion, the question is, 'Shall Amendment #1 to House Joint Resolution Constitutional 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 Leone: "No further Amendments."

Speaker Breslin: "This Amendment now goes to Third Reading. However, Members should be advise that the Bill will be read three times on three successive days on Third Reading. House Joint Resolution Constitutional Amendment #3, Representative Shaw. Clerk, read the Bill."

Clerk Leone: "House Joint Resolution Constitutional Amendment #3, proposes to amend Section 2 to Article V of Article IV of the State Constitution concerning the terms of Senators and Representative. It has been read a second time previously."

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

Clerk Leone: "No Motions nor Amendments filed."

Speaker Breslin: "Third Reading. Committee Reports."

Clerk Leone: "Representative Bullock, Chairman of the Committee on State Government Administration and Regulatory Review, to which the following Bills were referred, action taken May 8, 1985, reported the same back with the following recommendations: 'do not disapprove' Executive Order #3. Representative Bullock further recommends, the Committee on State Government Administration and Regulatory Review, to which the following Bills were referred, action taken May 15, 1985 and reported the same back with the following recommendations: 'do not disapprove' Executive Order #4. And Representative Ronan, Chairman on Committee on Transportation, Motor Vehicles, to which the following

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Bills were referred, action taken April 30, 1985 and reported the same back with following recommendations:

'Interim Study Calendar' House Bill 1852."

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

Vinson: "Yes, Madam Speaker, inquiry of the Chair."

Speaker Breslin: "State your inquiry."

Vinson: "What was the Clerk just reading?"

Speaker Breslin: "The Clerk was reading Committee Reports. I believe dealing with Executive Orders."

Vinson: "Thank you."

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

Davis: "Well, my inquiry is the same. I didn't hear Clerk Leone explain the Committee Report on the Executive Order, or state the Committee Report on the Executive Order."

Speaker Breslin: "That's what they were. Ladies and Gentlemen, the Chair is prepared to adjourn for the evening. If there are no further questions or statements, Representative Giorgi, is recognized to make an Adjournment Resolution... Adjournment Motion. Excuse me. 9:00."

Giorgi: "I move the House does now stand adjourned until 9:00 tomorrow morning."

Speaker Breslin: "The Gentleman moves, allowing for a few minutes for Perfunctory Session, that this House stand adjourned until 9:00 a.m. tomorrow morning, May 17. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Motion carries. This House is adjourned until... allowing a few minutes for perfunctory... until 9:00 a.m. tomorrow morning."

Clerk O'Brien: "A message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the

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House of Representatives the Senate has passed Bills following title, and the passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bills #16, 24, 29, 31, 35, 38, 50, 74, 80, 92, 93, 96, 97, 98, 105, 108, 113, 137, 144, 148, 152, 155, 156, 157, 159, 161, 164, 165, 172, 176, 180, 190, 205, 206, 210, 211, 212, 214, 215, 217, 218, 224, 225, 229, 230, 234, 238, 239, 241, 244, 251, 254, 257, 259, 265, 266, 267, 280, 283, 290, 291, 292, 294, 295, 296, 299, 301, 302, 303, 305, 310, 315, 318, 319, 321, 322, 328, 335, 337, 341, 343, 344, 345, 348, 349, 352, 354, 372, 378, 379, 384, 385, 386, 392, 394, 395, 397, 405, 406, 411, 413, 414, 416, 419, 425, 431, 432, 433, 434, 435, 440, 443, 495, 497, 504, 505, 517, 518, 532, 534, 536, 537, 539, 540, 541, 546, 547, 549, 550, 551, 553, 554, 557, 558, 560, 561, 562, 563, 568, 569, 570, 571, 583, 586, 588, 589, 598, 604, 605, 615, 616, 623, 625, 643, 652, 655, 667, 668, 669, 673, 674, 675, 676, 677, 678, 679, 682, 686, 688, 699, 705, 732, 734, 740, 762, 765, 767, 770, 775, 783, 788, 789, 791, 792, 793, 795, 796, 800, 801, 806, 807, 808, 809, 810, 811, 812, 815, 816, 817, 818, 822, 823, 826, 827, 828, 829, 830, 831, 834, 838, 839, 840, 841, 843, 844, 846, 847, 850, 851, 853, 855, 856, 857, 858, 862, 864, 865, 866, 869, 871, 872, 874, 876, 877, 878, 879, 880, 884, 891, 892, 895, 896, 897, 900, 901, 902, 903, 906, 909, 920, 933, 935, 936, 939, 941, 942, 944, 947, 954, 956, 972, 976, 977, 982, 983, 984, 992, 993, 995, 1002, 1003, 1007, 1018, 1041, 1044, 1046, 1051, 1052, 1060, 1064, 1065, 1077, 1082, 1084, 1085, 1090, 1091, 1093, 1095, 1096, 1102, 1103, 1104, 1106, 1110, 1115, 1121, 1123, 1124, 1125, 1127, 1132, 1133, 1137, 1142, 1143, 1150, 1151, 1153, 1166, 1174, 1180, 1182, 1183, 1184, 1185, 1188, 1189, 1193, 1202, 1204, 1210, 1212, 1224, 1226, 1229, 1232, 1234, 1236, 1238, 1245, 1248, 1265, 1283, 1284, 1287, 1288, 1289, 1290, 1291, 1293, 1294, 1295,

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passed by the Senate May 16, 1985. Kenneth Wright,
Secretary." No further business. The House now stands
adjourned."

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