

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

44th Legislative Day

May 21, 1985

Speaker McPike: "... Come to order. House will come to order and Members will be in their seats. Chaplain for today will be the Reverend James Mahan, Pastor of First Presbyterian Church of Shelbyville. Reverend Mahan is the guest of Representative Mike Tate."

Reverend Mahan: "Let us pray. Lord God, I ask Your blessing upon our State Representatives gathered here. Continue to grant them the wisdom and integrity needed to fulfill their high calling. Help them discern between the various shades of gray so that the best course of action for the people of Illinois truly becomes the law of the land. Encourage them to realize that good people may differ in their opinions, yet still draw together in bipartisan cooperation for the common good of the state. Empower them to uphold the rights of the poor and the oppressed within the confines of our state. Keep them mindful of the needs of our children, the needs of those who are battered and abused, the needs of our struggling yet courageous farmers. Allow our Representatives to fulfill with imagination and humility their obligations to the public trust today. This we pray in Thy dear name, O Lord. Amen."

Speaker McPike: "The Pledge of Allegiance by Representative Ropp."

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

Speaker McPike: "Roll Call for Attendance. 115 Members answering the Roll Call, a quorum is present. Excused absences. Representative Greiman. Representative Vinson, do you have any excused absences?"

Vinson: "We're checking and we'll get back to you in a few

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minutes, Mr. Speaker."

Speaker McPike: "Thank you. Representative Woodyard in the Chair for an introduction."

Speaker Woodyard: "This is really not all that bad. Come on. Illinois is very fortunate to have a very distinguished guest today. From Somalia, he is a guest of a person in my district, Mr. Tom Trogdon, who will make an introduction to you. And it's through the Paris Illinois Thanksgiving Fellowship Program that this gentleman has visited our state. He is a guest of the American African Institute and also the U. S. Information Agency. He, quite frankly, and I think I have a lot of rapport with him, is a specialist in agriculture and he is visiting our country all the way from Washington to California, Texas, Arizona and we hope out of this comes better relations and certainly we hope to have some input to his country from the State of Illinois. And with that, I would introduce Mr. Tom Trogdon, who will make the introduction."

Tom Trogdon: "Thank you, Babe. It's certainly my pleasure to introduce to you today, a government official from Somalia, Mr. Abdirizak. Mr. Abdirizak and his interpreter, Ahmed. He has to speak through his interpreter."

Ahmed Scego: "Thank you very much for this opportunity. I come from Somalia, which is in the horn of Africa. And I take pleasure... and great pleasure to be here today. And I want you to know that Somalia is a good friend of the United States and I bring you good wishes from Somalia people. The reason I am here is part of a program that helps strengthen our relationship between our two countries and we hope to be even in a better relations in the future by... through these programs and, as you know, we were friends of United States for quite a while and prior to that, we were friends to the Soviet Union, but we have much

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wisdom now and we... we are with you. As you know us, we are here for this opportunity to also let you know that we are a developing country and we have seen your advancement and your technology and we hope to learn something by coming to this country and we hope to be one of your better friends that will learn from you. And thank you very much for welcoming us to... to the House."

Speaker McPike: "Agreed Resolutions."

Clerk Leone: "House Joint Resolution 51, Kulas - et al. House Joint Resolution 52, Washington. House Resolution 410, McGann. 413, Stephens. 414, Rea. And 416, Terzich - et al."

Speaker McPike: "Representative Matijevidch."

Matijevidch: "Yes, Mr. Speaker. House Joint Resolution 51, Kulas, congratulates Chad Colley. House Joint Resolution 52, Washington, honors blacks who have served in aviation. House Resolution 410, McGann, congratulates Father Zwern on his ordination into the priesthood. House Resolution 413, Stephens, congratulates the Collinsville League of Women Voters on their 25th anniversary. House Resolution 414, Rea, honors Mayor Frank Calliper for being Mayor of Culp for 50 years. House Resolution 416, Terzich, congratulates the Garfield Ridge Bank on its 20th anniversary. I move the adoption of the Agreed Resolutions."

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

Clerk Leone: "House Resolution 411, Curran, in respect to the memory of Everett Best and House Resolution 412, Representative Kulas - et al, in respect to the memory of Reverend Bilkley."

Speaker McPike: "Representative Matijevidch moves for the adoption

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of the Death Resolutions. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the Death Resolutions are adopted. Page 21 of the Calendar, House Bills Third Reading, State and Local Government, appears House Bill 449. Representative Giglio. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 449, a Bill for an Act to amend township law. Third Reading of the Bill."

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

Giglio: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 449 increases the ceiling for the township's authority to levy a tax for the general assistance purposes from .10 of value of the equalized assessed valuation by the Department of Revenue to the maximum of .20. It doesn't mean that we have to go from 10 to 20 all at once. What's been happening is that the general assistance fund of the townships have been diminished, depleted so bad because of the unemployment situation in Illinois that some of these townships are at their maximum. Now, Amendment #4 was an Amendment put on by Representative Piel which says that before this can actually take place that the township has to call a town meeting for this particular purpose and at the town meeting, the majority of the people at the town meeting has to approve this. So it's not, in essence, something that's going to happen without the approval of the people within the township and I would ask for your favorable support and if there is any questions, I'd be happy to answer."

Speaker McPike: "Gentleman moves for passage of House Bill 449, and on that, the Gentleman from Knox, Representative McMaster."

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

Speaker McPike: "Indicates he will."

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McMaster: "Giglio, as I understand the Bill... or as I understand present law and the effect of the Bill, I guess is what I'm trying to say, currently, under present law, in the event that the township exceeds their ten cent levy and the money raised thereby, then the state steps in and picks up the general assistance cost for that township. Is that right?"

Giglio: "You are correct, Tom."

McMaster: "As I understand this Bill then, the state would not be required to step in until the townships had expended the 20 cents of their levy on their general assistance. Is that right?"

Giglio: "Well, if... if they... if they approve, you know, the 20 cents. It doesn't say, you know, you have to go to max. You can go to 12 or 15 or whatever in order to fulfill your obligation on the township level, but you are correct."

McMaster: "I understand that, but nevertheless, whatever the levy and money raised by the township, the state would not be obligated to step in til you had gone over the 20 cents, isn't that right?"

Giglio: "Correct."

McMaster: "In other words then, that extra ten cents of general assistance money would be paid by the people of the township instead of by the state, is that correct?"

Giglio: "Yes."

McMaster: "That's my concern. I know that township officials are pushing this Bill, Frank. I sincerely have doubts about whether I would like to see my local people be saddled with the extra tax money rather than the state paying it. I understand, of course, that when the state steps in, it changes the rules quite drastically at the local level, but I would still rather, I believe, forgive that extra ten cents being raised by my local people and let it be paid at the state level. I'm sorry, Frank, but that's the way I

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feel about the Bill. I'm not very often in opposition to the township officials. I think you know that."

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

Harris: "Thank you, Mr. Speaker. A question of the Sponsor."

Speaker McPike: "Indicates he'll yield."

Harris: "Frank, a quick question. I notice my synopsis indicates that before the ceiling can be increased, a petition with ten percent of the township voters must be signed. Is that correct?"

Giglio: "Right, that was Amendment #4. They have to have a special town meeting and a referendum or a petition with ten percent of the voters within the township has to sign that and they have to have the town meeting for this purpose."

Harris: "Is that ten... Is that ten percent of the registered voters in the township or ten percent of those people who voted in the last township election?"

Giglio: "The last regular election."

Harris: "Thank you."

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

Giglio: "Thank you, Mr. Speaker. I think we have discussed it enough and I think Representative McMaster brought out some good points. However, I remind the people that if you want to keep the people at the local level and you want the local level to work hand in hand and bypass some of the rules and regulations and the length of time that the state has to come through in order to help these people, you would be in favor of the Bill and I would ask for your support."

Speaker McPike: "Gentleman moves for the passage of House Bill 449. Question is, 'Shall House Bill 449 pass?' All those in favor, signify by voting 'aye', opposed vote 'no'."

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Representative Keane, to explain his vote."

Keane: "Thank you, Mr. Speaker. I rise in support of this Bill. It's my understanding that this is a front door referendum and that it's supported by the township officials. I would urge those not voting to vote 'aye'."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill there are 60 'ayes', 48 'nos', 3 voting 'present'. Representative Vinson, for what reason do you rise?"

Vinson: "This is a good place to start verifications today."

Speaker McPike: "Well, that's a good way to get everybody here. The Gentleman from Cook, requests a... Pardon me? No, Gentleman from Cook, Representative Giglio."

Giglio: "Poll of the Absentees."

Speaker McPike: "Requests a Poll of the Absentees."

Clerk Leone: "Poll of the Absentees. Breslin."

Speaker McPike: "Representative Breslin, 'aye'."

Clerk Leone: "Countryman. Virginia Frederick. Homer. Kulas. Mautino. O'Connell. No further."

Speaker McPike: "The Gentleman requests a Verification of the Affirmative Roll. Mr. Clerk."

Clerk Leone: "Poll of the Affirmative. Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Bullock. Capparelli. Christensen. Cullerton. Currie. DeJaegher. DeLeo. Didrickson. Dunn. Farley. Flinn. Flowers. Giglio. Giorgi. Greiman. Hicks. Huff. Keane. Krska. Kubik. Laurino. LeFlore. Leverenz. Levin. McGann. McPike. Mulcahey. Nash. Panayotovich. Pangle. Phelps. Piel. Preston. Rea. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Soliz. Steczo. Sutker. Terzich. Turner. Van Duyn. Vitek. Washington. White. Williamson. Wolf. Anthony Young. Wyvetter Younge. And Mr. Speaker."

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Speaker McPike: "Representative Vinson, questions of the Affirmative Roll."

Vinson: "Representative Alexander."

Speaker McPike: "Representative Alexander. Is the Lady in the chamber? Remove her from the Roll Call."

Vinson: "Mr. Berrios."

Speaker McPike: "Representative Berrios is in his chair."

Vinson: "Representative Braun."

Speaker McPike: "Representative Braun. The Lady in the chamber? Remove her from the Roll."

Vinson: "Representative Brunsvold."

Speaker McPike: "Representative Brunsvold is in his chair."

Vinson: "Mr. Bullock."

Speaker McPike: "Representative Bullock. Is the Gentleman here? Remove Representative Bullock."

Vinson: "Mr. Brookins."

Speaker McPike: "Representative Brookins is in the center aisle."

Vinson: "Mr. DeLeo."

Speaker McPike: "Representative DeLeo. Gentleman here? Remove him from the Roll Call."

Vinson: "Mr. Farley."

Speaker McPike: "Would you repeat that, Representative Vinson?"

Vinson: "Farley. F-A-R-L-E-Y."

Speaker McPike: "Representative Farley. Remove the Gentleman from the Roll Call."

Vinson: "Mr. Hicks."

Speaker McPike: "Representative Hicks. Representative Hicks here? Remove him from the Roll."

Vinson: "Mr. Keane."

Speaker McPike: "Representative Keane is in his chair."

Vinson: "Mr. Laurino."

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

Vinson: "Mr. Leverenz."

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Speaker McPike: "Representative Leverenz is in his chair."

Vinson: "Mr. McGann."

Speaker McPike: "Representative McGann. Representative McGann here? Remove the Gentleman from the Roll."

Vinson: "Mr. Panayotovich."

Speaker McPike: "Representative Panayotovich. The Gentleman here? Remove him from the Roll. Representative Soliz would like to be verified. He's right up front. Thank you. Proceed."

Vinson: "Mr. Phelps."

Speaker McPike: "Representative Phelps. Representative Phelps in the chamber? Remove him from the Roll."

Vinson: "Mr. Preston."

Speaker McPike: "Representative Preston is in the center aisle."

Vinson: "Mr. Ronan."

Speaker McPike: "Representative Ronan. Is the Gentleman in the chamber? Remove him from the Roll."

Vinson: "Mr. White."

Speaker McPike: "Representative White is in his chair."

Vinson: "Representative Williamson."

Speaker McPike: "Representative Williamson. Representative Williamson. Remove the Lady from the Roll."

Vinson: "Mr. Flinn."

Speaker McPike: "Representative Flinn. Representative Monroe Flinn is in the rear of the chamber."

Vinson: "Mr. Bowman."

Speaker McPike: "Representative Bowman is... Representative Bowman is in the rear. Representative DeLeo has returned. Return him to the Roll Call."

Vinson: "Mr. Giorgi."

Speaker McPike: "Representative Williamson has returned. Return her to the Roll Call."

Vinson: "Mr. Giorgi."

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Speaker McPike: "Representative Giorgi is... is here."

Vinson: "Mr. Dunn."

Speaker McPike: "Representative Dunn. Representative John Dunn.
Remove him from the Roll."

Vinson: "Mr. Flowers. I'm sorry, Ms. Flowers."

Speaker McPike: "Representative Flowers. How is that?
Representative Flowers here?"

Vinson: "Senator Flowers."

Speaker McPike: "She is not. Remove her from the Roll Call."

Vinson: "No further questions."

Speaker McPike: "Representative Bullock has returned. Return
Representative Bullock to the... to the Roll.
Representative John Dunn has returned. Return
Representative Dunn to the Roll. Representative Williamson
has been returned, I believe. Is that right, Mr. Clerk?
Thank you. Now, Representative Williamson has returned and
she is changing her vote from 'aye' to 'no'. Mr. Clerk,
what's the count? Gentleman from Cook, Representative
Kubik."

Kubik: "Mr. Speaker, I'd like to change my vote from 'aye' to
'no'."

Speaker McPike: "Gentleman changes from 'aye' to 'no', and
Representative Piel."

Piel: "Would you change me to 'no', please?"

Speaker McPike: "Representative Piel from 'aye' to 'no'. What's
the count, Mr. Clerk? On this Bill, there are 49 'ayes',
51 'nos', 3 voting 'present'. Representative Giglio
requests Postponed Consideration?"

Giglio: "Yes, put it on Postponed Consideration."

Speaker McPike: "Postponed Consideration. House Bill 467,
Representative Steczo. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 467, a Bill for an Act to amend the
Illinois Municipal Code. Third Reading of the Bill."

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

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 467 enacts the Local Government Prompt Payment Act. It's an issue that's been before us before and, in fact, this House passed something similar to this by a near unanimous vote two years ago. It provides that all local government entities shall add a two percent interest penalty on unpaid balances owing to them sixty days after approval for payment. The Bill suggests in the first year of operation that the local government would have thirty days to either approve a Bill or to provide a written... a written notice as to why a bill was disapproved. From that day, they would have sixty days to approve payment and pay the bill to the local vendors. After the first year of operation, the bill then would have to be paid within thirty days. It's a Bill that is... has been supported by the National Federation of Independent Business who recently did a survey among their members. And their members voted 93 percent in favor of the provisions of this particular Bill. We also note too that by not paying bills on time that that simply adds to the price of goods and services to local governments and really hits at the taxpayer badly. So I would urge the Members of the House to consider and approve House Bill 467."

Speaker McPike: "Gentleman moves for passage of House Bill 467. Is there any discussion? Being none... Gentleman from Will, Representative Van Duyne."

Van Duyne: "Thank you. Would the Gentleman yield for a question?"

Speaker McPike: "He will."

Van Duyne: "Terry, I'd like to find out where... when the bill is judged as being submitted. Now, if I can create a scenario, you'll understand what I'm talking about. I used

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to sit on the Sheriff's Committee on the County Board and also we had a Finance Committee. The procedure was something like this. The person... say he worked on the sheriff's cars and he would submit a bid... I mean a bill to the county. It would have to go first through the Sheriff's Committee, then it would have to go through the Purchasing Committee and finally it would have to go to the Finance Committee for approval and then finally brought to the full County Board for payment. Sometimes the time frames of these... of these committee meetings would overlap and they may not come within the time frame of the thirty days. Could you explain that?"

Steczo: "Representative Van Duyne, under the provisions of this Bill, the vendor would have to be notified within thirty days whether or not that bill has been approved or disapproved. I think in Will County's case and in most cases, this Bill presents no problem because most local governments are well under the thirty days and then also well under the thirty days or the sixty days to approve bills and to pay the vendors. So this is just a Bill that would address a couple instances where there may be problems now to sort of prompt people to get the paperwork off the desks and get the bills approved in a short period of time."

Speaker McPike: "Gentleman from DeWitt, Representative Vinson. Representative Vinson."

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

Speaker McPike: "Indicates he will."

Vinson: "Representative, is this a reimbursable mandate for local government and if not, why not?"

Steczo: "It's my... It's my opinion, Representative Vinson, after having consulted with staff prior to the introduction that it is not a reimbursable mandate."

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Vinson: "Could you tell me why?"

Steczo: "Well, we are not... we are providing that the interest should be paid, but we are mandating that the... that the bills be paid on time, that the approval process should follow certain guidelines and it is similar to the current state Prompt Pay Act which we all live with and if that's complied with, there would be no problem. And it's my opinion and the opinion of staff as well that the State Mandates Act does not apply."

Vinson: "Well, if it's not complied with, won't it increase cost for local government?"

Steczo: "Representative Vinson, it could."

Vinson: "So, I just don't understand why it would not be a reimbursable mandate. I'm not challenging you. I'm just curious as to why it wouldn't be if we are raising cost of local government pursuant to state law."

Steczo: "I checked that matter out because I felt the same way about the State Mandates Act and was informed, although was never given a really succinct reason that it would not."

Vinson: "Yeah, I can't imagine that there is any succinct reason why it's not a reimbursable mandate either."

Steczo: "Representative Vinson, I do what our lawyers suggest to us."

Vinson: "That's always a dangerous position for a Legislator to take, Representative."

Speaker McPike: "Further discussion? Representative Steczo, to close."

Steczo: "Thank you, Mr. Speaker, Members of the House. As I had mentioned, the provisions of House Bill 467 were considered by this House two years ago and the House adopted the provisions of a Bill similar to this by a near unanimous vote. What we are attempting to do in House Bill 467 is to allow local vendors to be paid on time. That, in itself,

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because late payments are built into the prices that are quoted and paid will bring down the price that governments will have to pay for various goods and services offered to them by local vendors. As I mentioned, the National Federation of Independent Business polled their members and the survey results came back. 93 percent of those polled indicated that they thought that House Bill 467 was a good idea. I would urge your support of this... of this legislation."

Speaker McPike: "Gentleman moves for passage of House Bill 467. The question is, 'Shall House Bill 467 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk will, take the record. On this Bill there are 108 'ayes', 4 'nos', none voting 'present'. House Bill 467, having received the Constitutional Majority, is hereby declared passed. House Bill 604, Representative Ropp. Representative Ropp, do you want to call your Bill? Representative Ropp, yours is the next Bill, House Bill 604. Did you want to have it called at this time? Take it out of the record. Representative Ropp, we can get back to this Bill later today if you would prefer. House Bill 805, Representative Barnes. Jane Barnes. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 805, a Bill for an Act to authorize withholding of state income tax refunds for the payment of past due support. Third Reading of the Bill."

Speaker McPike: "Lady from Cook, Representative Barnes."

Barnes: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 805 amends the State Comptroller Act and the Illinois Public Aid Code. It permits the Department of Public Aid to direct the State Comptroller to withhold and pay over to the Department income tax refunds of responsible relatives

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who owe delinquent support payments."

Speaker McPike: "The Lady moves for passage of House Bill 805. Is there any discussion? Being none, the question is, 'Shall House Bill 805 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 103 voting 'aye', no 'nays', 9 voting 'present'. House Bill 805, having received a Constitutional Majority, is hereby declared passed. House Bill 1012, Representative Currie. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1012, a Bill for an Act to provide for appointment of local historians. Third Reading of the Bill."

Speaker McPike: "Lady from Cook, Representative Currie."

Currie: "Thank you, Mr. Speaker, Members of the House. House Bill 1012, creates a system for the appointment of local historians across the State of Illinois. Originally introduced as a mandate, the Bill has been amended to make it permissive. It enjoys the support of the State Historian, the Landmarks Preservation Council of Illinois. I would be happy to respond to your questions and I would appreciate your support for the Bill."

Speaker McPike: "Lady moves for passage of House Bill 1012. Is there any discussion? The Gentleman from Livingston, Representative Ewing."

Ewing: "Could you explain a little? This originally was a mandate and your Amendment did what to it, Representative?"

Currie: "It made it a permissive program so that there is no... now no mandate in the Bill and no... no cost to local governments."

Ewing: "And so who would appoint the historian?"

Currie: "Local government would appoint the historian and would establish a program in conjunction with the State Historian

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so as to provide training and opportunities to make sensible decisions about what kinds of directions the local historian might go."

Ewing: "Do you... Can local governments do this now without this legislation? Do you feel that..."

Currie: "A local government could do this now without this legislation, but the cooperation and involvement of the State Historian would not be clear and apparent."

Ewing: "Do you have a Bill drafted to make it mandatory next year?"

Currie: "I do not, Representative Ewing."

Ewing: "Do you intend to introduce legislation to make it mandatory next year?"

Currie: "At this time I have not that intention."

Ewing: "But it's a possibility."

Currie: "All kinds of things are possible, Representative Ewing. The Bill that's before the House right now, House Bill 1012, is a permissive Bill. It does not require additional expenditures by local governments."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, we all know that this was a mandate at one time. The Sponsor, I'm sure, has toned it down because it couldn't get passed as a mandate. But what we do here does set a pattern, does set a policy and if you want to set that pattern and that policy, then vote 'yes' on this Bill. If you believe as I do that within a year they will be back to make this mandatory, then vote 'no'. Local government can do it now without big daddy in Springfield telling them. I would suggest a 'no' vote."

Speaker McPike: "Gentleman from Winnebago, Representative Hallock."

Hallock: "Thank you, Mr. Speaker, Members of the House. Will the Sponsor yield for a question? Is it your idea that

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although this can be done now, this legislation might, in fact, encourage counties and municipalities to do this?"

Currie: "Absolutely."

Hallock: "Mr. Speaker, Members of the House, to the Bill. I rise in support of this Bill. I think that we really enhance the future by preserving and protecting the best of the past. This Bill will encourage that. I think we all are here today because of what was done before we got here by our forefathers and we should know about that. I believe this is a very important Bill and I urge an 'aye' vote."

Speaker McPike: "Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Mr. Speaker, will the Sponsor yield for a question?"

Speaker McPike: "She will yield for one question, yes."

Vinson: "Representative, there is a Special Order on the Calendar that deals with culture. Why isn't this Bill on that rather than on this Order?"

Currie: "I think you are right, Representative Vinson. It may have been misplaced. Nevertheless, here it is on State and Local Government and I certainly hope this good cultural Bill will have your support."

Vinson: "To the Bill, Mr. Speaker. Members of the Assembly, I have been torn by the various viewpoints expressed on this issue on the floor, but we all... there comes a moment of decision for us all. Now, I won't recite for you the number of times I have cast votes in favor of culture on this floor. I have always been a supporter of the Arts Council, for instance, but this time, we have gone a step too far. I just don't think that we really have to foist off on local government this requirement or this directive or this hortatory language that they go appoint local historians. At some point, it goes too far. I don't think that the people of Illinois are dangling on the decision as

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to whether local government or whether communities within Chicago should have local historians. Now, maybe they are concerned at great length about income and jobs, but are they really concerned about local historians? I think not and I would join Mr. Ewing in urging a 'no' vote on this silly Bill."

Speaker McPike: "Representative McNamara."

McNamara: "Will the Representative yield for a question? Thank you. This Bill, in actuality, if I understand it, is totally permissive. Is that true?"

Currie: "Absolutely permissive. Someone spoke about this Bill requiring local governments to behave in a particular way. Requirement is not in this Bill."

McNamara: "Okay, I just wanted to point out one particular thing on this area. One of my communities in my area happens to have a local historian who cannot get the cooperation with the state right now because it does not happen to be a situation where there is a cooperative nature. If I understand this Bill correctly, this does allow that cooperative nature to exist."

Currie: "That's exactly right, Representative McNamara."

McNamara: "Okay, to this Bill. I think in the permissive nature of this Bill, where it allows the local community to make their own decisions it is very important that we allow those local communities also to have the help of the state when they are willing to do something for the betterment of all of us. I wholeheartedly support this Bill."

Speaker McPike: "Senator Kenny Hall stopped up to say hello. Yesterday was his 70th birthday. Further discussion? The Lady from Sangamon, Representative Oblinger."

Oblinger: "Just going to move the previous question."

Speaker McPike: "Representative Currie, to close."

Currie: "Thank you, Mr. Speaker, Members of the House. Seems to

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me the provisions of this Bill are pretty clear. We are not talking about requiring local governments to do anything they don't want to do. We are establishing a program that may encourage local governments to pay attention to their own histories, may even encourage them to pay attention to the histories of their own State Representatives. We have established a program in this Bill that will ensure cooperation between local history people and the State Historian. As I say, this Bill does have the support of the Illinois State Historian, of the Landmarks Preservation Council and I hope it will have your support as well."

Speaker McPike: "The Lady moves for the passage of House Bill 1012. The question is, 'Shall House Bill 1012 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 73 'ayes', 35 'nos', 5 voting 'present'. House Bill 1012, having received the Constitutional Majority, is hereby declared passed. House Bill 1023, Representative Nash. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1023, a Bill for an Act to amend Sections of the Liquor Control Act. Third Reading of the Bill."

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

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1023 permits the sale of alcoholic beverage at the new State of Illinois Building in Chicago. Everything else was taken out of it."

Speaker McPike: "Gentleman moves for the passage of House Bill 1023. Is there any discussion? Being none, the question is, 'Shall House Bill 1023 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the

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record. On this Bill there are 88 'ayes', 22 'nos', 4 voting 'present'. House Bill 1023, having received the Constitutional Majority, is hereby declared passed. House Bill 1059, Representative Olson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1059, a Bill for an Act in relation to the authority of various state agencies. Third Reading of the Bill."

Speaker McPike: "Gentleman from Lee, Representative Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an omnibus Bill which was drafted in response to the Joint Committee of Administrative Rules recommendations for legislation to clarify by statute what agencies had been implementing through administrative rule making. The areas that are subject to statutory concern here include the Liquor Control Commission, Labor Laws Consumer Protection, the Department of Conservation, the Board of Higher Ed, State Fire Marshal's Office. All of those recommendations were offered to us by the Joint Committee of Administrative Rules of which I am a Member, and what we nominally do is that we suggest to the agencies that after the rule making process goes by and if there are some concerns not totally explained or understandable that we do it statutorily. And this is what this was intended to do. We would welcome questions."

Speaker McPike: "Gentleman moves for passage of House Bill 1059. On that the Gentleman from St. Clair, Representative Flinn."

Flinn: "Well, Mr. Speaker, I think the Sponsor pretty well explained the Bill. I rise in support of the Bill. It simply is putting into the statutes what is now rules. The Departments did not have the statutorial authority and all we are doing is giving them the authority to do what they

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are already doing by rules. So I support the Bill."

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

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I apologize to the Sponsors of the Bill for not bringing this to their attention prior to Third Reading. But I think that if... if we ever have a Bill that will be declared unconstitutional for violating the single subject rule in the Constitution, this may be it. I'm not suggesting that we... that we not pass it, but I would... I would seriously consider the... the proponents of the Bill to consider perhaps breaking this thing up into a few other Bills over in the Senate because it really, I think, clearly violates the single subject rule of the Constitution."

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

Young: "Yes, Mr. Speaker. I'd like to know the number of votes it would take to pass this Bill. It appears to me that in the child labor section it preempts home rule authority."

Speaker McPike: "Representative, there is no preemption in the Bill. The Bill requires 60 votes. Representative Olson, to close."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I address my remarks to Representative Cullerton who indicated a good point relative to this. The agency is determined to get this into form and on the issue of the subject matter relative to statutory definition, we will take a look at that when it moves to the Senate. I would urge an 'aye' vote on House Bill 1059."

Speaker McPike: "Gentleman moves for passage of House Bill 1059. Question is, 'Shall House Bill 1059 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 97 'ayes', 2 'nos', 13

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voting 'present'. House Bill 1059, having received the Constitutional Majority, is hereby declared passed. House Bill 1126, Representative Parcels. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1126, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker McPike: "Lady from Cook, Representative Parcels."

Parcels: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, under present municipal law for special charter municipalities, various municipal officers are to be elected. Under the present law, if a special charter municipality adopts Section 3-8-2 of the Code, that municipality may appoint certain of these officers. House Bill 1126 adds the position of street commissioner to the list of officers who may be appointed. It's a noncontroversial Bill. It came out of Committee 12 to 0. There is no opposition that I know of and I would ask for your favorable vote."

Speaker McPike: "The Lady has moved for passage of House Bill 1126. On that the Gentleman from Cook, Representative Harris."

Harris: "Thank you, Mr. Speaker. Question of the Sponsor."

Speaker McPike: "She will yield."

Harris: "Margie, what's a specially chartered municipality?"

Parcels: "There are 36... 35 special chartered municipalities in Illinois and they... I think they were early charters. There are only 35. There will never be any more than that and they have a certain set of rules that are slightly different than some of the other municipal rules."

Harris: "Can you just give me an idea of what one or two of them are?"

Parcels: "I beg your pardon?"

Speaker McPike: "Can you give me an idea of what... name one or

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two of these special charters?"

Parcells: "Yes, I can name them all."

Harris: "Just one or two of the bigger ones."

Parcells: "Annawan, Astoria, Atkinson, Belle Prairie City, Bently, Chatsworth, Cicero, Claremont..."

Harris: "Okay, thank you very much."

Speaker McPike: "Further discussion? There being none, the question is, 'Shall House Bill 1126 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 112 'ayes', no 'nays' and 1 voting 'present'. House Bill 1126, having received the Constitutional Majority, is hereby declared passed. House Bill 1148, Representative Greiman. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1148, a Bill for an Act to create the Private Activity Bond Allocation Council. Third Reading of the Bill."

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

Greiman: "Thank you, Mr. Speaker. This Bill, a response to Congressional action in 1984, which limited the further issuance or restricted, at least, the further issuance of industrial development bonds by state and local authorities. The Congress reduced and set up a formula for allocating to the states, each state, the number and amount of bonds that might be issued. The Congressional fiat was that where there was a device set up in the state to accommodate this new limitation, then that would take care of it. But if there were not, then the Governor would fill that gap until the Legislature could come to the rescue to develop a kind of program. In this case, the Governor has appropriately acted, so there would be no gap and so that Illinois industrial development would continue. And so now

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it is for us to determine how the bonds should be allocated and it was hoped... the Governor has issued several executive orders which are... which try and allocate between the parties. This Bill provides for a Private Activity Bond Allocation Council which gives the Executive Branch still control of it. It provides for the Bureau of the Budget, the DCCA Director, the Illinois Farm Development Authority, the Illinois Development Finance Authority, the State Scholarship Commission, the Illinois Housing Development Authority. All of those people will be on the Council, along with the four Legislative Leaders, so that it provides and allows for some legislative input, some geographic consideration and puts in a... puts in essentially all the players in Illinois who are concerned about economic development. I think it's a fair Bill, and I would ask for its passage."

Speaker McPike: "Gentleman moves for passage of House Bill 1148. On that the Gentleman from Livingston, Representative Ewing."

Ewing: "Would the Sponsor yield?"

Speaker McPike: "Indicates he will."

Ewing: "Representative Greiman, is this Bill proposed by the administration or is it pretty much a creation of your own genius?"

Speaker McPike: "Representative Greiman."

Greiman: "You flatter me, but I don't know that the administration proposed it. I don't know that they are against it either, particularly. I think that it's the people in the business community want to be sure that there is some kind of input. Sometimes there may not be the kind of input you would want when it's in the hands of one person, but when we open up the input to a lot of different agencies, we have a sense there is going to be a process

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and understanding. For example, one might suggest this is cutting the power of the Governor or somehow a Democratic grab for power. But if you look at this you find that it has six out of the ten Members of this Council, six are the Governor's direct appointees and two are the Minority Leader of the House and Senate. So we have, therefore, in terms of party, we would have eight Republicans and two Democrats, not exactly a big grab for power. It is essentially a method of developing some kind of input and some kind of discussion as to how we should allocate."

Ewing: "Representative Greiman, did you ever consider... I think some states in this regard have just continued the Executive's power to allocate this. Did... Was that thought given any consideration?"

Greiman: "Certainly, but we... we also are a state which is creative and we have... we go forward."

Ewing: "One other question. Is this... Will the bonds be allocated by this new organization on a first come first served basis or will there be some overall assessment of the needs around the state?"

Greiman: "Well, it's first come first served for both non-home rule and for the state agencies just as it is now, so nothing has changed in that way at all. It essentially is who shall look and who shall appraise and how they should allocate eventually. At this point, there certainly should be some kind of communication going to the person who allocates, and now there is none essentially. This would develop a process."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I wish that the Members would pay more attention to this Bill. I commend the Sponsor for the work he has done in this legislation and I do not oppose the passage of this Bill. It is an issue though that is important to all of us in our

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districts on the allocation of these industrial revenue bonds. And as the... this measure and others that may affect their distribution wind their way through the process, all of us would be well advised to become familiar with this proposed legislation and examine it on how it might affect our districts. I'm going to vote 'yes' on this Bill. I'm not sure it's the final answer in this regard, but I think it's something that we ought to all take keen interest in. Thank you."

Speaker McPike: "There being no further discussion, the question is, 'Shall House Bill 1148 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 96 'ayes', 18 'nos', 1 voting 'present'. House Bill 1148, having received the Constitutional Majority, is hereby declared passed. House Bill 1159, Representative Pangle. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1159, a Bill for an Act in relation to manufactured housing and mobile homes. Third Reading of the Bill."

Speaker McPike: "Gentleman from Kankakee, Representative Pangle."

Pangle: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. The intent of House Bill 1159 is to improve the title and the terms dealing with the mobile home industry in the State of Illinois. It simply changes the term of a trailer camp to trailer park, house trailer to manufacturing housing unit and trailer coach to manufacturing housing unit. I'd be happy to answer any questions."

Speaker McPike: "Gentleman moves for the passage of House Bill 1159. Is there any discussion? Gentleman from Will, Representative Davis. Representative Breslin in the

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Chair."

Davis: "Will the Sponsor yield? I assume he will. Representative Pangle, does it do more than that? When we are changing definition terms in trailer camps and mobile homes to manufactured housing, how will this effect the zoning laws of communities who have zoned trailer parks and trailer camps but have a positive zoning throughout their community on manufactured housing?"

Pangle: "I don't really see, Representative, where it's going to... it's just going to change the language. I can't see where it would be a problem as far as changing from manufacturing housing unit. The intent of the Bill is... we are all aware of the fact that trailer camp is a term that goes way back into the early 30's when trailers used to come in out of a community and just camp... trailer park and so forth. I really can't see and I have... no one has expressed that feeling before to me."

Davis: "Well, followup question. Who wants this Bill?"

Pangle: "The Manufacturing Housing Association."

Davis: "Do you suspect that maybe that might be the reason, that they would be easier distributing manufactured housing under current zoning laws in smaller communities than they would a trailer park?"

Pangle: "No, I don't... I don't believe... I think the intent and the reason for the Bill was to simply to improve their terms and technology into the community, let people know that mobile homes, manufacturing housing units are no more camps or that type of a situation."

Davis: "One final question. Do the homebuilders and the realtors support this Bill?"

Pangle: "I haven't heard from either one."

Davis: "Thank you."

Speaker Breslin: "The Gentleman from Edgar, Representative

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Woodyard."

Woodyard: "Thank you... Thank you, Madam Speaker. Will the Sponsor yield?"

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

Woodyard: "Representative, isn't this somewhat of a companion Bill with 1161 in which it's a clarification of definition and it looks to me like we need this kind of legislation."

Pangle: "Yeah, there's a companion Bill that, hopefully, we'll hear on this floor that puts manufacturing housing unit in one that can be taxed as a real estate tax rather than a privilege tax which would definitely increase the rate of collection for your local treasurers in your local counties."

Woodyard: "Very definitely and this is a clarification of that definition?"

Pangle: "Yes, it is."

Woodyard: "Thank you."

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

Pangle: "Well, I think this is a very meaningful piece of legislation in an industry that has certainly come to the front, as far as the problem with young people buying housing and so forth. It's a little difficult for a young couple to say they are going to move into a trailer camp. I think a mobile home park is one that fits the description better, and, of course, to buy a manufacturing housing unit sounds better than buying a trailer coach. And I would appreciate an 'aye' vote."

Speaker Breslin: "The question is, 'Shall House Bill 1159 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 109 voting 'aye', 2

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voting 'no', and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1160, Representative... Bowman. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1160, a Bill for an Act to amend Sections of the State Comptroller Act. Third Reading of the Bill."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker. I'd like leave of the House to move this back to Second Reading for purposes of an Amendment which I think will cure a problem which was raised on the floor..."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading. Is there any objection? Hearing no objection, the Bill is on Second Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "Amendment #1, offered by Representative Bowman, amends House Bill 1160 on page one."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker. This Amendment is offered jointly by myself and Representative McCracken, who pointed this out... the problem out to me in an earlier debate before I took the Bill out of the record. The Bill, in its original form, was a... provided the Auditor... excuse me, the Comptroller of this state with pre-audit authority, but really, upon reflection, went too far and gave him post-audit authority as well. The Amendment clearly states that once the warrant is drawn, the Comptroller has... no longer has any audit authority whatsoever and must turn any investigatory records over to the Auditor General so that the Auditor General may pursue any investigation in a post-audit mode. . And I believe it's a good Amendment and makes a good Bill even better. I'm pleased to offer this

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with Representative McCracken. I move its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 1160 and on that question, the Gentleman from... There being no discussion, the question is, 'Shall Amendment #1 to House Bill 1160 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Bowman now asks leave to hear this Bill immediately on Third Reading. Is there any objection? Hearing no objection, the Attendance Roll Call will be used to verify that this Bill may be heard immediately on Third Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1160, a Bill for an Act to amend the State Comptroller Act. Third Reading of the Bill."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. This Bill does something that I think has been needed for a long time. It clearly specifies what the Comptroller's responsibilities and duties are in the pre-audit mode. It imposes limitations on the Comptroller, as well as spelling out his authority and I believe it makes for orderly government, provides that the warrants shall be paid within three days upon certification by the Department head that the warrants are being drawn pursuant to law and I think it simply makes for orderly government and I am pleased to move for its passage at this time. I move for the passage of House Bill 1160."

Speaker McPike: "Representative McPike in the Chair. The Gentleman moves for passage of House Bill 1160, and on that, the Gentleman from Coles, Representative Weaver."

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

Speaker McPike: "He will."

Weaver: "Representative, is this not moving into the purview of the Auditor General's Office?"

Bowman: "Representative Weaver, I'm glad you raised that point. Amendment #1, which we just adopted - we took the Bill back from Third to Second a few moments ago and the Amendment that we adopted, which I worked up with Representative McCracken on your side of the aisle, clearly takes out any post-audit function away from the Comptroller, clearly."

Weaver: "So, the total responsibility still does rest with the Auditor General?"

Bowman: "Yes."

Weaver: "Okay, but this does allow the Comptroller to withhold payment on, say, a project if he questions the legality of it?"

Bowman: "For a period of up to three days and that's all. Just three days to give him time to make the necessary inquiries in order to determine the legality and then if he is satisfied that the payment is legal, then he issues the warrant or if he feels that more investigation is needed, but if the Chief Executive of the agency certifies in writing that the payment is being made pursuant to law, either one or the other, then he has to draw the warrant. He has no choice but to draw the warrant and then at that point, any records, any investigation is turned over to the Auditor General and the Comptroller is out of it period."

Weaver: "Okay, thank you."

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

Friedrich: "Mr. Speaker and Members, on the Bill, this is probably a step in the right direction, but I don't think it goes far enough because at the Constitutional Convention

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it was... this office was created as a pre-audit function. The Auditor General post-audit. And it's the duty and responsibility of the... of the Comptroller to determine in advance whether or not a bill is legitimate and should be paid. And I... I can't believe we got ourselves in the box of saying he had to do it within three days because that's not a sufficient time where there is a question. So, I think if there is anything wrong with your Bill, Representative Bowman, it doesn't go far enough because there is a tremendous responsibility on the Comptroller to see that we don't pay out money that isn't due because once you pay it, it's impossible to get it back. In many cases, all the Auditor General can do is say, 'Well, you shouldn't have done it.' So, I think if there is anything wrong with your Bill, you didn't go far enough. I'm going to vote for it and hope that it will be extended."

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

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

Speaker McPike: "He will."

Koehler: "Thank you. Representative Bowman, I wanted to ask you, under this Bill now as amended, who would have the final authority, who would be the final decision maker as to whether or not the particular voucher should be honored?"

Bowman: "Representative Koehler, that depends. If the Comptroller questions the legality of a payment, the Bill provides that he has three days in which to conduct an investigation to resolve the issue in his own mind. If within that three day period he resolves it in favor of issuing the warrant, then the Comptroller issues the warrant. However, if at the end of that three day period the Comptroller is still... has some question about whether the warrant ought to be issued, he can go to the... he goes

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to the Executive in charge of the agency or department and tells them that he still has a question about the legality. Now, at that point, one of two things can happen. Either the agency head can say, 'Well, that's... you raise some interesting points, Comptroller. Proceed with your investigation and we'll just... we'll wait until you conclude your investigation.' Or the agency heads can say, 'We disagree with you, Comptroller. We feel that... our interpretation of the law is that this is accurate... this is in compliance with the law.' That agency head can sign an affidavit to that effect upon which the Comptroller has to issue the warrant. After the warrant is issued, all of the investigatory materials then are turned over to the Auditor General for post-audit, if the Auditor General desires to proceed with a post-audit. But the answer to your question actually is bifurcated. It depends on whether the agency head and the Comptroller agree before the fact."

Koehler: "Well, what about in the case of a voucher that the Comptroller does not flag and that he does not question? Do we go to the Executive Director or do we go to the Comptroller or... to determine who is accountable for that... that voucher?"

Bowman: "Representative, if I understand your question correctly, if the Comptroller does not flag it or question the legality of it, then the warrant is issued in the normal course of events."

Koehler: "Well, what if in the future course of time we come... somebody exposes some type of abuse of a particular voucher, well, to whom do we go to to be accountable to that voucher? Do we go to the Comptroller? Do we go to the Executive Director who gave the original authorization for it or do we go to the Auditor General. I am concerned

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that your answer to my question as to who is the final authority, who is accountable for this, you said it depends. Well, one of the problems that we run into all the time in government is that we can't find anyone who is accountable for a particular decision. Now, we learned that in our investigation of salmonella. We couldn't find anyone who was accountable for some of the final decisions and that's what bothers me about this legislation. Currently, under our Constitution, the Comptroller has the authority to only issue the checks. The person who drew that voucher, who authorized that... voucher is clearly accountable for the decision as to whether or not that voucher is appropriate. Now, what worries me is with this piece of legislation and I certainly don't... don't question your... your intention on this because I realize what you are trying to do, but what worries me is that now instead of one person being accountable for the... for the advisability of this voucher that we are going to have three and it will cloud the issue."

Bowman: "Representative Koehler, I believe that this legislation really clarifies responsibility in an area that is now very murky. Let me give you an example of what we are trying to... to accomplish here. Just recently, there was a major expose in Crane's Chicago Business over minority owned businesses that were getting contracts that were earmarked for minority owned businesses, but, in fact, these businesses were really controlled by white persons. Okay. Now, under the present law which is very, very murky in this area, the Comptroller, once something like this comes to light, does not have clear authority to conduct an investigation of all the contracts for which payments... future payments might be... or warrants might be drawn to make payments to these firms. So that this Bill would

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provide the Comptroller with the necessary authority to simply... to go into these businesses and say, "Look, are you... are you a real business or aren't you? Are you a facade? Are you a theatrical prop? Or are you a real business? And... before the warrants are drawn. The purpose of this Bill is to clarify authority in a very murky area."

Koehler: "Well, of course, Representative Bowman, I can see your purpose and it is laudable. However, under the current situation, we have the person who authorized that voucher as the one who is accountable for that voucher. Now, in addition to that, we are going to have the Comptroller who is accountable for that particular voucher and with the thousands and hundreds of thousands of vouchers that are issued every year, does the Comptroller, within a matter of three days really want to have that particular authority because that is a very large responsibility for which he can be held now entirely accountable for that and I'm questioning whether..."

Bowman: "No, he can't. No, Ma'am, you are wrong."

Koehler: "... whether or not within a matter of three days he can supervise and look over all of those vouchers and flag those that are important and send them back to whoever drew them originally."

Bowman: "No, Ma'am, I think you're under misimpression. The Comptroller really doesn't have the... as much authority as you give him credit for at this time."

Koehler: "Well, not at this time, but under the Bill we would be giving him that authority. And whether or not he could supervise all that responsibility that he is being given and he would be given..."

Bowman: "Well, I have been assured by the Comptroller that... that it can be done and that the purpose of this Bill is to

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strike a reasonable balance, especially in view of your comments following on the heels of Representative Friedrich's comments, I think it just points up to the House that we need to strike a reasonable balance. And I think that's what this Bill attempts to do because we do not wish to impede the smooth functioning of state government and to have a period for the investigation or holding up of warrants that would be much in excess of three days I think would impede the orderly function of state government and we do not wish to do that."

Koehler: "Well, Representative Bowman, I certainly laud your intent, however, I am concerned that with the addition of the Comptroller and the Auditor General to this process that we would... I am... I am..."

Speaker McPike: "Representative Koehler, Representative Koehler, can you bring this dialogue.... Representative Koehler, can you bring this dialogue to a conclusion, please?"

Koehler: "Thank you, Mr. Speaker. I was just doing so. But with the addition of these..."

Speaker McPike: "Would you address the Bill then?"

Koehler: "Yes, I am."

Speaker McPike: "Thank you."

Koehler: "I was going to say that with the addition of these individuals to the process I think that it is clouding the issue and I would oppose."

Speaker McPike: "Gentleman from DuPage, Representative McCracken."

McCracken: "I rise in support of the Bill and I would like it to be made clear that we view this as a limitation on the authority... or on the arguable authority of the Comptroller under the Constitution. We want to specify that his ability to question legality is limited to that procedure specified in the Bill and that all post-payment

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functions shall automatically transfer to the Auditor General for followup. I think with the Amendment it's a Bill which does strike an appropriate balance. I believe that it does not create the problems Representative Koehler refers to because I do not see in any... anywhere in the Bill any liability for the Comptroller's failure to question a warrant. Only in situations where he questions the warrant is the procedure set forth, and it strikes an appropriate balance for the orderly administration of government, places the post-audit function where it belongs with the Auditor General and I moves its passage."

Speaker McPike: "Gentleman from Lake, Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I'm almost overwhelmed by some of this debate on this Bill because if any of us really want to protect the taxpayers we ought to allow... let's take, for example, if you were the Comptroller. Let's say, Judy Koehler, you are the Comptroller and along came, you know, some have told me you wanted to run for it. You mean to tell me if you were the Comptroller and along came some vouchers, some expenditures that were in doubt as to the legality that you would just have to approve and issue a warrant? Now, I think the prudent thing would be that we ought to allow that Comptroller to make an investigation. That doesn't mean he's accountable. The agency is still accountable. But let's have this for instance. What if the agency director may be a little shady? You know? That could happen. You mean just because he's accountable and the fact that nobody has checked over those vouchers, the Comptroller is one of the few that has the opportunity to look at those vouchers when he is issuing a warrant. Why shouldn't we allow that Comptroller the ability to look into those vouchers to determine the legality? There is nothing wrong with that."

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That's the prudent thing to do. That's the responsible thing to do and we, as Legislators, ought to allow him to do it. I think this Bill, if any Bill, deserves every vote in this House, every vote, if we are responsible and I urge you to do so."

Speaker McPike: "Representative Bowman, to close."

Bowman: "Thank you, Mr. Speaker. I believe that Representative Matijevich and Representative McCracken gave the best closing argument for the Bill. I move its passage."

Speaker McPike: "Gentleman moves for the passage of House Bill 1160. The question is, 'Shall House Bill 1160 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 110 'ayes'... Representative Nelson, 'aye'... I'm sorry, Representative Nelson Rice, 'aye'. Representative Piel, 'aye'. 112 'ayes', 1 'no', none voting 'present'. And House Bill 1160, having received the Constitutional Majority, is hereby declared passed. Yes, for the... for the information of the House, we spent a half hour on a Bill that passed 112 to 1. House Bill 1216, Representative Terzich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1216, a Bill for an Act to amend an Act to create sanitary districts. Third Reading of the Bill."

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

Terzich: "Mr. Speaker, Ladies and Gentlemen of the House, this Bill will allow a title or salary rate change if the change was due to transfer in the districts division as a result of a promotion. This will allow the district the flexibility it needs to pay for the transfer of an employee to an appropriate division in addition to salary increase due to promotion of an employee to another title. Now, if

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the transfer to another department, if it's not on the budget amount, if the other department has a lower salary, this causes a problem and this will allow free transfers and the Bill came out of Committee 13 to nothing. And I would appreciate your support."

Speaker McPike: "Gentleman moves for the passage of House Bill 1216. Is there any discussion? There being none, the question is, 'Shall House Bill 1216 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 97 'ayes', 1 'no', 14 voting 'present'. House Bill 1216, having received the Constitutional Majority, is hereby declared passed. House Bill 1217, Representative Terzich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1217, a Bill for an Act to amend an Act to create sanitary districts. Third Reading of the Bill."

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

Terzich: "Mr. Speaker, I'd like leave to bring this Bill back to Second Reading to table Amendment #1."

Speaker McPike: "Gentleman asks leave to return the Bill to Second Reading for purposes of an Amendment. Any objections? Hearing none, leave is granted. Second Reading."

Terzich: "Well, Mr. Speaker, I move to table Amendment #1 which included the North Shore District Sanitary District from the Bill."

Speaker McPike: "The Gentleman has moved to table Amendment #1. Is there any discussion? Being none, the question is, 'Shall Amendment #1 be tabled?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment is tabled. Further Amendments?"

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Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Representative Terzich, what's your pleasure?"

Terzich: "I'd like to move for immediate consideration on Third."

Speaker McPike: "The Gentleman asks leave to use the... Leave is not required. Third Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1217, a Bill for an Act in relation to certain sanitary districts. Third Reading of the Bill."

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

Terzich: "Mr. Speaker, Ladies and Gentlemen of the House. The Bill amends the Sanitary District Act to increase to 2,000 every two years until 1981 (sic - 1991) the annual salaries of the president and vice president and board commissioners and chairman of finance. The Bill makes the initial salary increase applicable to those persons elected in 1985 and also those elected in 1986 and 1988. At the present time, there are nine elected commissioners who serve six terms. The Board elects the president and vice president and finance chairman. It's a minimum salary adjustment which is \$2,000 every two years. It will cover the newly elected trustees both in '86 and '88. Also the... The Bill also provides that the total amount on this up in 1991 amounts to \$54,000. I do have a letter from the board of commissioners from the district filed with DCCA that they have requested the... this Bill, and therefore, will now qualify for an exclusion under the Mandates Act, and I would move for your adoption."

Speaker McPike: "The Gentleman moves for the passage of House Bill 1217. On that, the Lady from Cook, Representative Braun."

Braun: "Thank you, Mr. Speaker. The point is, I mean, this is a very important piece of legislation that provides for a pay

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increase. Now, with... without regard to the... what the Bill does, the fact is, the Bill was just taken back to Second Reading. Action was taken upon the Bill on the Order of Second Reading. It was returned back to the Order of Third Reading. Under the rules of this House that have always been in place - indeed, under the Constitution - a Bill that has been moved back to Second Reading and then brought to Third Reading has to stay on the Calendar before it can be considered, and I understand a ruling was just made that... "

Speaker McPike: "Representative Braun, that's not correct."

Braun: "Well... "

Speaker McPike: "If it's substantive..."

Braun: "Well, in that case, I'd like to make a parliamentary inquiry and have it pointed out... "

Speaker McPike: "State your inquiry."

Braun: "My inquiry is, under what Section of the Rules may legislation be taken from the Order of Second Reading and considered on the same day without... on Third for passage without the permission of the House... without leave of the House?"

Speaker McPike: "Representative Matijevich."

Matijevich: "Speaker and Ladies and Gentlemen of the House, the Chair made a proper ruling. The only time when we have to wait a Legislative Day is when an Amendment is placed on the Bill. In this instance, Representative Terzich took off an Amendment, and therefore, that Bill could be considered on Third Reading without the approval of the House. So, the Chair did make a proper ruling."

Speaker McPike: "Representative Braun, under Rule 37(c), requires an Affirmative Vote of 71 Members if it's been amended. The Bill was not amended. Representative Braun."

Braun: "Thank you, Mr. Speaker. I'm not referring to the

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amendment of Bills on Second Reading. I'm talking about the consideration of a piece of legislation that was on Second Reading and moved to Third Reading under whatever circumstances. Under the Constitution, you have to have leave to have that Bill considered on the same day. That's... "

Speaker McPike: "The Gentleman from Cook, Representative Piel, on the Bill."

Piel: "No, it's just that the Bill was not on Second Reading. It was just taken... take the Amendment off. So it was not in a violation of the rules at all."

Speaker McPike: "The Gentleman from Livingston, Representative Ewing, on the Bill."

Ewing: "Mr. Speaker, would the Sponsor yield?"

Speaker McPike: "Indicates he will."

Ewing: "Representative, now that the Amendment's been taken off?"

Terzich: "Yes."

Ewing: "Would you very quickly tell me again what your Bill does?"

Terzich: "It provides for a salary adjustment for the elected officials... commissioners of the sanitary district, and it starts with the 1986 and 1988 elections, which are for six years. And it provides for a \$2,000 salary adjustment up until 1991 (sic - 1991), which is \$2,000... I mean... sorry... 1991, which is \$2,000 every two years. And that would apply to the newly elected commissioners."

Ewing: "Alright."

Terzich: "Also that the... under the Mandates Act, that the Bill... There's a letter filed with DCCA and transmitted herewith to certify a copy of a Motion adopted by the board of commissioners on May 9, requesting the General Assembly to pass House Bill 1217. It appears, therefore, the Bill now qualifies for an exclusion under the Mandates Act, and

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that's been filed with DCCA."

Ewing: "The board, they can't set their own salary. We have to set their salary?"

Terzich: "Yes."

Ewing: "So they have no power to do it on their own."

Terzich: "No."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I would only want to point out a very important thing on this Bill. We have a letter on file from the board members asking for a pay increase. Now, that may exempt it from the Mandates' Act, but I wonder if that letter was endorsed by the taxpayers of the sanitary district. You may want to give them a pay raise. Go ahead. It may exempt it from the letter of the law in the Mandates Act. I question whether it's doing the will of the taxpayers in the sanitary district. I think you should keep that in mind in making your decision."

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

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this piece of legislation. It's a very simple piece of legislation. The commissioners of the Metropolitan Sanitary District are elected for six year terms, and during that six years, they cannot get a pay raise, and all this Bill says that when the new term starts, they get a 2,000 pay raise. That's not unreasonable. I ask for an 'aye' vote on this Bill."

Speaker McPike: "The Gentleman from McDonough, Representative Slater."

Slater: "Will the Sponsor yield?"

Speaker McPike: "Indicates he will."

Slater: "Representative Terzich, what is the present rate of compensation for these persons?"

Terzich: "At the present time, the salary is \$30,000. Those

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people that were elected, you know, a couple, about four or five years ago currently have this type of salary adjustment, and what this is, simply, is an extension of that. For example, if they did not get it, and the people were elected, some commissioners would be getting the salary adjustment, but the newly elected ones would not."

Slater: "That is to say that the president and vice president of the board and the chairman receive \$30,000."

Terzich: "They... no. They... no. The commissioners make 30,000. The president, the vice president and the finance chairman have an additional increment, I believe, of \$5,000 for the president, about \$2,500 for the vice chairman and the finance chairman."

Slater: "Thank you."

Speaker McPike: "The Gentleman from Cook, Representative Shaw."

Shaw: "Will the Sponsor yield?"

Speaker McPike: "He will."

Shaw: "Yes, Representative Terzich. Could you tell us, is there any fringe benefits involved in... with the commissioners? Do they get their own car? Do they drive their own car?"

Terzich: "No, I understand they work on a poverty level. I really don't know."

Shaw: "You don't know whether they have their own car over at the Sanitary District or not?"

Terzich: "I don't run the Sanitary District. I really... I don't handle their finance or fringe benefits or I don't take them out to dinner or anything of that, so I really couldn't tell you. I don't work for the Sanitary District."

Shaw: "Okay. Well, it is... "

Terzich: "I understand they have pool cars, from what I understand. They have pool cars."

Shaw: "Right."

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Terzich: "For business... For business purposes, I believe the State of Illinois has pool cars. The City of Chicago and a lot of governmental agencies have pool cars."

Shaw: "Well, to the Bill. It is my understanding that the Commissioners over there, they do have... get those pool cars and they are permitted to take them home with them and keep them on weekends, drive wherever they want. And that should make up for some of this salary that they claim that they are not getting because they don't have to use their own cars. And I don't see why that they would need a substantial raise, as indicated here, by 1991 they're talking about 43,000; 43, 41, and \$38,000. That just really don't make sense to me, and I don't think they need it at the time, and I urge a 'no' vote on the Bill."

Speaker McPike: "The Lady from Cook, Representative Parcells."

Parcells: "Will the Sponsor yield?"

Speaker McPike: "He will."

Terzich: "Certainly."

Parcells: "Representative Terzich, I wondered if the Compensation Review Board had checked over these salary increases."

Terzich: "Yes, I did."

Parcells: "And they approved?"

Terzich: "Yes, I did."

Parcells: "Thank you."

Speaker McPike: "The Gentleman from Cook, Representative McAuliffe."

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, I would rise in support of giving the people of the Sanitary District a pay raise. We got a pay raise ourselves this year, and I think it's only fair that people who work hard for the best interest of the public ought to be compensated fairly for it. I don't understand what all this hoopla is about giving them a pay raise. They deserve a pay raise."

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Speaker McPike: "Representative Terzich to close."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, this Bill is put before the General Assembly in a open manner in accordance with the State Mandate. Unfortunately, or fortunately, it does come to the General Assembly where it does have to be voted upon. This adjustment is going to apply to the newly elected officials. It's very, very small. It's a \$2,000 adjustment every two years up until 1991. It affects approximately nine people, and the total, on a cumulative basis in 1991, is \$54,000. It's extremely reasonable and certainly well deserved, and those people that are running for that public office certainly would deserve this type of adjustment, and I would urge your support."

Speaker McPike: "The Gentleman moves for the passage of House Bill 1217. The question is, 'Shall House Bill 1217 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Representative Greiman to explain his vote."

Greiman: "Yes, thank you. I don't know if it's been pointed out, but some of the folks there who are voting 'no' or 'present' or are just sitting there, I recall they were gnashing their teeth at the fact that people didn't have the courage to vote pay raises for themselves, and that that's why the Commission on Pay Raises was a bad idea, and it was unconstitutional, immoral and probably fattening as well. Here are people who apparently have the courage to say, 'We think we're entitled to a raise. We think we're entitled to get more money, and we want you to pro forma approve that.' And they're saying if we had the power, we would do it. Personally, I think it's ridiculous that we... that we make this judgment. We should... They should be making the judgment themselves and letting the voters of the Sanitary District retain them or throw them out if

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they're unhappy. But I see the same sort of sanctimonious folks over there who really cried tears over the lack of courage of people to stand up for a pay raise. Here, they're debasing these people who have had the courage to stand up and ask for a pay raise, and I think we should... we should put our... put their money where their mouth is."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 56 'ayes', 47 'nos', 10 voting 'present'. Representative Terzich?"

Terzich: "Yes, I would appreciate a Poll of the Absentees and some of my friends to give me a vote. Give me a break, will you?"

Speaker McPike: "The Gentleman has asked for a Poll of the Absentees. Representative Matijevich, did you... "

Matijevich: "I want to explain my vote and... "

Speaker McPike: "Explain his vote."

Matijevich: "... Because I spoke against this Bill on Second Reading, but that was because the Bill at that time tied the Metropolitan Sanitary District to a very unreasonable tie-in with the North Shore Sanitary District, and at that time, I said the North Shore Sanitary District should do what the Metropolitan Sanitary District is doing - coming in the front door, asking for a reasonable phase-in for a salary. So now, as the Bill stands, I support and Bill, and I think we ought to just give a few more votes to Representative Terzich, because they have done it the legitimate way and do deserve it, and I appreciate your 'aye' vote."

Speaker McPike: "Poll of the Absentees."

Clerk Leone: "Poll of the Absentees. Countryman. Virginia Frederick. Levin. O'Connell. Yvetter Younge. No further."

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Speaker McPike: "Representative Yvetter Younge. Representative Yvetter Younge votes 'aye'. Representative Cullerton from 'present' to 'aye'. Representative LeFlore from 'present' to 'aye'. Representative Dunn from 'no' to 'aye'. No? Representative Dunn would like to stay 'no'. Representative Stange from 'no' to 'aye'. Representative Parke from 'no' to 'aye'. On this Bill, there are 61 'ayes', 45 'nos', 8 voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1218, Representative Terzich. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1218, a Bill for an Act to amend an Act to create sanitary districts and remove obstructions from the Des Plaines and Illinois Rivers. Third Reading of the Bill."

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

Terzich: "... And... And in conclusion, House Bill 1218 amends the Act to provide that persons with temporary appointments with the district on the effective date of this Amendatory Act who have been employed for two or more years and have met the standards required for their jobs or positions must take and satisfactory pass, qualify in examinations for their jobs or positions within six months after the effective date of this Amendatory Act. This clarifies that only those individuals currently holding a temporary appointment without civil service status in another position who have been employed for two or more years by the district may take a qualifying exam and be permanently appointed within six months after the Bill becomes law. Of the districts 24... 2,400 positions, approximately 158 individuals have been in positions over the current allowable 60 day period. And what the Bill will do, it

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will allow these individuals to take a qualifying exam to fill those positions... which they have been qualified and working in there for a considerable length of time, and I'd be more than happy to answer any questions and appreciate your support."

Speaker McPike: "The Gentleman has moved for passage of House Bill 1218, is there any discussion? There being none, the question is, 'Shall House Bill 1218 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. Representative Hicks, 'aye'. On this Bill, there are 101 'ayes', 9 'nos', 2 voting 'present'. House Bill 1218, having received the Constitutional Majority, is hereby declared passed. House Bill 1258, Representative Kirkland. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1258, a Bill for an Act to amend an Act to authorize units of government of the State of Illinois to issue full faith and credit tax anticipation notes. Third Reading of the Bill."

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

Kirkland: "Thank you, Mr. Speaker. With leave of the House, I'd like to move back to Second Reading for an Amendment."

Speaker McPike: "The Gentleman asks leave to return the Bill to Second Reading for purposes of an Amendment. Are there any objections? Hearing none, leave is granted. Mr. Clerk."

Clerk Leone: "Amendment #3, Kirkland, amends House Bill 1258 on page one and so forth."

Speaker McPike: "Representative Kirkland, Amendment #3."

Kirkland: "Okay. First of all, I'd like to table Amendment #2."

Speaker McPike: "The Gentleman moves to table Amendment #2. Is there any discussion? Being none, the question is, 'Shall Amendment #2 be tabled?' All those in favor signify by

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saying 'aye', opposed 'no'. The 'ayes' have it, and the Amendment's tabled. Further Amendments?"

Clerk Leone: "Floor Amendment #3, Kirkland."

Speaker McPike: "Representative Kirkland, Amendment #3."

Kirkland: "Thank you. Amendment #3 does somewhat the same as Amendment #2 except fixes up a mistake. Amendment #2 brought the interest rate for anticipation notes anticipating property taxes in line with the Public Corporation General Interest Rate Statute. This would also bring that portion of the Notes Act in line with that Statute in connection with anticipation of personal property replacement taxes. It also... This also makes the... clarifies the language as far as whether notes and warrants can be issued in the same year, and I'll explain that on... The original Bill did the same thing. Just clarifies the language."

Speaker McPike: "The... Representative Cullerton."

Cullerton: "Yes, I wondered if the Sponsor of the Amendment would mind taking the Bill out of the record for just a few minutes until we have a chance to review the Amendment? Come right back to it."

Speaker McPike: "The Gentleman agrees the Bill will be taken out of the record, and we will return to House Bill 1258 momentarily. That's going to be held on Second Reading. House Bill 1382, Representative Richmond. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1382, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker McPike: "The Gentleman from Jackson, Representative Richmond."

Richmond: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. First, I would like to table Amendment #1 to House Bill 13... 1382."

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Speaker McPike: "The Gentleman asks leave to return... "

Richmond: "Withdraw it. Withdraw it, rather."

Speaker McPike: "The Gentleman asks leave to return House Bill
1382... "

Richmond: "No."

Speaker McPike: "The Bill's on Third... Third Reading."

Richmond: "Yes, I wanted to withdraw. Okay. I'm sorry."

Speaker McPike: "The Gentleman..."

Richmond: "Never mind."

Speaker McPike: "Representative Richmond, the Bill is on Third
Reading. What is your pleasure?"

Richmond: "To proceed with it on Third Reading."

Speaker McPike: "Proceed."

Richmond: "This is a very simple Bill, and it amends the Illinois
Municipal Code, increases the amount of construction,
public improvement or maintenance contracts that must be
let to the lowest responsible bidder to \$5,000. The units
of local government have periodically sought legislative
approval to increase the statutory amount required for
bidding on items such as equipment and on construction
contracts. The \$5,000 maximum expenditure level has been
authorized for other units such as sanitary districts and
water districts, and this Bill will bring the statutory
dollar amount for municipalities into conformity with the
\$5,000 rate. And I... Incidentally, council authorization
must be given for such non-bid contracts by two-thirds
vote. I ask for your favorable vote on House Bill 1382."

Speaker McPike: "The Gentleman moves for the passage of House
Bill 1382. Is there any discussion? Being none, the
question is, 'Shall House Bill 1382 pass?' All those in
favor signify by voting 'aye', opposed vote 'no'. Have all
voted? Have all voted who wish? The Clerk will take the
record. On this Bill... 111 'ayes', no 'nays', none voting

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'present'. House Bill 1382, having received a Constitutional Majority, is hereby declared passed. The Chair will return to House Bill 1258. The Bill is on Second Reading. Representative Kirkland to explain Amendment #3. Representative Greiman in the Chair."

Kirkland: "I believe that's already been done and asked that the Amendment be approved."

Speaker Greiman: "The Gentleman from Kane moves for the adoption of Amendment #3 to House Bill 1258. And on that, 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 Amendment?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading."

Kirkland: "... Ask that the Bill be heard immediately."

Speaker Greiman: "The Gentleman moves to waive Rule 37(c) so that the Bill may be heard immediately. Does the Gentleman have leave... leave of the Attendance Roll Call? The Gentleman has leave. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1258, a Bill for an Act to amend an Act to authorize units of government of the State of Illinois to issue full faith and credit tax anticipation notes. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Kane, Mr. Kirkland."

Kirkland: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill amends in various ways the Full Faith and Credit Tax Anticipation Note Act of Chapter 85 on local governments. The changes proposed implement recommendations made by the Local Government Finance Study Commission of this Assembly in 1981. The changes proposed include allowing units of local government in their issues

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of notes to anticipate the amounts necessary for payment of interest costs and the cost of issuance in addition to the limit of the issuance not to exceed 85 percent of the taxes anticipated - taxes to be levied. Further, this Bill allows, for the first time, notes and warrants to be issued in the same year under circumstances in which the total of those notes and warrants will not anticipate, again, more than 85 percent of the taxes to be levied. There is also language to the effect that the first issued should be the first to be paid back out of taxes that come in. There is also language in the Bill regarding refunding of notes when it's anticipated that the taxes are not going to come in as anticipated. The refunding language indicates that the refunded notes would be... would be paid off at the earliest date deemed possible by the new source of revenues. Okay. There is similar language regarding anticipation of personal property revenue... excuse me... personal property replacement tax note issuances, notes anticipating those taxes. There is also language indicating that the unit of government should pass an ordinance or resolution indicating what they reasonably anticipate will be their entitlement for replacement taxes before issuing notes anticipating such. There is also language in the Bill allowing the unit of local government to set up an escrow account to accept money for... to pay back the replacement tax. It's just to add a little more security to the notes issued for that purpose. And finally, there's language giving the Clerk authority to extend the levy necessary to produce the amount to pay the interest and cost of issuance of the notes that would be allowed by this... "

Speaker Greiman: "The Gentleman from Kane moves for the passage of House Bill 1258. And on that, is there any discussion?"

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There being none, the question is, 'Shall this Bill pass?' All 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 111 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 - State and Local Government appears House Bill 1389. Yes, Mr. Hartke, for what purpose do you seek recognition?"

Hartke: "I'm going to vote 'aye' on the last one."

Speaker Greiman: "Well, let the record... the Journal show that you requested to vote 'aye' on that. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1389, a Bill for an Act to amend an Act in relationship to audits. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. House Bill 1389 was on Short Debate. It's a Bill that amends the Local Government Units Audit Act. It requires governmental units appropriating less than \$200,000 to file a financial report containing information required by the Comptroller. Prior to this Bill, the information was not required by the Comptroller, but it... the Bill requires entities to either use their audit or use the form that the Comptroller has to report. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, has moved for the passage of House Bill 1389. And on that, is there any discussion? Being none, the question is, 'Shall this Bill pass?' All 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

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record. On this question, there are 115 voting 'aye', none voting 'no', and none voting 'present', and this Bill, having received a Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, the hour of 11:00 having arrived, we will move to the Order of House Bills Third Reading - State Regulation. And on that Order appears House Bill 20. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 20, a Bill for an Act to amend Illinois Vehicle Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Bureau, Mr. Mautino, on House Bill 20."

Mautino: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 20 repeals the Statute that was enacted by the previous General Assembly and now closes car dealers on Sunday in the State of Illinois. This is the blue law provision. In my legislative district, one of the RV dealers who does not sell automobiles was the recipient of a violation by the Secretary of State's Office. The same held true for Mr. John 'Pierce' down at Washington, Illinois, who did not sell vehicles on Sunday, but whose car store was open on Sunday. For those of you that have a philosophy that says government should not set forth in the private sector, the hours, nor the days, nor the controls that should be maintained by the management of the private enterprise system, then I say to you, you should be voting for House Bill 20 to repeal a statute which our sister states have been repealing over the last two years. For example, since Illinois closed on Sunday, Missouri passed a law that opened the sales on Sunday. Michigan recently eliminated their provisions for closing on Sunday, as did Massachusetts, which was the first state to provide the blue laws. In my estimation, I find that we should not be setting forth in statute those decisions that are made in

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the market place. That's where they should be made, and basically, that's what this legislation does, repeals a statute that I think is unnecessary and should be provided in the open market for opening and closing facilities. As far as the State of Illinois is concerned, I find it very difficult to accept the provisions that the State of Illinois provides to General Motors as it pertains to the Saturn Corporation. We are saying to the Manufacturers, 'You can build your cars on Sunday, but we won't allow you to sell them on Sunday.' I think it's a ridiculous law that the Governor signed and is now on the books. I'd like to correct that inequity and adopt and pass House Bill 20."

Speaker Greiman: "The Gentleman from Bureau moves for the passage of House Bill 20. And on that, is there any discussion? The Gentleman from Cook, Mr. Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I hope everybody's paying attention. Excuse me. I'm sorry. This is a Bill that all the Members of the House have been receiving many letters on, and the majority of the letters I've received, and I think it's probably has, you know, the same effect with everybody, is the majority of the letters have been opposed to this legislation. Here's a law that we passed two years ago, I think it was, and the dealers throughout the state are living with it. The Gentleman mentions different states around us who have... are open on Sunday. All I can tell you is that my entire eastern boundary is the Indiana state line. I don't know if Indiana is in favor of... or if they're open on Sunday, but every one of the dealers right along the state line in Illinois in my district, I can tell you, are opposed to this legislation. They want to be home with their families on Sunday. They... You know, a lot of people think that this Bill was passed initially just at

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the whim of somebody just saying, 'Well, we're going to, you know, pick out one specific industry and say we're going to close them on Sunday.' The genesis of this legislation, when it first passed, was the auto dealers. The auto dealers are sitting here and saying, 'Hey, we want this.' This legislation that we're looking at here, House Bill 20, is a piece of legislation for a very small minority of businesses. We're sitting here and talking just in the Chicagoland area a very, very small number of the car dealers... the car dealers that are bringing the people in from Indiana or Wisconsin that want this. They're bringing them in from all over the area that they feel that Sunday is their only day to sell cars. Well, I'm sorry. You know, we're going through six days... Saturday's not good enough to sell cars. Friday's not good enough to sell cars. Sunday's the only day. I'm sorry. I can't believe that... that argument in favor of... in favor of this Bill. The Illinois New and Used Car - Truck Dealers' Association, the Chicago Auto Trades Association, Illinois Used Car Dealers' Association, Illinois Used Truck Dealers' Association are all against this legislation. These are people who deal on a day-to-day basis in this field. So I would ask the Members of this House to think about this very seriously before you vote to pass House Bill 20 and repeal a law which we have not had any major problems with at the present time. Thank you."

Speaker Greiman: "Further discussion? The Lady from Cook, Ms. Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. The previous speaker suggested we haven't had any problems with the proposal on the statute books that requires all car dealers to be closed on Sundays. Maybe we haven't had problems with that piece of legislation. Maybe the car

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dealers haven't had problems with that piece of legislation, but I'm sure the consumers in my district and in your district have had problems with that piece of legislation. The car dealers, I'm told, have no problems with the prohibition against Sunday openings. Many of them haven't. That's how that Bill became law in the first place. The car dealers, a special interest group, came to this Assembly and said, 'Close us down on Sundays. Don't give us the free choice of the economic market place to make a decision whether we'll be open or whether we'll be shut.' If House Bill 20 passes, there is no requirement that car dealers stay open on Sundays. If they want to close their doors on Sundays and stay home with their families, they are free to do so. If this Assembly were interested in assuring all workers in the state a day off so families can pray and play together, that might be one kind of issue for this Assembly to address. For us to say a particular kind of business, and only that particular kind of business, must be closed on Sunday, is economic regulation of the very worst sort. I believe in a free market economy. I'm supporting House Bill 20."

Speaker Greiman: "The Gentleman from Fulton, Mr. Homer."

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

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

Homer: "Representative Mautino, are you aware of any other statutes on our books that would prohibit various kinds of businesses from being open? For example, do we have any laws on the books which would prohibit gas stations from being open a certain day of the week?"

Mautino: "No, none that I know of."

Homer: "Retailers?"

Mautino: "None that I know of. They close of their own volition, if they so desire."

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Homer: "Is that the same for, for example, beauticians, restaurants, doctors' offices, lawyers' offices and every other profession or every other occupation in the State of Illinois?"

Mautino: "Yes, you are correct."

Homer: "And so that... Although some of those choose to close on Sunday, they do it of their own volition, and government has not dictated or mandated to them when they should be open or when they should be closed. Is that correct?"

Mautino: "Correct."

Homer: "And the only one in the whole state - the whole State of Illinois - and the State Statutes where the State of Illinois, by this Legislature, has mandated the closing on... of a business during a certain day of the week, is car dealers on Sunday. Is that your understanding?"

Mautino: "That's correct."

Homer: "Well, I hope - to the Bill, Mr. Speaker - I hope that each and every Member of the Legislature will consider the logic of the legislation that is before us. The legislation that was passed three years ago, closing car dealers on Sunday, was absolutely a special interest Bill that had limited import only to one type of business. I would ask you what in the world government is doing, telling any business in this state when to be open and when to be closed. And I was listening recently to a call-in show on WGN. I think it was the Bob 'Collins' Show, and they were discussing this particular legislation, and people were calling in in hordes in utter amazement that the Illinois Legislature and the Illinois General Assembly would have the audacity to pass the Bill that it passed three years ago without any Legislator or without anyone - and I would challenge any Legislator on this floor to stand up and explain the logic of having a law on the books that

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requires car dealers to be closed on Sunday, and that would not extend to other kinds of businesses. I would invite any Member of this General Assembly to get up and explain to us the logic, the good government rationale, as to why we should single out car dealers for being closed, and yet leave alone all of these other businesses and occupations. If someone can do that and present an arguable and a reasonable, and a logical argument, then I may be persuaded to vote in favor of it. Otherwise, I think it's clear that a vote in favor of this is for a blatant vote for special interest against the consumers of the State of Illinois, and I would urge support for this legislation."

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

Stephens: "Thank you, Mr. Speaker. I rise in support of this Bill. I think that this is a perfect example of when special interest clashes with common sense. I have many car dealers in my district, and many of them have contacted me, and they've said, 'This is... We have a good law. Let's leave it alone.' But I think that this is a country of free enterprise, and I take exception to an earlier remark that says that if we pass this law, that we... we will take... people away from their families on Sunday. That's absolutely ridiculous. I happen to be in the pharmacy business. I happened to decide to close each of my stores on Sunday so that my people can be with their families and I with mine. Now, I am in direct competition with several major firms that decided to keep their stores open on Sunday. That is their choice, and it is my choice to keep my stores closed on Sundays, and it's a choice that I'm free to make. Auto dealers are not being forced to open their car dealerships on Sundays with passage of this law. They are just given the opportunity if they so choose, to practice free enterprise in America. There's

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nothing wrong with that, and so I stand in support of this Bill, and I urge an 'aye' vote."

Speaker Greiman: "The Gentleman from Madison, Mr. Wolf."

Wolf: "Thank you, Mr. Speaker and Members of the House. I don't know what the car dealers in other parts of the state want on this Bill, but I can tell you that the car dealers in my district want this legislation that's now on the books repealed. The district that I represent sits right on the Illinois-Missouri border, and the car dealers in my area are watching business go over to Missouri every Sunday, every Sunday. I would heartily support your endorsement of this legislation."

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

Mautino: "Thank you, Mr. Speaker. I'm sure that everyone has received correspondence pro and con on this question. A recent survey done by the National Federation of Independent Businesses provided that 78 percent of those surveyed recommend that the State of Illinois do not set forth the hours nor the days of business and support the repeal of this existing statute. An individual who gets into business for themselves provides an investment, provides for a business climate and hopefully, makes some money. In that regard, they also get a key to that facility, and it's up to them to turn that key as the market prevails, whether or not that's during the week or on Sunday or in the evenings. I find it rather interesting that many of my colleagues and this administration, who state that they are in favor of providing a better business climate would turn around and oppose this legislation. This, in fact, is good legislation. It allows the open market and the free market and the free enterprise system to continue unabridged by government intervention. I find

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it interesting that you can buy a porno video or a porno magazine on Sunday, but you can't buy a car. I find it very interesting that in malls where automobile dealers have showrooms, that everything is open on Sunday in those malls, except the metal chain is across the facility that is rented by an automotive dealer. That happens in the malls that are in our area. I think it's unfair to not allow the consumer, on a leisure day, to do the shopping that they need to do to make a good decision on the purchase of an automobile. It's usually their only day off, as well. So therefore, I think everyone knows what this legislation does. I would ask that you would give me an affirmative vote for the citizens of this state as well as for the business climate of this state and repeal a ridiculous law that has no business on our statute. Thank you."

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. Dunn to explain his vote."

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would just like to point out to the Membership in case you haven't heard that any of your constituents who work in shopping centers, people who are in business for themselves, small retailers, all are concerned about the impact if we don't pass this Bill, because they feel that if the General Assembly will shut down one retail business, they may shut down others, and you will hear not only from people who are interested in buying and selling cars, but you will hear from your constituents across the board about this eventually, if this current existing law is not repealed. We should pass this Bill. It's a good Bill.

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Representative Mautino has worked very hard on this legislation. We owe him an 'aye' vote."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 50 voting 'aye', 54 voting 'no', 9 voting 'present'. This Bill, having failed to receive... yes. Postponed Consideration. The Gentleman asks for the Bill to be placed on the Order of Postponed Consideration. On the Order of House Bills Third Reading - State Regulation appears House Bill 408. Mr. Clerk, call the Bill."

Clerk Leone: "House Bill 408, a Bill for an Act to amend an Act relating to firearms and firearm ammunition. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Jefferson, Mr. Hicks."

Hicks: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, House Bill 408 is a Bill that brings Illinois into compliance with the rest of the state. Actually, it brings us into compliance with the national firearm regulations that we have. Currently, 47 states out of the country have this type of legislation which is... allows us to have a reciprocating agreement on the purchase of long guns and ammunition with those states that are contiguous to us. So it would only apply to the five states that are contiguous with Illinois, and I certainly would be happy to answer any questions."

Speaker Greiman: "The Gentleman from Jefferson moves for the passage of House Bill 408. And on that, is there any discussion? The Gentleman from Macon, Mr. Tate."

Tate: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. As the previous speaker has mentioned, Illinois is one of two states in the nation that does not allow the sale of long guns in contiguous states. Virtually every other neighboring state in Illinois allows this. All this Bill

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would do is allow for reciprocity with Wisconsin and Iowa, Indiana and Missouri, and we are presently, again, one of two states in the nation. It adds some obvious implications. If you're... you're concerned about potential sales tax revenue for the state, this is a good opportunity, and we shouldn't deny Illinois citizens of this opportunity, and I encourage a favorable Roll Call."

Speaker Greiman: "Further discussion? The Gentleman from MacLean, Mr. Ropp."

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

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

Ropp: "Representative, does this Bill have inference to a waiting period before you can purchase firearms in Illinois?"

Hicks: "No. The only thing that has to do with the waiting period is the current waiting period that's in effect. All buyers from out of state would also have to comply with Illinois law and also with the law in their own state. So the waiting periods that we set and prescribe by statute is what they have to prescribe to."

Ropp: "Thank you."

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

Cullerton: "Will the Sponsor yield?"

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

Cullerton: "Representative Hicks, with regard to a situation where an out of state person comes into our state in order to purchase a firearm, how would the Illinois seller of the firearm know whether or not that person is prohibited from purchasing a weapon in their home state?"

Hicks: "Certainly if you're a gun dealer in Illinois, a person who is handling that, you are going to have those laws and those type of qualifications that are going to qualify a person to buy in Illinois. The buyer also, though, is going to have to comply with Illinois law in the purchase

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of that gun, so really, in actuality, we, as Illinois citizens, should not be prescribing to them other than to follow the laws of the State of Illinois."

Cullerton: "Well, how would... How would a distributor of weapons know whether or not the out of state person has complied with Illinois law? In other words, they're not going to have to have an Illinois FOID card, are they? The out of state person. So if they don't have an Illinois FOID card, how is the seller of the gun going to know whether or not the out of state person qualifies?"

Hicks: "Okay. He's going to have to fill out the federal identification on that type of thing, and it's going to have all that information on there, as far as compliance with the law itself. He has to fill that form out, the federal form."

Cullerton: "Well, how does the federal law differ from our state law with regard to qualifications to purchase weapons? In other words, does the federal law prohibit someone who has been in a mental institution from ever acquiring a gun?"

Hicks: "Okay. It has on the federal form, it asks questions such as that, whether or not a person is a convicted felon or has been, whether a person has been ever a... put into an asylum of any type for any type of mental illness. Those type of questions are asked on the federal form."

Cullerton: "Okay, now. Do these other... Let's say the contiguous states to Illinois. Do they have a similar requirement for a federal... for an FOID card? Do they have a firearm owner's identification card requirement in those individual states, if you know?"

Hicks: "Most of those states, as I understand, do not have a FOID card as we have in Illinois. That's the reason why we've been trying to get rid of the worthless FOID card in Illinois."

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Cullerton: "Okay. So there's... There's no way we could require them to show any identification or approval from their home state, so what you're saying is that the federal form that has to be filled out is sufficient. Is that right?"

Hicks: "I will tell you. I would like to... Hold on one second. Okay. On the federal form itself, you must produce identification such as a driver's license, those type of identifications that would be required by an Illinois citizen."

Cullerton: "Okay, now. This federal form - Let's say somebody comes in from Missouri or Missouri, if you prefer, and they come into Illinois, and they go in to buy a gun. Now, will they have to show this federal form... I mean, physically show it, filled out, to the... to the seller of the gun?"

Hicks: "Certainly, they're going to have to fill it out at that time with the gun purchase itself. It's going to be done then. It's not going to be done somewhere else."

Cullerton: "Alright. Thank you. No further questions, Mr. Speaker."

Speaker Greiman: "Further discussion? The Gentleman from Saline, Mr. Phelps."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Just for clarification to Representative Cullerton's question, I think there was a misunderstanding that the federal firearm form is a universal form for all dealers in every state. So the information on that form is exactly duplicate to what the FOID card requires and therefore, is what we've been saying is unnecessary, other than the fact that in Illinois, you do have a record of individuals and the serial numbers of guns that are recorded in connection with the FOID, but it does not... they could have a thousand guns or they could have one. So it does not register a gun, but the federal form here would

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suffice, in my opinion. I rise in support of this Bill.
Thank you."

Speaker Greiman: "Mr. Hicks to briefly close."

Hicks: "Yes, Mr. Speaker. I simply want to say that this legislation applies to only long guns. Hand guns are not involved in this legislation. It is a good business Bill. It's going to allow business to come into Illinois and do business in Illinois, and I'd 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, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this... On this question... Mr. Mays? You're voted, Mr. Mays. On this question, there are 100 voting 'aye', 1 voting 'no', 11 voting 'present', and this Bill having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading - State Regulation appears House Bill 582. Mr... Excuse me. Mr. Clerk?"

Clerk Leone: "House Bill 582, a Bill for an Act in relationship to ownership of agricultural lands. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Edgar, Mr. Woodyard."

Woodyard: "Thank you, Mr. Speaker and Members of the House. I would ask leave to return this to the Order of Second Reading for the purpose of an Amendment."

Speaker Greiman: "The Gentleman from Edgar, Mr. Woodyard, moves to return... asks leave to return this Bill to the Order of Second Reading for the purpose of an Amendment. Does the Gentleman have leave? The Gentleman has leave, and the Bill is on Second Reading. Mr. Clerk?"

Clerk Leone: "Amendment #5, Woodyard - Brunsvold, amends House Bill 582 as amended."

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Speaker Greiman: "Mr... Mr. Woodyard on Amendment #5."

Woodyard: "Thank you, Mr. Speaker. Amendment #5 was recommended by Central Management Services to be sure that we had within the Bill - and this happens to be a farmland reporting Bill - the fact that the State of Illinois in transfer of land would be exempt from any reporting to its own agency, so I would move for the adoption of Amendment #5."

Speaker Greiman: "The Gentleman from Edgar, Mr. Woodyard, moves for the adoption of Amendment #5. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

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

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

Cullerton: "Representative Woodyard from Edgar, I wondered if you could explain what is left in the Bill, if we adopt this Amendment? As I understand it, the Bill is an information gathering Act aimed at inquiring information about non-family farming enterprises in Illinois, and we've adopted a number of Amendments here that provide exceptions... exemptions to the Act."

Woodyard: "That's correct. It shows... "

Cullerton: "Is there anything... Is there anything left in the Bill?"

Woodyard: "Yes, there is. It shows there's a high degree of interest by a lot of people in this Bill."

Cullerton: "Yes. And the rationale for exempting... for the... the... "

Woodyard: "Amendment 5?"

Cullerton: "Agricultural land transferred to or by the State of Illinois? What's the theory behind it?"

Woodyard: "The rationale was that Central Management Services wanted to be sure that within the Bill, they would be exempt. The State of Illinois itself would be exempt from

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agricultural land reporting."

Cullerton: "The rationale is... The rationale is that somebody from Central Management Services came to you and said, 'We want to be exempted out.' And you want to pass the Bill, so you said, 'Let's put the Amendment on.' Fine."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall Amendment #5 be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Mr. Woodyard asks leave of the House to waive the provisions of Rule 37(c) so that the Bill may be heard at this time on the Order of Third Reading. Does the Gentleman have leave? Leave to use the Attendance Roll Call. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 582, a Bill for an Act in relationship to ownership of agricultural lands. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Edgar, Mr. Woodyard."

Woodyard: "Thank you, Mr. Speaker, Members of the House. This is the farmland reporting Bill that we had a very similar Bill in the last General Assembly Session that did not make it out of the Senate, but it did receive an overwhelming Majority here in the House. It does require reporting on ownership of farmland by foreign owners, corporations, trusts and some certain partnerships. As Representative Cullerton indicated, it has been amended several times. We started out with the reporting in the Secretary of State's Office. That was changed to the Department of Agriculture as a recipient of the reports. We've lowered the penalty. We've tried to take care of some of the major oil companies who had a concern about reporting pipeline rights of ways.

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We've exempted that out. The home builders had a problem with the Bill. We've exempted them out. Any time a subdivision is platted, they are exempt from reporting. We just adopted an Amendment that would exempt any lands transferred by the State of Illinois from the reporting. The Bill - the genesis of the Bill - was that we felt very strongly in agriculture that we should not be imposing or introducing legislation to impose sanctions on people who would buy or own farmland until we at least had a data base to know whether any legislation of that type is required or not. And out of that has come this farmland reporting Bill. It is supported by the various farm organizations and Department of Agriculture, and I'd be happy to answer any questions or ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Edgar has moved for the passage of House Bill 582. And on that, the Gentleman from Cook, Mr. Cullerton."

Cullerton: "Will the Sponsor yield?"

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

Cullerton: "Does the Department of Central Management Services endorse the Bill?"

Woodyard: "They didn't tell me whether they endorsed the Bill now or not, but now that we've got their Amendment on, I presume that they would support it."

Cullerton: "And could you... You did indicate on Second Reading that there was something left in the Bill."

Woodyard: "Absolutely."

Cullerton: "And I've been reading it and trying to figure out what that might be, and I know you've been trying to explain it, but I'll take your word for it. Is there anything left in the Bill?"

Woodyard: "Absolutely."

Cullerton: "Okay. Thank you."

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Speaker Greiman: "The Gentleman from Macon, Mr. Dunn."

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

Speaker Greiman: "Indicates he will."

Dunn: "Following up on the previous speaker's questions, I'm confused about what is in the Bill as it now stands amended. In connection with corporations, if a corporation is determined to be required to file an annual report under this legislation, what does the Bill require the corporation to disclose about the principals involved in the corporation and the owners of stock in the corporation."

Woodyard: "Yes, it does require ownership where there are over 10 stockholders in the corporation to be named, and also the land itself that the actual physical description of where the land is located and the amount."

Dunn: "Where is... All I see in the... With regard to partnerships, I think I see that, but I don't see that with regard to corporations. It says here that... describe a name and main office, the type of activity... "

Woodyard: "Actually, that's on page one, the description of a corporation, line 33, page one, and then at the top of page two."

Dunn: "Of the Bill? The definition of a corporation is there. That is correct. But what I'm asking is, if a corporation is required to file a report, what does it have to disclose about who owns the corporation?"

Woodyard: "The name and main office or the principle place of business, the type of agricultural activity, acreage... "

Dunn: "I see all that, but I don't see anything in the legislation which requires the names of any owners to come... be brought to the surface. Isn't that correct?"

Woodyard: "Are you asking me... Yes, on the form there would be the names. The form itself would be very similar, as I

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understand it, in design, to what the federal disclosure form is like, and that does list the owners."

Dunn: "Where does this legislation require that owners be listed? I don't see it here... I don't know... While you're looking... "

Woodyard: "I can't answer you right now, John."

Dunn: "Can't find it. What if... What if the property is owned in a land trust, which is a common vehicle of ownership all over this state? Does this legislation require the disclosure of the beneficiaries of the land trust?"

Woodyard: "Yes, if there are more than 10 beneficiaries, yes."

Dunn: "And where is that, in the Bill?"

Woodyard: "Page three, Section D, line five."

Dunn: "If there are more than 10 natural beneficiaries in a trust which owns farmland, then all beneficiaries must be disclosed. Is that... Is that what you're saying, is the... That is so. Is that correct?"

Woodyard: "Yes. Yes."

Dunn: "And who has the duty to make this disclosure? The trustee?"

Woodyard: "I believe that's correct. Or the feduciary... "

Dunn: "Well, it is or it's not. I've... Land trusts are a peculiar animal in this state. The land trustees generally don't undertake any burdens. They... They're a nominee, as we call it. They're just a mere titleholder, and they generally do not undertake any responsibilities at all, and the beneficiaries of land trusts have generally been considered to be something which can be withheld as a secret. So does this Bill require the disclosure of beneficiaries of land trusts, and have you answered yes to that, and then, whose burden is it to come forward with this disclosure? The beneficiaries themselves, or the trustees?"

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Woodyard: "I'm sure it would be the beneficiaries of that, John."

Dunn: "But do you know? Well, Mr. Speaker and Ladies and Gentlemen of the House, to the Bill. This legislation is well meaning, and it has a history of seven or eight years that I'm aware of in this General Assembly. I was involved in Subcommittees dealing with it on two separate Committees in other General Assemblies. What we're really after with this legislation is to find out and disclose where the alien farm ownership interests lie in this state, and who those people are. We have struggled with this issue, and every time we've come to the threshold of passing significant legislation, we have always found legislation to contain a loophole which would enable the foreign owners to continue on buying land in this state and keeping their ownership interests secret, and the legislation would then sort of throw out the baby with the bath water, because what it ultimately would do would be to impose burdens upon those who are natural citizens of the United States and citizens of the State of Illinois to be required to file annual reports under threat of penalty for failure to do so. I do see, if I understand things correctly, an Amendment which cuts down the amount of the penalty from \$25,000 down to \$500, so that is merciful, at least. But this Bill, as I see it, does not require any corporation to make any disclosure about the owners of the corporation. So if I'm a middle eastern foreigner who wants to own land in Illinois, and I set up the 'XYZ Corporation', as I read this Bill, I can run all over central and southern Illinois buying farmland and file reports that say the 'XYZ Corporation' has a principle place of business someplace. In other words, it has an office, an address and a telephone number and perhaps some stationary, but I don't have to disclose who the owners of the corporation are, so

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I can keep my ownership secret. If that is so, I don't know what we're doing here. And I further would point out to the Sponsor that unless... unless there is an accommodation made to the... to those who support the long standing practice in this state of using land trusts as a vehicle of ownership, unless their support is obtained, this Bill will have difficulty somewhere, and if beneficiaries of land trusts are to be disclosed, the burden certainly ought to be placed upon the beneficiaries of the trust, not the trustees themselves, because land trustees do not receive large fees just for being titleholders - nominal titleholders. They don't undertake responsibilities and I'm sure don't want it. While I support the concept of this legislation and always have, I have been opposed to legislation which really doesn't do the job and leaves the loopholes open. I don't think this will accomplish the purpose intended, and I would suggest that we further study this issue."

Speaker Greiman: "The Gentleman from Edgar to briefly close."

Woodyard: "Mr. Speaker, the Bill does still contain the bottom line reporting on corporations, trusts, limited partnerships and foreign ownership. To address the problems with a foreign owner who might run around the state and buy farmland, already these people are on the federal disclosure forms, which are sent to the Department of Agriculture here in Springfield. So we do have those names on foreign ownership. So I really don't think that's a problem. And yes, very definitely, there would be additional information collected on who actually owns farmland in the State of Illinois. That's the intent of the Bill. I ask for your support on House Bill 582."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'."

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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 111 voting 'aye', 1 voting 'no' and 3 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading - State Regulation appears House Bill 591. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 591, a Bill for an Act in relationship to the burial of dead human bodies. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Kankakee, Mr. Pangle, on House Bill 591."

Pangle: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I hope I don't get buried on this Bill. I know it's kind of a dead issue, but it's... believe it or not, we are only one of seven states in the United States that doesn't have a Bill as to how deep a grave should be. Some of the other states, like Indiana and Iowa, have 36 inches from the top of the vault to the grass ... has 24 inches. I want to belabor this. It's an important legislation to some certain interest groups, and I would appreciate an 'aye' vote."

Speaker Greiman: "The Gentleman from Kankakee has moved for the passage of House Bill 591. And on that, is there any discussion? The Gentlemen from Cook, Mr. Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

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

Cullerton: "Representative Pangle, what was the... the genesis of this Bill? In other words, what problem was it trying to solve?"

Pangle: "I had a party within my district who had lost a child, and the child was buried, and within a month period, a

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predator, actually it was a dog, had dug the casket up, and it was discovered it was only a inch deep underneath the topsoil. And they wanted to go to court, of course, to do something about it, but there was no law as to how deep a grave should be."

Cullerton: "I'm not going anywhere with that. I think that's... It sounds like a good Bill."

Speaker Greiman: "Further discussion? The Gentleman from Edgar, Mr. Woodyard. Mr. Woodyard? Were you seeking recognition? Alright. The question is, 'Shall this Bill pass?' All 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 116 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading - State Regulation appears House Bill 598. Mr. Clerk, read the Bill. Mr. Saltzman? 598. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill... House Bill 598, a Bill for an Act relating to board of trustees of private colleges or private university. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Peoria, Mr. Saltzman, on House Bill 598."

Saltzman: "Thank you, Mr. Speaker and Members of the House. This is a Bill that will let the trustees of private universities... they will be able to commission their officers with the proper training. This Bill has been worked out with the Illinois Police Training Board and the private universities that are involved, and it predominately came because of liability which different sheriffs and chiefs of police did not want to commission these officers. I ask for your support of this Bill and

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will answer any questions."

Speaker Greiman: "The Gentleman from Peoria moves for the passage of House Bill 598. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All 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 114 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority... Mr. Brunsvold, 'aye'. 115 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. And on the Order of House Bills Third Reading - State Regulation appears House Bill 682. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 682, a Bill for an Act concerning the regulation of the practice of respiratory care. Third Reading of the Bill."

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

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 682 creates the Respiratory Care Practice Act. It provides for the regulation of the practice of respiratory care by the Department of Registration and Education. Currently, there are no laws or regulations which require personnel providing respiratory care to have any previous training or credentials verifying knowledge of the safe application of these procedures. Cases have been documented where errors by unqualified practitioners have led to patients' deaths, permanent disability and other physical harm. This Bill would require all who practice respiratory care to be licensed through the Department of Registration and Education of the State of Illinois. Registration would

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require training from an AMA approved respiratory therapy program and successful completion of an examination acceptable to the state. We've worked hard on this piece of legislation with all the parties involved. The Illinois State Medical Society has signed off on this Bill, and we have worked on Amendment #1. We have taken care of the objections of the medical technicians and the paramedics, and I would ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook moves for the passage of House Bill 682. And on that, is there any discussion? The Gentleman from Effingham, Mr. Hartke."

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

Speaker Greiman: "Indicates that he will."

Hartke: "Would this allow a respiratory therapist to set up a private practice for respiratory therapy."

Kulas: "This just licenses them. It has nothing to do with them allowing to... They practice now anyway."

Hartke: "Excuse me. Would you repeat that?"

Kulas: "I said this is a licensed licensing Bill."

Hartke: "Correct. Would it allow them to operate on this... "

Kulas: "They do operate now without any licensing or any testing at all."

Hartke: "They work through hospitals. Correct?"

Kulas: "Not always, no. They work outpatient clinics. They work at... in a patient's home."

Hartke: "Okay. Thank you."

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

Flinn: "Mr. Speaker, would the Sponsor yield for one question?"

Speaker Greiman: "Indicates he will."

Flinn: "Are the existing therapists grandfathered in in this Bill?"

Kulas: "Yes, they are."

Flinn: "Thank you."

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Speaker Greiman: "The Gentleman from Madison, Mr. Wolf."

Wolf: "Thank you, Mr. Speaker. I think my question was answered a second ago. Representative Kulas, how many respiratory therapists are there in the State of Illinois?"

Kulas: "Approximately, I think, it's 4,500, if I'm not mistaken."

Wolf: "Is that between 4,500 and 5,000? Do you know how many of those belong to the Illinois Society for Therapists?"

Kulas: "One moment. There are 5,000 members presently. I really couldn't tell you how many are members right now, of the society itself."

Wolf: "It's my understanding that the criteria for examination and testing has been, or will be, accepted through an organization, I believe, that's outside of the State of Illinois. Is that correct?"

Kulas: "No, it will be done with the cooperation of the American Medical Association and the Department of Registration and Education."

Wolf: "How long do the present therapists have to take the required examination and become qualified?"

Kulas: "They have until 1988."

Wolf: "1988. Thank you very much."

Speaker Greiman: "Further discussion? The Gentleman from St. Clair, Mr. Stephens."

Stephens: "The Gentleman yield?"

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

Stephens: "Representative, do you... You just indicated that there was a grandfather clause. Is this part of the original legislation, or did you amend it?"

Kulas: "No, it's part of the original legislation."

Stephens: "Thank you, Sir."

Speaker Greiman: "There being no further discussion, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and

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this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 108 voting 'aye', 2 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading - State Regulation appears House Bill 737. 737. Out of the record. On the Order of House Bills Third Reading - State Regulation appears House Bill 932. Mr. Laurino? Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 932, a Bill for an Act in relationship to the practice of dietetics. Third Reading of the Bill."

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

Laurino: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is another licensing Act designed to incorporate the dieticians in our state to be licensed accordingly. With the increase in people's awareness for their diets, their health and nutrition, it's imperative that we put something of this nature into effect. Basically, what the Dietetic Package Act will do would be to present the practice of dietetics, the regulation and control for the public and ensure that the persons who represent themselves as dieticians meet qualifications necessary to provide nutritional services. Most importantly, it will protect the health, safety and welfare of the public by excluding untrained practitioners from the practice of dietetics. And I ask for favorable support."

Speaker Greiman: "The Gentleman from Cook has moved for the passage of House Bill 932. And on that, is there any discussion? The Gentleman from McLean, Mr. Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. I think one of the most cherished possessions that we have today is the fact that we all enjoy good health, or certainly want

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to. This Bill will provide that additional security that those people who are giving guidance and direction as to proper nutrition and proper diets will be properly trained, will be properly skilled and licensed so that you can be assured of being the recipient of accurate information. I urge your support of this legislation. It's a good piece of legislation and it certainly affects the health of our state."

Speaker Greiman: "The Gentleman from Jefferson, Mr. Hicks."

Hicks: "Yes, would the Gentleman yield?"

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

Hicks: "Yes, Bill, as I read this, I understand several Amendments were put to the Bill. I understand the... Some of the different businesses around the state such as Diet Centers and Weight Watchers originally were opposed to the Bill. Has any of their concerns been addressed in the Amendments?"

Laurino: "All of their concerns have been addressed."

Hicks: "So right now, they would be in favor of the Bill, or... So this in no way would restrict them from being... having to have a registered dietician in their house at the time, would it?"

Laurino: "No."

Hicks: "So they can continue their operations as they are."

Laurino: "Correct."

Hicks: "Fine. Thank you very much."

Speaker Matijevich: "The Gentleman from Cook, Mr. Piel."

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

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

Piel: "Representative Laurino, can you give us an idea of what the start-up cost on this would be?"

Laurino: "I don't believe there's any start-up cost. It just

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go... There's a fee that people that will have to take the examination will have to pay, but other than that, there is no start-up cost."

Piel: "I... Just looking at our analysis here, I noticed that the... you know, there's quite a list of opponents here. The Department of Registration and Regulation... Education and Illinois Hospital Association, the Illinois Chiropractic Association, the Illinois Medical Society was against it also. Could you explain to us why these different groups are against this?"

Laurino: "They had some concerns regarding the Bill, and we've addressed the majority of them in... for their concerns, and I think they've been satisfied."

Piel: "What you're saying, now, is that none of these groups are opposed to this Bill at the present time?"

Laurino: "Not entirely, but the majority of their concerns have been addressed."

Piel: "But these groups are still opposed to this Bill. That's what you're saying."

Laurino: "Not all of them."

Piel: "Well, who's in favor and who's against it? Just out of curiosity, because I'm sitting here just looking at an analysis on it."

Laurino: "Well, I haven't gone through an entire list of it, Bob, but I do believe that most of them have been satisfied. We've addressed them with numerous Amendments."

Piel: "Thank you."

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

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

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

Churchill: "Representative, can you tell me, have there been some situations where people have died from a bad diagnosis or a bad application of nutritional principles?"

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Laurino: "Yes, Representative, they have. There... Some of the expert witnesses that we had testify indicated that there have been some severe cases of people receiving the wrong dietician orders from the people that they have gone to that basically were feeding them the wrong type of drugs, and some of them have died from the bad advice they were receiving."

Churchill: "So in other words, the people that you seek a license would have the ability to prescribe drugs that would not be injurious to the health?"

Laurino: "Correct."

Churchill: "And so your Bill actually allows these people to prescribe drugs."

Laurino: "Not drugs, but vitamins and supplements for their diet that some of these people have been given that some of them have induced severe cases of weight loss due to the pills that they were receiving that basically were injecting diarrhea to the extent that they were becoming malnourished."

Churchill: "If your Bill were to be passed here and go into law, would people who sell different kinds of products that are on the market today, such as like Herbalife people, would they be able to continue to sell products?"

Laurino: "Yes, they will."

Churchill: "Okay. How about in some of the local townships and governments where they have aerobics programs and they have physical fitness and physical exercise programs, and they combine that with a kind of dieting schedule. Would the people in these local programs then have to be licensed to be able to prescribe a diet?"

Laurino: "Well, that type of practice has been excluded by the Amendments we put in. That's basically, I assume, a health situation where they're just limited to the amount of food

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that they possibly can eat and stuff of that nature."

Churchill: "So in other words, these local aerobic programs will be able to continue and they will still be able to prescribe a diet for the people who are in the program."

Laurino: "As long as they don't call themselves dieticians and hang out a shingle indicating that they're licensed by the state, then they can advise people on the amount of food that they may take in or caloric intake and things of that nature."

Churchill: "I guess, then, that creates a big hole in the Bill, doesn't it, because if you have some people who can hang out their shingle and call themselves dieticians, then they can practice this, and if you have people that don't do it, and just go out and practice it anyway, they're not covered by your Bill."

Laurino: "Not necessarily, because in essence, what you're doing is establishing a law that says that this is basically a truth in sample type of situation, where they can't advertise that they are quote unquote 'dieticians', but if they're health food addicts or people that are involved in aerobics, and they're indicating that they can help the people through exercise and the amount of food that they going to intake, it wouldn't necessarily indicate that they are dieticians."

Churchill: "Could you tell me what kind of training is required under this Bill?"

Laurino: "Well, it's established by a board with R and E that will test these people according to their knowledge. They have to take a course and subsequently pass it."

Churchill: "So there's just one course? Are there courses for people set up to take, or are we licensing people where there are no courses?"

Laurino: "I believe R and E sets up a standard for this, or will

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set up a standard for this."

Churchill: "But at this point, you don't know that there are any courses available for training these people."

Laurino: "Oh, there's courses for training in different schools, but right now we don't license these people per se. I mean, what if the person signs up for a course and gets a smattering of this knowledge and decides well, they haven't got time to finish the course, and they feel that they're smart enough, they'll go out and hang up a shingle and say they're dieticians. We want to eliminate that."

Churchill: "Okay, and if a person comes in to a dietician and says, 'I think my health is poor and I want to, you know, get a correct diet, then the person who is a dietician, does that person who has taken this course, does the person put them through some kind of an examination or how do they determine what diet is proper?"

Laurino: "You have to get a B.A. degree with a major course study and... nutrition, dietetics or food systems management, and they have to be approved by the board."

Churchill: "Okay, but I go back to the same question then. When a person comes in and says, 'I think it's my diet. I don't feel well.' What type of an examination does the dietician give them?"

Laurino: "The dietician wouldn't necessary give them an examination. He would just probably indicate that because of his knowledge of certain vitamins and minerals that are at hand that they can indicate, 'I think this would help you.'"

Churchill: "Isn't it conceivable then that if they prescribe some vitamins and nutritional supplements that, perhaps, the surface appearance of some other disease may disappear but the actual disease may grow? Wouldn't they be masking the effect of some other disease?"

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Laurino: "Well, I think if people were to that extent they'd be going to a physician or a surgeon of some sort, not necessarily just to a dietician. This is to eliminate some of the frauds and quacks that are out there selling drugs that basically... or not drugs, selling vitamins and minerals that basically are just not that. They're probably candy coated pills."

Churchill: "Is there no way for us to eliminate frauds and quacks today?"

Laurino: "Yeah, by licensing dieticians it'll help."

Churchill: "Doesn't the Attorney General's Office have a consumer fraud division that could take care of this equally as well?"

Laurino: "There are 25 hundred registered dieticians in the state that wish to eliminate some of the people that are posing as such. And I think that this would, in effect, just maybe be a right arm to the Attorney General's Fraud Division."

Churchill: "So what you're saying then is that these 25 hundred people want to get rid of the others ones. So this is kind of a turf battle as to get rid of other people."

Laurino: "Well, you can't stop them. You can't stop them from operating or hanging out a shingle that says they're dieticians because we have no law that says we can do that. This is what we're trying to establish."

Churchill: "Mr. Speaker, to this particular Bill. I would stand in opposition to the Bill for several reasons. It appears that there may not actually be an health necessity for licensing these people. It appears that even if we do license them that there are others who will be doing similar things which will not be licensed. It appears to me that there could be medical problems that could be produced and masked because of the effects of someone who

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practices in this particular area. And finally, I think this is really a turf battle, one which we should not be involved with. And so I'd rise to oppose the Bill."

Speaker Matijevich: "The Gentleman from Macon, Representative John Dunn. John Dunn."

Dunn: "Ladies and Gentlemen of the House, I rise in support of this legislation. We have a large number of professionals in the dietetic field in this state who have come forward. It's my understanding there are approximately 25 hundred of them who have come forward and asked this General Assembly to recognize their professional status. They have spent many, many years in training. They have done work in their field. They are the kinds of professionals who... who tell us when we're unfortunate enough to get into the hospital, they put a well balanced meal in front of us to help us recover quickly. They're the kinds of people that if we have a weight problem we can go to, and they will tell us how to act reasonably to... to bring our weight down in a slow measured fashion without damaging our health. Health is the most important thing we hear. We hear a lot about preventive measures in these days and times. We're told we should get some kind of cardiovascular exercise. We should jog. We should ride a bicycle. But we're also told we should eat properly. We should eat well balanced meals. The dieticians are the ones who continually research what is proper for us in the form of diet. What is a good diet for someone who does a lot of physical work? What is a good diet for someone who has a desk job? What is a good diet for someone who works in here where we have a lot of strain, a lot of activity but it's still a desk job? These are professional people. They have come to us to seek recognition. We should rise in support of their legislation. This Bill, as the the Sponsor has pointed

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out, licenses only those who are dieticians. If you don't call yourself a dietician, you can continue on with the kind of program you've had in the past. If you have a franchised weight reduction program, you can continue on. What we're saying is that to those people who want to know where they can go to find professionals who really know what the answer is in diets, we want to be able to tell them, look for shingle on the wall issued by the State of Illinois to those who have passed the qualifications, met the minimum requirements to represent themselves to you as qualified to do this kind of work. It's a reasonable request. It's a reasonable approach for them. It's a good... a good thing for the State of Illinois to do. We should support this legislation, and I encourage an 'aye' vote."

Speaker Matijevec: "The Gentleman from Marion, Representative Dwight Friedrich."

Friedrich: "Mr. Speaker, Members of the House, this is something I happen to know a little bit about, because my daughter's a registered dietician. And I can tell you once you meet all the requirements to be a nationally registered dietician, you don't need a license from anybody, because you've met all the requirements any state could possibly offer. And I don't think any hospital that is worth going to would hire anybody as a dietician that wasn't on the national registry. So this is just another layer of government that somebody... I suspect there's some people who didn't pass the national registry who would now like to be licensed in the State of Illinois and tell you they're a professional. It just plain isn't so, because the national registry is the highest thing you can achieve as a registered dietician, and they've already got that. If they're not that, I don't want them telling me what to

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eat."

Speaker Matijevich: "The Lady from Champaign, Representative Satterthwaite. Helen Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I rise in support of the legislation before us. I think that what the dieticians are asking for is a recognition at the state level that will provide them with another mechanism for showing that they have the appropriate qualifications to be... to be suggesting how people should be eating. We have many instances where people take upon themselves the role of giving advice with very little knowledge behind it. And it is only fair that we have at the state level a way of distinguishing those who have appropriate qualifications from those who do not. We cannot, and this Bill will not, give a guarantee that people will not be taken in by those who don't have the appropriate qualifications. But I would suggest that this is one way that we can help our citizens to distinguish the good from the bad, and I support the passage of House Bill 932."

Speaker Matijevich: "The Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Mr. Speaker. We have to remember that when we license we effect competition. Now, I'm not suggesting that this is a practice which should not be regulated to some degree, but a licensure Act, in effect, is a reason to... is not a reason... has the practical effect of eliminating or restricting competition. It's not uncommon at all for various groups to come in here and require licensure. And while it may or may not be true in the present case, often times the reason for it is to restrict competition. So we should always be looking at licensure Acts very carefully. If, in fact, there is a national Act already in effect, which is generally

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recognized by the medical and hospital professions, what is the point of the state Act. If, in fact, the state Act set forth standards lower than that recognized and in place nationally, what good is it to us? Rather we should be either adopting the national standards or just requiring that a dietician in Illinois have a national recognition or national certificate. This is an attempt, I think, to limit competition. It does not serve the industry because of the... the place... placement already of the national standards to which Representative Friedrich alluded. So I think it's well intended. I respect the Sponsor. He's a good friend, but I think this is not the right Act."

Speaker Matijevich: "The Gentleman from Cook, Representative Kulas."

Kulas: "Thank you, Mr. Speaker. I move the previous question."

Speaker Matijevich: "Representative Kulas has moved the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', opposed 'no', and the main question is put. The Gentleman from Cook, Representative Laurino, to close. Bill Laurino."

Laurino: "Well, thank you, Mr. Speaker. I'll be brief. In order to answer some of the questions that have been brought up, this Bill merely provides a recognized base of qualifications for the practice of dietetics. I believe in competition, but we want qualified competition. And in order for these people to utilize the word registered dietician before their... before their nicknamed dietician, they have to pass... pass that national test which Representative Friedrich had alluded to. It's a necessary Bill. It's an essential Bill. Health is one of the most important factors in this world that we have in our lifetime. Let's keep going along with the practice of enjoying life by taking some of these people that are

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practicing this, the dietetics, and take them off if they're not qualified. This is all we're asking to do is qualify the people that are going to... practicing dietetics. I urge an 'aye' vote. Thank you."

Speaker Matijevich: "Representative Laurino has moved for the passage of House Bill 932. The question is, 'Shall House Bill 932 pass?' Those in favor signify by voting 'aye', those opposed by voting 'no'. Have all voted? The Gentleman from Kendall, Representative Hastert, to explain his vote, one minute."

Hastert: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I reluctantly rise to explain my vote on this. But I think maybe ought to explain our votes on this situation. You know, I've been involved in this business for a long time - food business - in hospitals, in nursing homes and these areas. Any organization or institution that hires these people already have their standards. The standards are what we talked about before were the national standards. When you bring in a lower standard or a state licensing, what you're doing actually is lowering the standards. This is a bad Bill. It's a bad concept, and I think maybe we ought to have more red votes up there."

Speaker Matijevich: "Take the record. On this question there are 72 'ayes', 37 'nays', 4 answering 'present'. And House Bill 932, having received the Constitutional Majority, is hereby declared passed. House Bill 934, the Gentleman from Cook, Bowman. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 934, a Bill for an Act to amend an Act relating to the practice of social work. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Woods Bowman, on House Bill 934."

Bowman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the

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House, may I have leave of the House to return this to the Order of Second Reading for purpose of an Amendment?"

Speaker Matijevich: "The Gentleman asks leave to return House Bill 934 to Second Reading for the purpose of an Amendment. Does he have leave? Leave. The Bill is now on Second Reading. Are there any Amendments?"

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

Speaker Matijevich: "The Gentleman from Cook, Representative Bowman, on Amendment #1."

Bowman: "Leave to withdraw Amendment #1. The provisions are..."

Speaker Matijevich: "Leave to withdraw? Amendment #1 is withdrawn. Further Amendments?"

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

Speaker Matijevich: "Representative Bowman on Amendment #2."

Bowman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Amendment #2 contains the provisions of Amendment #1 which was sought by the Christian Scientists. And in addition, it takes care of some problems and some questions which are raised by the Illinois Collaboration on Youth. And the Amendment was negotiated out with the Illinois Collaboration on Youth, and with this Amendment they will support the Bill. It basically defines the functions in such a way as to minimize the adverse impact on their agencies. I move its adoption."

Speaker Matijevich: "Representative Bowman moves the adoption of Amendment #2. Those in favor say 'aye', opposed 'nay', and Amendment #2 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Matijevich: "Third Reading. The Gentleman from Cook, Representative Bowman, asks leave for the immediate consideration of House Bill 934 and the use of the

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Attendance Roll Call for that purpose. Does he have leave?

Leave is granted. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 934, a Bill for an Act licensing and regulating the practice of social work. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from cook, Woods Bowman."

Bowman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, House Bill 934 creates the Social Work Practice Act to license and regulate the practice of social work. It amends the regulatory agency sunset Act to provide for the repeal of this Act, December 1995, and it repeals the existing Social Workers Registration Act. It provides that no persons shall practice social work except as authorized by this Act. It defines three levels of social work practice and establishes qualifications for each. It provides for privileged communication and other protections. It provides ample authority to regulate the practice, and protect the public and to help assure quality services. Because the practice of social work seriously affects the health, safety and welfare of people, 33 states now have regulatory statutes governing the practice of social work with a number enacting such statutes within the last few years. Under the terms of the Act, graduates of community colleges and those with baccalaureate degrees other than social work will continue to find employment opportunities in nonprofessional social service positions such as case aides, child care workers, attendants, mental health aides, social service technicians. These auxiliary staff will continue to provide an essential core of personnel in the provision of social services throughout Illinois. 934 is immediately applicable to approximately 12 thousand practitioners who are currently employed in social service positions and, of course, to all future

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entrants into the practice. 934 makes provisions for the grandparenting in without examination at that appropriate level of all practitioners who prior to the effective date of this Act are employed in social work positions. Finally, licensure will create a pool of basically qualified and examine candidates from which agencies can profitably draw. Licensing can strengthen agency practice while providing adequate level of protection and assurance to the consuming public. And I am pleased to move for the passage of House Bill 934."

Speaker Matijevich: "Representative Bowman has moved for the passage of House Bill 934. The Gentleman from DeWitt, Representative Vinson, Sam Vinson."

Vinson: "Thank you, Mr. Speaker. I wonder if the Sponsor might yield for a question."

Speaker Matijevich: "He indicates he will. Proceed."

Vinson: "Representative, do you anywhere in here in the Amendment exempt clergymen?"

Bowman: "The... There is a specific Christian Science exemption that's blanket in its nature, and clergy would be exempt in many respects. First of all, clergy normally do not hold themselves out to be social workers. If they do not hold themselves out to be social workers and do not perform any of these other functions, they... they would be exempt."

Vinson: "Thank you. Mr. Speaker, to the Bill."

Speaker Matijevich: "Proceed."

Vinson: "I would call... And Mr. Speaker, I wonder if you might restore order because this is a most important Bill for... probably the most important Bill we've dealt with so far today."

Speaker Matijevich: "I thought we were fairly orderly, but just for Sam Vinson, let's have your attention."

Vinson: "Thank you, Mr. Speaker. I think it's most important

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that the Assembly carefully examine this Bill. The Gentleman offers a Bill to license social workers. What you have to do and what he does in doing that is to say that it becomes a crime, specifically a Class A misdemeanor, to engage in the unauthorized practice of social work. He defines in his Bill what the unauthorized practice of social work is or what the practice of social work is. Social... The practice of social work means, 'The disciplined application of social work, knowledge, ethics, methods and principles, techniques and procedures in assisting people with the problems of living and improving the quality of their lives. Now, Mr. Speaker, I can't think of anything that can... any more aptly define what many clergymen in this state do. Many clergymen in this state try to assist people in applying ethics to the problems of life. That is one of the preeminent functions of a clergyman. And yet, under his Bill, a clergyman who did that would be... would be guilty of a Class A misdemeanor. Very clearly what this Bill attempts to do, if we pass it and if it's enforced, is to make every clergyman in the State of Illinois a criminal. Now that's not all this Bill does. It does more than that. If you will examine page five of the Amendment, the Sponsor has come up with a term unique in Illinois law, a term that's almost not been used since the middle ages. He provides that certain things under this Act can only be done by similarly qualified preceptors, preceptors. How many of you have ever thought about what a preceptor is before? Think about preceptors. It appears twice in this Bill in the Amendment on page five and on page eleven - qualified preceptors. I didn't understand what a preceptor was when I read this Amendment. It happened to be one... an Amendment that I read line for line, and so I discovered

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there were preceptors in it. And I wanted to find out what a preceptor was, so I had... resort to the dictionary. If you read the dictionary, you find out that a preceptor is the head of a preceptory. Now I didn't think that was inquiry enough, so I've resorted to the dictionary definition of preceptory. And in the dictionary definition of preceptory, I discovered that it is a provincial community or religious house of the medieval Knights Templar, subordinate to the London Temple."

Speaker Matijevich: "Very perceptive."

Vinson: "So now we have the head... the head of a medieval house, subordinate to the London Temple, being called upon to perform functions under Representative Bowman's licensure of social work in the State of Illinois. I would submit, Mr. Speaker, that this kind of medieval nonsense ought to be defeated overwhelmingly and would urge a 'no' vote."

Speaker Matijevich: "The Gentleman from Cook, Reverend Nelson Rice, Representative and Reverend."

Rice: "With that kind of introduction, there's no need of me saying what I am and what we usually do. And as an ordained Baptist minister, your work is constantly from Sunday to Sunday, constantly, social work. We've listened to people... the state is concerned about the gang problems. They have dealt with social workers called street workers. The public aid system that administers monies in this state, those people are now called case workers, but they are social workers. Now all of a sudden we get to the point that we're going to license social workers? I talked to the... the producer of this Bill, and he did go back and try to set up an Amendment. But they forget the grassroot people who happen to have to work with the senior citizens also. I certainly feel that this is a bad step to try to license social workers. Thank

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you."

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

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

Speaker Matijevich: "Proceed."

Hastert: "Would... On this piece of legislation, who... who specifically or what kind of duties specifically defines 'social worker'? Is there a specific job here?"

Bowman: "Well, thank you, Representative Hastert, for giving me the opportunity to... basically to respond to several issues that have been raised by others."

Hastert: "I just want you to respond to my questions."

Bowman: "I understand, but I think they're all related. I would point out, number one, that we currently have a registration and certification law on the books that takes care of the basic practice of social work. And... And we're not making major changes there. What this Bill really does is to add a classification of licensed clinical social worker. I mean... That... I would like to focus on that because I think that is the crux of this issue. And at the bottom of page four of Amendment 2 it says, 'The practice of clinical social work means the psycho-social assessment and the psycho-social therapeutic treatment of emotional disorder, mental disturbances or system dysfunctions, with the goals of maintaining, restoring or improving the psycho-social functioning of individuals, couple, families and groups,' et cetera. I mean, I think that is the crux of it. We are setting up this additional category that goes beyond the existing licensure... Registration Act."

Hastert: "Thank you. Mr. Speaker, to the Bill."

Speaker Matijevich: "Proceed."

Hastert: "Thank you, Representative Bowman for that explanation."

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It's exactly the point. What you're trying to register and license here are clinical social workers who serve psychological and those types of clinical functions. Now, you know, I stand with you, Representative Bowman. We sit on appropriations Committees and we see Bills come by and we see jobs go through, and we can't fill jobs for social workers because we can't find social workers. Now we're narrowing down the term social worker to clinical social worker. That's fine. But when I asked and suggested to the people who brought this Bill around to many people as prospective Sponsors call a clinical social worker a clinical social worker, they refused to do that. They refused to amend the Bill to call these people clinical social workers. So what they're trying to do is to put on an umbrella type of Amendment here or an umbrella type of Bill, call everybody a social worker that should be licensed. I mean, you're talking about, you know, an undertaker, if he counsels a family at a time of bereavement, all of a sudden he's playing the role of what we call a social worker. Somebody who goes out and works with kids, YMCA workers, they're social workers. You know, all these things are in an area of gray - people helping people. What your Bill and what you're really asking for is to define a clinical social worker, to call those people social workers and only let those people perform those functions. I think it's very confusing what this Bill does. I don't think it's to the point exactly of what the people who want this piece of legislation want to do, and I think that it would certainly hinder anything that we're trying to do in the human services area in State Government. And all due respect to the Sponsor of this Bill, I don't think you're achieving what you set out to achieve. There's a very special interest group here.

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They're clinical... social workers. They want a special class for themselves. That's fine. But let's call them clinical social workers. Let's not put them under a broader class of people and then regulate everybody else that comes under that class."

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

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

Speaker Matijevich: "Representative Flinn moves the previous question. The question is, 'Shall the main question be put?' Those in favor say 'aye', opposed 'no', and the main question is put. The Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'm sorry that the previous question was moved before a... the supporters of the legislation were recognized to speak, but I understand that we have a lengthy agenda. I just want to make a couple points in response to the pretzel king on the other side of the aisle, the Gentleman from DeWitt, who can twist almost anything into a shape that suits his fancy. This Bill, manifestly, does not do what he represents it to do. The definition which he read is not what is being licensed. It is simply a definition which is used in various parts of the Bill. But it is not the basis for the licensure that he is attacking. Also with respect to questions involving counseling, and ministerial work and so forth, let me just read from page two of the Bill one of the exceptions here. It says, 'does not prohibit the bona fide practice of non-regulated disciplines whose practitioners are engaged in the the delivery of human services, provided such practitioners do not hold themselves out to the public by title or description of the service engaging in the

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practice of social work within the meaning of Section 4.' So that exemption takes care of the objections which were raised by people who were speaking on the floor. I think they did not read the Bill adequately. Now in conclusion let me just point out that we had a situation occur recently in the State of Illinois that was appalling and was tragic. And it was published on the front page of the Chicago Tribune, so I suppose many of you have read it. You may recall there's a day care center in Chicago that had a child abuse investigation conducted there because the janitor had been accused of molesting children. Now we all find that appalling. We want to make sure that the investigations of these incidents are conducted with the highest caliber of personnel. The agency contracted with an organization which went out and hired people who held themselves out to be professionals to conduct the investigation. And it was discovered later that one of the professionals had lied about his credentials. That cast a pall over the entire investigation. The person said that he... that he was a graduate of certain programs, that he was a social worker, and there was no means of checking on those credentials with the existing law. So that suddenly we find out that the investigation was conducted by unqualified personnel. And that cast a pall over the entire investigation. Ladies and Gentlemen of the House, human services are moving into an every more sophisticated era of delivery. It is very important that we protect the health and welfare of the recipients of those services by providing personnel that are... that are qualified to perform those services. This Bill does that. And it does not interfere with clergy or other human service providers provided they do not hold themselves out to be social workers under the meaning of this Act defined in Section 4.

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I move for the passage of House Bill 934."

Speaker Matijevich: "Representative Bowman has moved for the passage of House Bill 934. The question is, 'Shall House Bill 934 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. The Gentleman from Lake, Representative Churchill, one minute to explain his vote."

Churchill: "Thank you, Mr. Speaker. I rise in opposition to this Bill for several reasons. This Bill is filled with internal... inconsistencies. There are provisions that say that you don't have to be a social worker licensed under the Act, and then there are other provisions that say you do have to be licensed. There are categories which are overlapping. It'll be impossible for the Department to determine which person belongs in which category and whether they're actually licensed in that category to practice. The practice descriptions in the Bill are confusing. It will also be hard for the Department to determine whether someone is within or without the purview of the practice requirements. This is a Bill that is for total licensure, not for title protection, as the old Bill was. It also includes all of the state agencies. So if you... if you vote for this Bill, you'll be voting to license all those people who practice social work through the state agencies. This Bill came up for sunset. It was supposed to be sunsetted. This is a... one of the areas that we decided we were going to try and sunset but we have it back on the floor to continue the registration and regulation of this Bill. This is not a Bill to protect people. This is a Bill to protect the profession; and, therefore, I rise in opposition."

Speaker Matijevich: "The Lady from Kane, Representative Zwick, one minute to explain her vote."

Zwick: "Thank you, Mr. Speaker. Members of the House, I rise in

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support of House Bill 934. I would say to you that any new law, I suppose, can be interpreted as being confusing by those who haven't lived with it for a while. However, in this case, the current law is even more confusing than this could possibly ever be because currently there is no way that our public has of determining what the qualifications of any social worker are. When they are in need of mental health services there is a great deal of confusion out there, and that is perpetrated by the current law. And it is causing great problems that maybe you're not hearing about, but they're talked about over dinner tables and they're talked about in our community when people seek mental health services. They don't know where to go. This will assist the members of our community in finding services, whether it be from state personnel or from private practitioners. I would urge you to support the Bill. I think that it's a much needed piece of legislation. It's been many years in the working. We've tried to work out all the kinks, all the problems, and we are certainly still willing to talk and work out whatever problems there may be to the best of our ability. But I would urge you to support the Bill at this time. It is much needed. There is much confusion now, and we have to deal with it."

Speaker Matijevich: "Have all... Have all voted? The Clerk will take the record. On this question, there are 48 'ayes', 52 'nays', 4 answering 'present', and... and the Bill, having failed to receive the Constitutional Majority, is here... Representative Woods Bowman asks leave of the House to place House Bill 934 on Postponed Consideration. Does he have leave? Leave, and the Bill will be placed on the Calendar of Postponed Consideration. The Gentleman from Cook, Representative Bruce Farley, for what purpose do you

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rise?"

Farley: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, for the purposes of an announcement. You know, I'd like everybody to pay close attention. Tomorrow at 12 noon, the Space Needs Commission along with other public officials and private individuals are going to dedicate the handicapped mural which is south of the Capital on Spring street between the Capital and the Archives Building. It's going to be a very gala event. It's at 12:00 noon. We're going to have bands, balloons, and we would like to invite all of the Members here to come out at 12 noon and participate in this... this dedication."

Speaker Matijevich: "House Bill 1025, Ropp. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 1025, a Bill for an Act to amend the Grade A Pasturized Milk and Milk Products Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from McLean, Representative Gordon Ropp, on House Bill 1025."

Ropp: "Thank you, Mr. Speaker and Members of the House. House Bill 1025 is a Bill that attempts to increase the nutritional value of a very important product that we have, namely milk, from dairy cows. For a number of years now, people have talked about increasing the nutritional value. There are a number of programs now. In fact, there's a three year study of 11 hundred public schools in... were conducted by the United States Department of Agriculture..."

Speaker Matijevich: "Let's give the Gentleman our attention."

Ropp: "Mr. Speaker, it's 'udderly' (sic - utterly) impossible for me to go on."

Speaker Matijevich: "Let's give him our attention."

Ropp: "As I was about to say, we have a friendly cow that I can

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certainly plead for her plight in urging the support of this Bill."

Speaker Matijevich: "Let's allow this Gentleman to milk this thing out as much as he... as much as he can."

Ropp: "I don't want to horn into this but..."

Speaker Matijevich: "Go ahead."

Ropp: "There was a three year study conducted in some 11 hundred public schools, and that study revealed that a half of the nation's school children were not receiving enough calcium in their diets. It's certainly extremely important that we provide the nutritional standards, the very best and the most that we possibly can so that young people can receive proper diets so that they can, in fact, learn to the very best of their ability. We have another major problem. The fact is that that old dairy cow has been producing milk so well, and certainly in my opinion it epitomizes what a true American is, the fact that if you give her all of the feed and all of the water that you have with her genetic ability she will produce 100% of her capabilities. That old cow has produced more milk than we are able to consume at the present time. The Federal Government buys some two billion dollars worth of surplus dairy products. These two billion dollars come from taxpayers throughout the nation. This Bill will attempt to increase the nutritional value that really, in fact, will increase the palatability of two percent milk and skim milk. As you may well know, milk is comprised of three components; mainly water, which is... about 87% of all milk is comprised of water; 3.25% is butterfat; and the balance of those components that we call minerals, proteins and calcium are considered solids, not fat. It's these solids, not fat, the calcium, the protein and minerals that we're attempting to slightly increase, as much as - and this is the maximum - 20%. And might I say

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that a number of you have received letters from certain people who, I regret to say, have been putting out information that is totally incorrect. One example from Prairie Farms Creamery and by the way, we used to ship to Prairie Farms Creamery at one time. My dad was even on the board at one time. They are stating in the very last paragraph, 'The added nutrition, as stated by the proponents, is made up of 38% protein.' Incorrect. It's only 20%. However, they go on to say, 'Added solids also contain 52% lactose. The actual, honest, legitimate figure is between one and one-and-one-half percent increased lactose. This lactose is also, might I add, very important as a milk sugar that is needed to help digest calcium in our daily diets. Dairy farmers throughout the state, nearly 75% of all dairy farmers are in support of increasing the nutritional standards that provide for a more palatable quality product. There are those people who say, 'Well, the cost is going to be increased.' Let me say, there is no piece of legislation that we pass here that effects people that does not in some way effect the cost. When you actually figure the cost of the average consumption of milk in this country that would be effected by this Bill, the average consumption of milk in the United States is 26 gallons per person, per year. Using the high figures that processors are stating will cost, it will only amount to less than five cents per week - less than five cents per week and that is if you consume all of your milk would be two percent or of skim milk value. This is a good Bill. It's long overdue. It's needed. It's important, and it's one that will increase the palatability, make milk more desirable. Those people who say, 'Well, people are going to shy away from it because it's going to cost more and it won't taste correct,' incorrect. There are any

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number of studies that have been taken that will show that people really prefer milk that has been fortified by increased solids, not fats. And that too, they are also willing to pay that extra nickle per week. I urge your favorable support on House Bill 25 (sic - 1025) and welcome any questions you may have"

Speaker Matijevich: "Representative Bopp has moved for the passage of House Bill 1025. On that, the Gentleman from Madison, the Majority Leader, Representative McPike."

McPike: "Thank you, Mr. Speaker. This Bill is nothing new. We voted on it two years ago and defeated it. The tax increase at that time to the Illinois consumers was no different than it is today. Five cents a week is two dollars and fifty cents a year for 11 million people is nearly 30 million dollars. So if you want to vote for a 30 million dollar tax increase or if you want to raise the cost of milk to your consumers by 30 million dollars then vote for the Bill. If you think that 30 million dollars is too much to spend to help out... to help support dairy farmers who are producing too much milk for this country to consume, if you think that in addition to the two billion dollars or two billion pounds that the Federal Government buys, if you think that people in Illinois should now be taxed once again at the rate of 30 million dollars, then vote for it. If you don't think so then vote against it."

Speaker McCracken: "The Gentleman from DuPage, Representative McCracken. Tom McCracken."

McCracken: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I reluctantly have to disagree with my colleague on this Bill. I also oppose it. The current law, the Grade A Pasturized Milk and Milk Products Act, defines milk and Grade A milk in... in conformity with the federal regulations on point. It merely provides that its

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production and transportation shall be in accordance with public health requirements. That's a good Bill. That's a good law. That's for the public's safety, and that is legitimately for the promotion of the public good. The definition of milk, under the current law, essentially is that fluid which is produced by a cow. It does not define the term by reference to content of milk fat, or nonsolid... or solid nonfats or water. And the only purpose of... of this Bill is to create a new market or a greater market for the dairy farmer. I think it does a disservice to the consumer, and I respectfully oppose the Bill."

Speaker Matijevich: "The Gentleman from Macon, Representative Dunn. The Gentleman from McLean, Representative Ropp, to close."

Ropp: "Thank you, Mr. Speaker and Members of the House. Let me say in regards to answering the previous speaker, there are federal regulations and guidelines that establish those standards that do set up the butterfat content, solids, not fat content in the current law that we are complying with. The State of California passed this same kind of Bill a few years ago, and we have seen, contrary to those who oppose this Bill, the nutritional content have been increased and the per capita consumption has increased also because of the palatability of milk. I did fail to mention that before this Bill actually becomes law, the states surrounding the State of Illinois will also have to pass the same kind of legislation that we are passing here today. So it's not that the industry will be effected by any major change within the next year or so. We look for this to come about over a period of a few years, and we urge your support in moving towards improving the nutritional value so that children, so that people who are

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are in need will be able to get more money for the bargain of milk. It was also stated that this is a tax. This is... If you call this a tax, let me say, 30 million dollars invested to save two billion - a good investment. I welcome your support."

Speaker Matijevich: "Representative Ropp has moved for the passage of House Bill 1025. The question is, 'Shall House Bill 1025 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 51 'ayes', 55 'nays', 1 answering 'present', and House Bill 1025 by the request of the Sponsor asks leave that it be placed on Postponed... Oh, poll the absentees. The Clerk will poll the absentees. You need 9 out of 11."

Clerk O'Brien: "Poll of the Absentees. Bullock."

Speaker Matijevich: "Bullock. 'Present' for Bullock. Representative Van Dyne from Will, for what... 'aye' for Van Dyne. 'Aye.' Proceed."

Clerk O'Brien: "Continuing the Poll of the Absentees. Countryman."

Speaker Matijevich: "Countryman."

Clerk O'Brien: "Hoffman. Leverenz. Mautino. McGann. O'Connell. White. Wolf."

Speaker Matijevich: "Mautino."

Mautino: "Thank you, Mr. Speaker. If in fact the Amendment were to prevail and was not deleted which would allow for the inspections of the plants which would be a public health and safety provision, I think your Bill could be supported. In fact, it does not do that. It doesn't allow for any inspection of facilities and that's the main question. In that regard... In that regard, I cannot support it."

Clerk O'Brien: "Continuing..."

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Speaker Matijevich: "You voting... You voting 'no'? Mautino 'no'."

Clerk O'Brien: "Continuing the Poll of the Absentees."

Speaker Matijevich: "Proceed."

Clerk O'Brien: "White. Wolf and Wyvetter Younge."

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

Christensen: "Would you change my vote from 'present' to 'no'?"

Speaker Matijevich: "Change from 'present' to 'no' Christensen. On this question, there are 52 'ayes'... Representative Mays, for what purpose... Mays 'aye'. From 'no' to 'aye'. 53 'ayes', 56 'nos', 1 'present'. Representative Hensel."

Hensel: "'Aye'."

Speaker Matijevich: "Hensel 'aye'. There are 54 'ayes', and this Bill, having failed to receive the Constitutional Majority, is hereby declared lost. Representative Ropp, for what purpose are you rising?"

Ropp: "I'd like to put it on Postponed Consideration please."

Speaker Matijevich: "The Gentleman asks leave to place this Bill on Postponed Consideration. Leave, and House Bill 1025 will be placed on the Order of Postponed. House Bill 1026, Ropp. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 1026, a Bill for an Act to amend Sections of the Grade A Pasturized Milk and Milk Products Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from McLean, Representative Ropp, on House Bill 1026."

Ropp: "Thank you, Mr. Speaker and Members of the House. House Bill 1026 is the Bill that Representative Mautino thought was not in the previous Bill. I took that Amendment out because it was in 1026. This Bill currently, as you may well know, the State of Illinois does not certify that the components of milk that are being put in the bottle by a

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processor have met the minimum standards that we have proposed or have met the minimum standards that currently the United States Department of Agriculture has proposed. This Bill states that four times every six months four samples will be taken by the Department of Public Health to be taken and tested for solids, not fats and for butterfat. And the Amendment also included what I consider a very vital part of this Bill, the checking for salmonella. This has been a very vital concern to the dairy industry, and it's certainly one that needs addressing. It is the intent of this Bill to hope to prevent any further serious outbreaks that we have been involved with in the last five or six months dealing with salmonella. I urge your favorable support of House Bill 1026."

Speaker Matijevich: "Representative Ropp has moved for the passage of House Bill 1026. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, my initial comment before the Amendment was adopted was to simply ask, who wants this Bill?"

Ropp: "I suppose the 16 thousand people who have salmonella would have liked to have had it last year."

Cullerton: "No. Before the Amendment was adopted, that's what my question would have been. The Amendment deals with salmonella."

Ropp: "Right."

Cullerton: "The Bill as you... when you introduced... You introduced it prior to the salmonella outbreak and the scandal involving the Department of Public Health. And I wondered if you could tell us what... what the Bill was intended to do initially."

Ropp: "What the Bill intendedly was set up for was to make sure that when you buy a gallon of milk and on that label it says, 'There is 3.2%... 3.25% butterfat; 9.7% solids, not

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fat," that those standards are there. In recent tests, 50% of the processors who are putting milk out that consumers in the State of Illinois are buying are below those standards. I see no reason why processors ought to be able to get off the hook and put out a product that they're attempting to sell and misleading the general public."

Cullerton: "Thank you for answering my question."

Speaker Matijevich: "There being no further discussion, the question is, 'Shall House Bill 1026 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 113 'ayes', no 'nays', and House Bill 1026, having received the Constitutional Majority, is hereby declared passed. House Bill 1050, Brunsvold. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 1050, a Bill for an Act to amend an Act to... for the regulation of pawn brokers. Third Reading of the Bill."

Speaker Matijevich: "Representative Brunsvold on House Bill 1050."

Brunsvold: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Beginning of Session, I introduced nine Bills on pawn... pawn shop reform, which was generated by law enforcement agencies in my area as well as in some other parts of the state. These Bills, at present, there are four passed out of here already. I have four more on this Call of Order. The first of these is 1050. House Bill 1050 deals with requiring two forms of identification when you go to pawn an item. And the two forms of identification that can be used, I've taken the list as recommended by Committee from the... from the Election Code on going and registering to vote so the forms of I.D. could be a driver's license, social security card, utility bill,

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employee or student I.D., et cetera, as defined by the Election Code. And I would ask for the passage of 1050."

Speaker Matijevich: "Representative Brunsvold has moved for the passage of House Bill 1050. Is there any discussion? Seeing none, the question is, 'Shall House Bill 1050 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will... Hicks 'aye'. The Clerk will take the record. On this question, there are 112 'ayes', 1 'nay'. House Bill 1050, having received the Constitutional Majority, is hereby declared passed. House Bill 1051, Brunsvold. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 1051, a Bill for an Act to amend an Act for the regulation of pawn brokers. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Rock Island, Joe Brunsvold, House Bill 1051."

Brunsvold: "Thank you, Mr. Speaker. 1051 simply states that every pawn broker shall record in his book an accurate account or description of the items being pawned, and that does not include, as requested by Committee, items that are purchased for the operation of the shop. And I would ask for the passage of 1051."

Speaker Matijevich: "Representative Brunsvold, there's an Amendment here. Is that... Are we supposed to bring... bring it back? Is that your request or..."

Brunsvold: "I'm not aware of another Amendment, Mr. Speaker."

Speaker Matijevich: "It's your Amendment."

Brunsvold: "Excuse me, Mr. Speaker. I was... assumption that this Amendment had already been adopted."

Speaker Matijevich: "Alright, the Gentleman asks leave to bring House Bill 1051 back to the Order of Second Reading for the purpose of an Amendment. Representative Preston, for what

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purpose do you rise?"

Preston: "Thank you, Mr. Speaker. I... I think that the Amendment that is about to be offered might be out of... or it's in order, but I think it's improperly drafted. And I think the Gentleman might want to wait to have the Amendment properly drafted. I think the language is conflicting with the language in the Bill."

Brunsvold: "Could Representative Preston be more specific on this?"

Preston: "Yes, the language in the Amendment talks... adds language for the purpose of resale or loan collateral, and it leaves in the Bill itself the language, 'not in the course of a pledge or loan.' It would be... It is confusing or..."

Brunsvold: "The Amendment would read, 'after received for the purpose of resale or loan collateral by the pawn broker from any source.'"

Preston: "'Not in the course of a pledge or loan.' I mean it doubly states..."

Speaker Matijevich: "The Chair... The Chair has looked at the Amendment, and the Amendment is in order. Represent... Does he have leave to return it to Second? Leave. The Bill is on Second Reading. Representative Brunsvold on Amendment #1."

Brunsvold: "Amendment #1 is... is, as I stated, the Bill I assumed was on there. At the time that... the pawn broker does not have to record items that... that he has for business purposes like purchase of paper, et cetera. And I would ask for the adoption of Amendment #1."

Speaker Matijevich: "Representative Brunsvold moves for the adoption of Amendment #1. All in favor say 'aye', opposed 'nay', and Amendment #1 is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Matijevid: "Third Reading. And Representative Brunsvold asks leave for the immediate consideration of House Bill 1051 and the use of the Attendance Roll Call for that purpose. Does he have leave? Leave is granted. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 1051, a Bill for an Act to amend an Act for the regulation of pawn brokers. Third Reading..."

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

Brunsvold: "Thank you. I've described the Bill and ask for your support."

Speaker Matijevid: "Representative Brunsvold moves for the passage of House Bill 1051. Is there any discussion? If none, those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted who wish? The Clerk will take the record. Hicks 'aye'. On this question, there are 111 'ayes', no 'nays', 1 answering 'present'. House Bill 1051, having received a Constitutional Majority, is hereby declared passed. House Bill 1053, Brunsvold. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 1053, a Bill for an Act to amend Sections of an Act for the regulation of pawn brokers. Third Reading of the Bill."

Speaker Matijevid: "The Gentleman from Rock Island, Representative Brunsvold, on 1051... 1053."

Brunsvold: "1053 would increase the penalty. At present anyone that does not abide by the Act would be guilty of a petty offense on the first occasion, which would be a hundred dollar fine and a Class E misdemeanor. The upgrading of the Pawn Shop Act, a petty offense at a hundred dollars is not going to scare anybody away from selling stolen merchandise. I requested a Class 4 felony on subsequent offenses. The Committee, however, did not... felt that

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that was too severe. So I've compromised with the Committee, and they suggested on the initial offense it be a Class C misdemeanor and all subsequent offenses be Class A. And I would ask for the passage of House Bill 1053."

Speaker Matijevich: "Representative Brunsvold has moved for the passage of House Bill 1053. Is there any discussion? Seeing none, those in favor signify by voting 'aye', opposed by voting 'no'. Have all... Clerk will take the record. On this question, there are 111 'ayes', 1 'nay', 1 answering 'present'. House Bill 1053, having received the Constitutional Majority, is hereby declared passed. The hour of 1 o'clock p.m. having arrived, the Chair will proceed to the Order of House Bills Third Reading - Revenue, on page 27 of your Calendar. On that Order of Business, House Bill 18, Homer. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 18, a Bill for an Act in relation to taxation and amending certain Acts herein named. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. House Bill 18 is a Bill which would amend the manner in which the state imposes a tax for public utility services. It's the culmination of a considerable amount of work over the past year involving various Representatives, including the Speaker, Representative Keane, Representative McGann, Representative Harris, Representative Ryder, along with many groups, including the utility companies, business community and other concerned individuals and groups. It addresses a very serious problem that we have in Illinois. The problem is simply this. Every resident of this state is a gas and electric consumer. The gas and electric

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utility tax that we imposed on these consumers, Ladies and Gentlemen, is out of control. That tax has actually tripled during the past ten years. It's the second highest tax, second highest per capita tax imposed by any state in the union. The public utility tax in Illinois increases each time that a rate hike application is approved by the Illinois Commerce Commission. The public utility tax, perhaps, is one of the most regressive taxes that the State of Illinois imposes because it hits hardest at those individuals and groups least able to afford to pay the tax, particularly senior citizens and those individuals who are on fixed income. What will House Bill 18 do? House Bill 18 places a cap on this tax to protect against future increases in public utility taxes. There would be, over the next five years, a savings of approximately 225 million dollars to Illinois consumers. The proposal would also, and very importantly, maintain current state revenues so that there would be no need for the state to either cut services or to impose alternative taxes. The proposal rewards conservation, so that as consumers in this state are able to conserve the amount of energy that they consume, their tax liability to the state would decrease. The Bill eliminates disparities that are... that are inherent in the existing public utility tax structure and fairly distributes those burdens throughout all classes of taxpayers in the State of Illinois and throughout all regions of the State of Illinois. There is also, finally, a hold harmless provision on the Bill which protects those few individuals and businesses who temporarily would be better off under the current tax than they would be under the alternative tax proposed in House Bill 18. House Bill 18, Ladies and Gentlemen, accomplishes all of these objectives by shifting from the current gross receipts tax

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to a unit based tax. The Bill, Ladies and Gentlemen, is supported and endorsed by such groups as the Illinois Farm Bureau, the Illinois Retail Merchants, the Citizens Utility Board, John Deere and Company, the Illinois Rural Electric Cooperatives, the Illinois State Council of Senior Citizen Organizations. And in the words of the Taxpayers Federation of Illinois, this Bill is the most reasonable... is a most reasonable and promising approach. I would, Ladies and Gentlemen, invite your questions, and I would certainly enjoy your support."

Speaker Matijevich: "Representative Homer has moved for the passage of House Bill 18. Is there any discussion? Representative Woodyard."

Woodyard: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I think you should all realize that... and this Bill did come through Revenue Committee, that this Bill is not revenue neutral. And that in the out years, it will cost from 20 to 40 to 50 or 60 million dollars in revenue loss per year. And I don't have a big problem with that; but this spring we've been standing over here spending money like drunken sailors. And I'm telling you if we pass this kind of... continue to pass this kind of legislation, and certainly I realize the need for relief in the utility tax area, but if we continue to pass this kind of legislation, you better be prepared to vote for some other tax increases."

Speaker Matijevich: "The Gentleman from Cook, Representative Keane, James Keane."

Keane: "Thank you, Mr. Speaker. I rise in support of the Bill. As the Sponsor indicated, this Bill will take out the tremendous growth in... that's in the current law, where we'd probably have a doubling of the utility tax in the early 1990's. The utility taxes, they hit especially hard

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on the poor and the elderly living on fixed incomes. I think it's a policy decision that we have to make. We found ourselves with a what I call a sneaky tax in that the tax has gone up on the basis of dollar volume. No one, I don't think, ever intended the revenue production of the utility taxes that we have now experienced, and I laud the Sponsor for introducing this legislation. Thank you."

Speaker Matijevich: "The Gentleman from Cook, Representative Harris, Dave Harris."

Harris: "Thank you, Mr. Chairman (sic - Speaker). Ladies and Gentlemen of the House, I also rise in support of this Bill and would simply like to make two comments or address two issues. One is that the current utility tax, in my estimation, here in the State of Illinois is similar to what the Federal Income Tax was like several years ago. Namely it succumbs to a bracket creep type of tax. In other words, every time the cost of utility goes up in this state, your tax is going to go up also. Whether or not you conserve energy or utility usage, whether or not you try to cut back on your usage, your tax is going to go up as long as the price of that goes up. That is just simply unfair. The tax should simply be changed so that every time there's an increase in the tax it's because we here in the General Assembly have said, 'We want more revenue from this tax source, and we are going to increase the tax rate.' Secondly, I've heard the comments about the loss of revenue to the State of Illinois. Ladies and Gentlemen, we are currently sitting in our... in our checkbook with over 700 million dollars. Now the Governor has said, 'We only need 200 million dollars as a cushion.' We currently have three and one half times that amount in our checkbook. How much money do we need to take from the people of this state before we say we have enough. Well, enough is enough.

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Let's cut this off and levy this tax the way it should be levied. Representative Homer deserves great credit for putting this Bill together. This Bill deserves a complete 'aye' vote, and I urge your support."

Speaker Matijevich: "Representative Homer to close."

Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. And just to emphasize what my Cosponsor, Representative Harris, indicated with regard to the revenue position of the Bill. One of the previous speakers indicated that the Bill, in fact, is not revenue neutral and, in fact, there will be a loss. The fiscal note does indicate that there will be a loss of some 20 million dollars in FY '86 for the Bill. But even if, in fact, that is realized, what I want the General Assembly to know is that in FY '86, even under the economic... even under the fiscal report, we will realize 671 million dollars on the public utility tax in FY '86 with the implementation of this Bill. The current year FY '85, we will receive under current law 660 million, so that there will be a 10 million dollar increase with the passage of this Bill. And it just dramatically shows that we're not really putting a freeze on the tax. What we're doing is bringing it under some type of reasonable restraints and control. There will be no revenue loss from FY '85, and, in fact, there will be a revenue gain. It just will retard the growth and protect consumers against that spiraling, raging growth that we've witnessed in previous years. I would like to finally in closing just say that I appreciate all of the assistance that we've received in putting the Bill together, particularly the Speaker, Mike Madigan, who has devoted his time and energy along with devoting the resources of... of the staff, Representative Keane and McGann, who are Members of the Revenue Committee, as well as Representatives Harris and Ryder, who have worked hard

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in a bipartisan fashion to... to put together legislation which is going to bring consumers of this state real and effective utility tax relief. And I would ask for your favorable consideration of House Bill 18."

Speaker Matijevich: "The question is, 'Shall House Bill 18 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted? All voted who wish? Clerk will take the record. On this question, there are 106 'ayes', 8 'nays', 1 answering 'present'. House Bill 18, having received the Constitutional Majority, is hereby declared passed. House Bill 34, Terzich. Clerk will read the Bill."

Clerk O'Brien: "House Bill 34, a Bill for an Act to amend the Professional Boxing and Wrestling Act. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Robert Terzich, on House Bill 34."

Terzich: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 34 applies to the... amends the Professional Boxing and Wrestling Act. Illinois has not hosted a World Boxing Association Championship in 20 years, and there are two reasons that Illinois is unable to attract these title matches according to the treasurer of the World Boxing Association. First is that Illinois imposes a higher tax on the gross receipts from ticket sales than other states competing, and also that they do not have the other facilities such as gambling facilities and what have you. This Bill is designed to attract championship athletic events. It's also been endorsed by the Athletic Commission... that I received a letter from them, 'Regarding the impact of House Bill 34, there should be zero loss of revenue if House Bill 34 were to become law. There has not been a wrestling or boxing promotion that has

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grossed over 500 thousand for approximately 20 years. The potential of a big promotion coming to Illinois would be enhanced if a 50 thousand dollar lid would be put in place giving Illinois a competitive advantage to attract big multimillion dollar wrestling or boxing promotions. Thank you for your cooperation in this important matter.' What the Bill does is simply eliminates the tax on gross receipts in excess of 500 thousand dollars. We haven't had any championship fight in 20 years. It wouldn't change any revenue that we are currently getting in, and hopefully it will bring some title fights and wrestling matches and bring additional revenue to the State of Illinois. And I appreciate your support."

Speaker Matijevich: "Representative Terzich has moved for the passage of House Bill 34. The Gentleman from Cook, Representative Cullerton."

Cullerton: "Okay. Will the Sponsor yield?"

Speaker Matijevich: "He indicates he will. Proceed."

Cullerton: "The way the Bill was originally drafted, there was only going to be a really small revenue loss, like 125 thousand dollars, I think."

Terzich: "The Bill was amended at the request of the Commission and so on, and what it did was simply put a cap on 500 thousand dollars of gross receipts."

Cullerton: "So what's the effect then on the... the revenue loss?"

Terzich: "Well, there isn't going to be any revenue loss. We haven't had gross receipt in excess of 500 thousand in 20 years."

Cullerton: "Okay. So why would this encourage professional boxing?"

Terzich: "Because one of the reasons for that is the promoters of professional fights and wrestling matches look at the taxes

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and a number... a number of other items involved in bringing in championship fights, and this is to encourage to have these fights and wrestling matches attracted to Illinois."

Cullerton: "In other words, if we don't pass this, there is a 10% tax on up to... with no limit."

Terzich: "Up to 500... Yes..."

Cullerton: "If we don't pass it right now, there's a 10% tax on... on everything."

Terzich: "Unlimited. Correct."

Cullerton: "So what you're saying with this Amendment is that after 500 thousand... we keep the tax up to 500 thousand, but after 500 thousand for a big professional match, then there wouldn't be any... there wouldn't be any tax."

Terzich: "Correct."

Cullerton: "Or it would be a 5% tax."

Terzich: "No. It would... The tax would go up to 500 thousand."

Cullerton: "Well, there's a 10% tax up to 500 thousand."

Terzich: "Five hundred thousand..."

Cullerton: "Over 500 thousand..."

Terzich: "There would be no tax revenue over 500 thousand."

Cullerton: "Be no tax. Okay. Well, that should then... If we do bring the professional boxing match into the state, then we'll make money on that."

Terzich: "Oh, yes, definitely. For example, our civic centers and a number of other establishments that bring in other people and so on to attract..."

Cullerton: "So there's no revenue loss. There's only a potential gain..."

Terzich: "That's correct."

Cullerton: "...with the Bill. Fine."

Speaker Matijevich: "The Majority Leader, Representative Jim McPike."

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McPike: "Will the Sponsor yield?"

Speaker Matijevich: "Indicates he will. Proceed."

McPike: "This is a... This is just a tax on the... on the gross receipts on those attending the event, not necessarily TV receipts or anything like that. Is that right?"

Terzich: "That's correct."

McPike: "Just the people coming to the door, the gate receipts."

Terzich: "That's correct."

McPike: "So at... So at 10 dollars a ticket you'd have to have 50 thousand people there before this would even... would even be..."

Terzich: "Right... This Bill is simply designed to attract... Like I said, there hasn't been a championship fight in Illinois in over 20 years. And this was also recommended by the Athletic Board. So this is simply to attract, you know, title fights. It is not going to change the current revenue that we're drawing in right now."

McPike: "Yeah, I'm not against the Bill. I'm just curious that you have to have 50 thousand people at the event."

Terzich: "Not necessarily."

McPike: "Well, at 10 dollars a ticket..."

Terzich: "...10 dollars a ticket, but on championship fights they normally run a 100, 150, 50 dollars a ticket."

McPike: "I see. Okay."

Terzich: "Whatever the traffic will bear."

McPike: "Thanks."

Speaker Matijevich: "The question is, 'Shall House Bill 34 pass?' Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 109 'ayes', 5 'nays', none answering 'present'. House Bill 34, having received the Constitutional Majority, is hereby declared passed. Representative Peg Breslin in the Chair."

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Speaker Breslin: "House Bill 152, Representative Mautino. Clerk, read the Bill."

Clerk O'Brien: "House Bill 152, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you, Madam Speaker. I believe that there is an Amendment filed. I have to take it back to Second. I'd like leave."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Is there any objection? Hearing no objection, the Bill is on Second Reading. Proceed, Mr. Clerk."

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

Speaker Breslin: "Representative Mautino, on Amendment #1."

Mautino: "Excuse me. How many Amendments are there?"

Clerk O'Brien: "Four all together."

Mautino: "Four. 1 was adopted in Committee, I believe."

Speaker Breslin: "That doesn't show on our Calendar, Representative Mautino."

Mautino: "...basically, #1 exempts Cook County from the provisions of the Bill because they do it by tape rather than... Amendment 1 should be withdrawn. We'll go with #2 then."

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

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

Speaker Breslin: "Representative Mautino."

Mautino: "Oh, that's the implementation date. It drops the reference January 1st of... and sets it to January 1st of '87. I move for adoption."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #2 to House Bill 1... 152... the Gentleman

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from..."

Mautino: "And it takes Cook County out as well, I believe."

Speaker Breslin: "On that question, the Gentleman from Edgar, Representative Woodyard."

Woodyard: "Thank you, Madam Speaker. Dick, I don't have a problem with this, but I... I think Amendment #2 does not have the effective date, does it? It just eliminates Cook County from the Bill."

Speaker Breslin: "Excuse me. Representative Mautino, let's check our LRB numbers, and we'll see if we have the right number. Our Amendment #2 is LRB 8400119RLK..."

Mautino: "Yeah, that removes Cook County from the application of the Bill."

Speaker Breslin: "Correct. 01..."

Mautino: "Okay."

Woodyard: "Agreed?"

Mautino: "Yes."

Speaker Breslin: "Therefore, Ladies and Gentlemen, this Amendment is one that excludes Cook County. Is there any further discussion on this Amendment? The Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Madam Speaker, I wonder if the Sponsor might yield for a question."

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

Vinson: "What's the policy, Representative, in this case behind exempting Cook County?"

Mautino: "In downstate counties they do it by index and number. In Cook County, they do it my magnetic tape. And so the Bill could not be implemented and administered as it is. Now that information can be obtained just by requesting it from the Cook County authorities, but it would not work within the purview of this legislation."

Vinson: "Thank you."

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Speaker Breslin: "Is there any further discussion? There being no further discussion, the question is, 'Shall Amendment #2 to House Bill 152 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Mautino."

Clerk O'Brien: "...from counties with fewer than three million inhabitants."

Speaker Breslin: "I'm sorry Representative Mautino..."

Mautino: "That takes out Cook County for the same reason we took out Chicago. It's done by magnetic tape."

Speaker Breslin: "The Gentleman has explained Amendment #3. And on that question, is there any discussion? The Gentleman from Edgar, Representative Woodyard."

Woodyard: "Dick, it looks to me like one of these ought to be withdrawn - 2 or 3."

Mautino: "We... We withdrew 1 so we could go with 2 and 3 to make it specific that Chicago and Cook County was excluded at the request of the Municipal League and the County officials."

Speaker Breslin: "On the question of Amendment #3, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Representative, what is the... May I ask the Gentleman a question, Madam Speaker?"

Speaker Breslin: "Proceed."

Vinson: "What's the difference between the counties we exclude with the threshold of two million versus the threshold of three million?"

Speaker Breslin: "Representative Mautino, you'll have to speak into the microphone."

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Mautino: "May I take it out a minute. I will go across the way and discuss it with..."

Speaker Breslin: "We'll take this Bill out of the record. House Bill 153, Representative Mautino. Is that out of the record also, Sir? House Bill 153. Clerk, read the Bill."

Clerk O'Brien: "House Bill 153, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you, Madam Speaker. This is a very simple Bill. It allows for payments for redemption of real property taxes that can also be made by cashiers checks, certified checks, post office money order or money issued by a financial institution insured by an agency of the United States. It just is a technical correction made on what constitutes currency as it pertains to paying your real estate taxes. That's what the Bill does."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 153. And on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 153 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 114 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 198, Representative Hicks. Clerk, read the Bill."

Clerk O'Brien: "House Bill 198, a Bill for an Act in relation to taxation on oil field equipment. Third Reading of the Bill."

Speaker Breslin: "Representative Hicks."

Hicks: "Yes, Madam Speaker, Ladies and Gentlemen of the House, House Bill 198 amends the State Sales Tax Act. It actually

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reduces the sales tax on oil field machinery and equipment used in the oil field. The Bill came about due to the fact of businesses in my district. Oil field producers and drillers in my district have... have been leaving the State of Illinois and moving to Indiana and Kentucky, those states that currently do not have this type of tax on oil field equipment. I would be happy to answer any questions about the Bill anyone might have."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 198. And on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill...' The Gentleman from Livingston, Representative Ewing, on the question."

Ewing: "Yes, would the Sponsor yield?"

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

Ewing: "Is there a revenue loss in this Bill, Representative?"

Hicks: "Actually, Sir, the fiscal note that was filed with the Bill, we're talking about several things on the Bill. There is potential loss in sale tax only, but the job increase in the State of Illinois, the loss of jobs is the important issue of the Bill. The fiscal note that was actually submitted with the Bill addressed the concern of state... the total production in the country with oil exploration. Currently, in Illinois the oil produced out of the Illinois oil fields, based on a percentage of that is how the fiscal note was actually brought about - took in account that that percentage of oil drilled in Illinois would be the same as percentage of cost for the whole country. In Illinois those wells are very shallow wells in comparison to the deep wells that are drilled in Louisiana and Texas, so the actual cost in the loss in Illinois is much less than what the fiscal note says."

Ewing: "But Representative... you are removing the sales tax."

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Hicks: "Yes, that's correct, but not for the locals, only for the state."

Ewing: "Only for the state. So you're going to leave one percent on locally."

Hicks: "I'm going to leave it up to the locals to decide whether they want to keep that one percent on or not. It's up to the locals."

Ewing: "Alright. Now can you tell us what the report says about the loss of sales tax without all the other extraneous material?"

Hicks: "I believe I did that, Sir. I said one to two million was what the fiscal note said, but that fiscal note, I believe is in error. And as the fiscal note says, that fiscal note was based upon the total production of oil drilled in the United States with Illinois having its share and the sales tax being based upon that. Oil in Illinois is found at a much shallower area than in the deep wells, as in Texas or Louisiana, and thusly, the cost for drilling in Illinois is much less than it is in those states. So in actuality, I think it would be even less than that."

Ewing: "Mr... Madam Speaker, Ladies and Gentlemen of the House, you know we just passed out a Bill dealing with utility tax, and now we want to take some more tax off on oil equipment. And the Economic and Fiscal Commission has indicated the economic loss to the state at over four million dollars, not the figure that the Sponsor would have us believe. And I just think once in a while a million here and a million there and maybe many millions with the utility tax, and it adds up to real money. And I would suggest... I would suggest that we want to look at this very closely. We have disseminated our sales tax base in this state. This is a continuation of that effort. You're going to be called on to replace it somewhere else."

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

Keane: "Thank you, Madam Speaker. I think that the prior speaker indicated a loss, the potential loss of sales tax revenue. But what we found when the Bill was held... talked... discussed in Committee, we found that there are a couple of things that happen. One, if you're an oil driller in southern Illinois, it soon becomes obvious to you you should move across the line because if you go across the line, you can come back into the state with your same rig and not pay tax on it. In other words, if I were... if I were an oil driller in southern Illinois, I could either go over to Indiana or into Kentucky and come back in and drill in Illinois without paying that sales tax. That's a thing that I would do. And that's what's been happening. What also happens though is when that oil driller goes into Indiana, we lose the income tax of his employees and we lose the other benefits - the sales tax of his employees spending in Illinois and so on. So the sales tax revenue is minimal. The drillers are very, very mobile. There's no big problem to them. Instead of living in Effingham or over around Olney, they just move over into Indiana or down into Kentucky if they're far south. In that case, we lose the... as I said, they operate as if they lived in Illinois. We don't get any revenue out of them, and we lose the income tax revenue that their employees would pay us. And for that reason and that reason only, I supported the Bill in Subcommittee... in Committee, and I'm also going to support it now."

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

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

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

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Churchill: "Representative Hicks, can you tell me what type of items are being sold on which the sales tax is now being applied?"

Hicks: "Anything dealing with the actual production and drilling of oil wells in the State of Illinois."

Churchill: "Okay. So this is heavy equipment or is..."

Hicks: "No, it would have to do with actual drilling types of equipment such as the... the drilling rig itself, the pipe used, the motors used in that type of production."

Churchill: "And are those items produced in the State of Illinois?"

Hicks: "Some of them are, some of them are not, of course."

Churchill: "And if we... if we should go along with this Bill then would we extend this sales tax exemption to those who provide equipment and machinery in the coal industry?"

Hicks: "I think we already do some of that now with... at leastwise with manufacturing equipment, we already exempt that. With farming equipment, we already exempt that. Most of those type of things we currently exempt, and I'm simply asking for the same thing for the oil industry."

Churchill: "You have no plan to amend this Bill to include the coal industry though?"

Hicks: "No. I mean to... I've held off amending this Bill with a lot of things that people want to put on it to keep it clean for this one use only."

Churchill: "Okay, to the... to the Bill, Madam Speaker. I... I rise in opposition to this Bill. This is a time in the State of Illinois in which we should be taking assessment of what are we going to be spending our dollars on. This was the year that we were going to talk about education, and we have yet to speak about that in this chamber as we will do later on this year or maybe today. I don't think that it is the time though that we can give tax relief in

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this area of oil exploration. I think this is something we could consider in the future, but I don't think we should do it today. And therefore, I would ask for people to oppose this Bill."

Speaker Breslin: "The Gentleman from Franklin, Representative Rea."

Rea: "Thank you, Madam Speaker, Members of the House. This is, as has been pointed out, is no different than taxes that have been eliminated on farm equipment and in terms of the... of industry. And when we talk about the tax losses in this state, actually if we do not pass this legislation we will have tax losses because we know that the businesses will go out of state. And this is particularly true in southern Illinois and the neighboring... where you have other states so close. But not only in terms of the jobs, it will take away income tax, sales tax that would be coming... various sorts because of the purchasing power that you would have. This... We have seen what happened earlier in terms of the farm implement dealers going to other states, going out of business. We are seeing this same thing happening here. This is a good Bill. It's one that is needed. It will help us economically and will help us retain jobs in this state. I would certainly ask for an 'aye' vote."

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

McNamara: "Thank you, Madam Speaker. In regard to this Bill, I reiterate some of the comments that were made in as much as jobs are very important. Illinois already lags behind. In many of the industrial aspects of this state, distributors, et cetera, are continuously moving out of the state, selling their services in this state, taking care of their tax advantages to help their states, and Illinois lags far

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behind. We need this type of legislation here. We need it for the jobs. We need it for the economy. We need to build the state and make it a strong state. I wholeheartedly support this Bill."

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

Hicks: "Yes, Madam Speaker, I would like to just clarify one thing. The remarks that were made about the four million dollars on the sales tax loss was changed with a new fiscal note. That is incorrect information. The fiscal note that is on file says one to two million dollars. But the real point here is the loss of jobs in the State of Illinois. And if we want to protect those jobs and we want to see to it that our people are working in all parts of the state, we better take consideration for legislation like this, and I'd ask for a green vote."

Speaker Breslin: "The question is, 'Shall House Bill 198 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Brunsvold. Have all voted who wish? The Gentleman from Cook, Representative Leverenz, one minute to explain your vote."

Leverenz: "Simply to add that we passed this Bill once, and it's passed again, so it's frivolous. Thank you."

Speaker Breslin: "The Clerk will take the record. On this question, there are 17... there are 74 voting 'aye', 39 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 251, Representative Dunn. Clerk, read the Bill."

Clerk O'Brien: "House Bill 251, a Bill for an Act to amend the Automobile Renting Occupation and Use Tax Act. Third Reading of the Bill."

Speaker Breslin: "Representative Dunn."

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Dunn: "Madam Speaker, I request leave to return this Bill to Second Reading for the purpose of an Amendment."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Hearing no objection, the Gentleman has leave. Mr. Clerk, read the Bill on Second Reading."

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

Speaker Breslin: "Representative Huff on Amendment #1."

Huff: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, Amendment #1 to House Bill 251 is suggested by no lesser authority than the president of the Hertz Rental Car Corporation in which the chairman complains bitterly about the intimidation of customers and how they are made to take collision insurance they don't want, and charging for gas they don't use and promoting bargains that are far from promised delivered in their advertisements. He also objects to many of the operators who routinely promise too much, deliver too little, bait and switch, higher charges and offer rates that are just unbelievable. What Amendment #1 to Senate Bill 251 (sic - House Bill 251) would do is provide that these car rental agencies post their prices in a conspicuous area of each location and prohibit the agencies from refusing to rent automobiles to customers who do not have credit cards. It provides that they shall provide a reasonable alternative such as a deposit of a reasonable amount of cash."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 251. And on that question, the Gentleman from Cook, Representative Piel."

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

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

Piel: "Two questions, Representative. One, as far as the posting of prices, what is the reason for the posting of prices?"

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Huff: "This is to prohibit the practice of bait and switch. You may call the agency and ask for a specific car at a specific rate, and that rate is quoted to you, but when you get down to the agency you are confronted with an altogether different rate."

Piel: "Okay, well, you know, I could see if the person walked in the door, but if I... if I call there and they give me a figure and they have a posted different figure, when I call I don't know if they have that posted figure, do I?"

Huff: "Well, they could tell you that before you come down. That's the purpose of calling. That's the purpose of calling. Usually..."

Piel: "No, you don't... you don't understand what I mean. If I call and they say this car is costing you 30 dollars a day, okay, and the girl has... misquoted me, but it is posted on the wall at 36 dollars a day, it is not a bait and switch type of a situation. What I could see is if the person's telling you across the counter and it's posted behind them, I could understand that. But your analogy of calling..."

Huff: "Well, let me give you another analogy, Mr. Piel."

Piel: "Okay."

Huff: "They post advertisements in the local newspaper at one rate. You go down expecting to rent a car at that rate, and they'll tell you that that rate was applicable to another car that is no longer available. That's bait and switch."

Piel: "Well, that is bait and switch, but the first analogy wasn't, and usually when they say it's going to be a 1985 Cougar or whatever it is, you know, if they don't have that in lot... I mean if they've got a 1985 Cougar on the lot, you know, that's what their price is. Let's go on just one second though. You're talking about not... you know, forbidding a company to require a credit card."

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Huff: "I can't hear... I don't understand you. What did you say?"

Piel: "Am I correct?"

Huff: "What did you.... I didn't hear you. Would you repeat that?"

Piel: "I'm sorry. Madam Speaker, I can hardly hear him. Can we have some order? Okay, part of the Amendment states that a renter cannot require a credit card. Correct?"

Huff: "That's right."

Piel: "Why?"

Huff: "Well, I don't think we've entered the cashless society yet. I don't think that a cash customer should be discriminated against because he doesn't have a credit card. That's exactly..."

Piel: "In other words, would you... would you be agreeable then to an Amendment to this Bill that said that a person would have to pay cash up front."

Huff: "Yeah, you'd make a deposit. Right."

Piel: "Well, there's a difference between a deposit and cash up front. Basically... basically, what you're talking about is when you don't want a credit card - and there's a lot of businesses whether it be hotels, motels, rent-a-cars or one thing or another, I mean let's face it. A person that's in business is in business to make money. If a person's not in business to make money, you know, they're going bankrupt. And the worst thing that can happen to them is a situation to where all of a sudden a person comes in, let's say... Let me give you an example. I come in there. This Amendment passes. I don't have to give them a credit card, so he gets a 50 dollar deposit. I come in there, I give him cash for that 50 dollars. Then I come in after a week using the car and the total cost is 450 dollars. I'm just giving a hypothetical example. I pull out my checkbook.

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He's got a sign behind the counter that says, 'No checks accepted.' You see what I mean. Now where does he go. Here's a guy that's out 400 dollars."

Huff: "Well, your... your hypothesis is a little strained too, Mr. Piel, Representative Piel, because I'm quite sure the agency is going to ascertain how long you want the car before they give it to you. Would they not? And that's all... You have to understand, we're not dealing with a car dealership. We don't want to buy the car. We just want to rent the car. So you've got to provide some reasonable deposit so that that individual can... transact their business also."

Piel: "To the Bill, Madam Speaker."

Speaker Breslin: "Proceed."

Piel: "Ladies and Gentlemen, I hope you take a close look at this Amendment. I think you're seeing a very bad precedence. Today it'll be car rentals. Tomorrow it'll be, you know, motels, hotels, restaurants, this type of a thing. And I think it's a situation to where what we're doing we're hurting the person who wants to rent a car, not a person... not helping a person that wants to rent a car. We're trying to help the business climate in Illinois, and not hurt the business climate. And I would ask for a 'no' vote on Amendment #1."

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

Pedersen: "Will the Sponsor yield?"

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

Pedersen: "Is this the House... Is this Amendment the House Bill 534 that... that we had in Consumer Protection Committee?"

Huff: "No, this was 534."

Pedersen: "It was 534. Is... You amended that Bill in Committee. Is this the amended version?"

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Huff: "Yes. If you recall, I was asked to put an Amendment on establishing a reasonable cash deposit amount for the noncredit card customer."

Pedersen: "To the Bill, Madam Speaker."

Speaker Breslin: "Proceed."

Pedersen: "This... This Amendment was in the Consumer Protection Committee, and it failed by a substantial margin. One of the big reasons why it failed was the people involved in leasing cars were extremely concerned about the credit card portion of this Bill. It's a good business practice in a business like theirs to be able to know what the credit worthiness of... of a possible customer is. And it's very helpful to them if they can establish a paper trail on... if they develop problems. I believe that this is the kind of legislation that... that applies to an area that is really... you know, a cash deposit is very minor problem in the private sector, and that we should allow this kind of thing to be taken care of by the private sector. I urge a 'no' vote on the Amendment."

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

Brookins: "Thank you. Thank you, Madam Speaker. I rise in support of this Amendment. I know that there are times when you do not want to use a credit card, and then I also know that there are people that do not have credit cards, people that deal strictly with cash. And if you put up a deposit, if you pay in advance, then if your worthiness through your driver's license and identification is proven that you are who you are, that you are responsible, I see no need for them to force you to use a credit card. I have been in that position myself from time to time where I wanted to use a check, when I did not mind putting up cash in advance, deposit and even pay for the length of time

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that I wanted to use that automobile. And yet they wanted to force me to use a credit card and wanted to deny me the rental service. So I stand in support of this Amendment."

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

McAuliffe: "Mr. (sic - Madam) Speaker and Ladies and Gentlemen of the House, I would rise in support of this Amendment too. I had the nasty experience of going and trying to rent a car after I had confirmed the car twice by telephone and finding out that they told me that when I got there my credit card had... was expired. I went to the Inauguration in Washington. When I got off the plane, I went to pick up the car that I had called three weeks in advance for and had my secretary call the day before to make sure the confirmation was ready. I went to National Car Rental, and I had a preferred customers card from the Illinois Chamber of Commerce. And they told me that my credit card was expired. And I said, well, I called two different days. I called two different... I called two different days, and they told me that my credit... that my reservations were intact. When I got there, they would neither take the credit card nor would they take the cash. So I definitely support the Bill. I ended up with no car."

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

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

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

Keane: "If I were a... If I were a car leasing agent, what new duties would I have under this Bill?"

Huff: "Well, just those that are... that are described in the Amendment, Representative Keane."

Keane: "Would you elucidate those for me, please?"

Huff: "Very simply, you just simply have to post publicly and conspicuously on your location what your rate charges are

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per day, per week and per the category of the type of car that you want to rent."

Keane: "So all of these bonuses and these little cards that we carry around that we get from different car dealers would not apply?"

Huff: "No, that would not apply in this instance."

Keane: "So anyone that leases a car in Chicago, does this only apply to Chicago?"

Huff: "No, it applies to the whole state."

Keane: "It applies statewide?"

Huff: "Right. You know, one of the things that was brought out in the Committee that there is no unanimity of policies with regards to how one agency will operate as opposed to another. It's... It's a patchwork affair right now."

Keane: "So your Amendment applies statewide?"

Huff: "Yes, it tries to bring some uniformity into the car rental industry."

Keane: "And none of the car dealers then..."

Huff: "It doesn't affect the car dealers at all."

Keane: "I'm sorry. The car lease groups, if they... if they have to post their prices for different kinds of cars and that, what if... they can never have a special. In other words they can't..."

Huff: "Yes, they can have... It does not preclude any... promotional advertisement policies that they... that any agency may want to promote."

Keane: "What... What else does the Bill do?"

Huff: "That's it. That's it."

Keane: "It just..."

Huff: "The Bill... The Bill specifically stays out of the area of promotionals. The promotions can be included as an additional charge."

Keane: "Does the Amendment increase... Does it have a one

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cent..."

Huff: "No."

Keane: "It has no increase in anything?"

Huff: "No."

Keane: "Thank you very much."

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

Wolf: "Madam Speaker, 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 main question is put. Representative Huff is recognized to close."

Huff: "Very succinctly, Madam Speaker, I move for the adoption of this Amendment #1 to House Bill 251."

Speaker Breslin: "The question is, 'Shall Amendment #1 to House Bill 251 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'nos' have it. The Gentleman asks 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? The Clerk will take the record. On this Amendment, there are 43 voting 'aye', 64 voting 'no' and 1 voting 'present', and the Amendment loses. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Dunn."

Dunn: "Thank you, Madam Speaker. I request leave of the Body to present the Bill on Third Reading at this time."

Speaker Breslin: "The Gentleman requests that the Body... that the Bill be heard immediately on Third Reading. Hearing no objection, the Bill will be heard immediately on Third

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Reading. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 251, a Bill for an Act to amend the Automobile Renting Occupation and Use Tax Act. Third Reading of the Bill."

Speaker Breslin: "Representative Dunn."

Dunn: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Back in 1981, we took off the sales tax on automobiles which were sold to car rental agencies for the purpose of leasing them out on a weekly or a daily basis. The theory was that the tax would be more properly applied and paid by the customers who rent cars. So the sales tax was taken off, and it was placed on the transaction of renting. And it has been that way since 1981. A year or so ago when we increased the general sales tax, there was a loop, a gap, and we failed to increase the sales tax in this situation. So the sales tax on the rental of cars at whatever agency you would go to is now one percent lower than it is on any other purchase you make. Most automobiles in this state are rented by people coming into this state from outside, so sales tax, in this instance at least, is, in the most part over 80% of the time, paid by outsiders. And if we are going to tax everything that everyone in this state, including the poorest of the poor, pay at a rate of 5%, we should certainly tax the rental of cars at 5%, the state tax because most of that tax is paid by outsiders. This is an opportunity to close what really is a loophole which ought to be closed in the state law and to provide some revenues into our state coffers. This will bring in a modest sum of money in a range of about a million and a half dollars a year. I would urge an 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 251. And on that question, the Gentleman from

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Edgar, Representative Woodyard."

Woodyard: "Thank you, Madam Speaker. I also rise in support of this Bill. It does make consistent the sales tax, and also it will do this - it will put the revenues back in that Representative Hicks just took out on the oil well drilling machinery."

Speaker Breslin: "The question is, 'Shall House Bill 251 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 104 voting 'aye', 11 voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 350, Representative Rea. Clerk, read the Bill."

Clerk O'Brien: "House Bill 350, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Breslin: "Representative Rea."

Rea: "Thank you, Madam Speaker, Members of the House. House Bill 350 is a very important Bill and especially at this time when the economic situation is as it is in the State of Illinois with a high percentage of... of unemployment, and we do have many people that are hungry, that are starving. What this Bill does, it amends the Illinois Income Tax Act to provide for the wholesale value of food donations made to the Good Samaritan Food Donor Act. Any farmer, food producer, processor, distributor, wholesaler, retailer or gleaner of food would be allowed to take from the adjusted gross income an amount equal to the wholesale value of food items donated to a not-for-profit organization for distribution as provided in a Good Samaritan Act. We... This is very much needed. It comes at a time that is necessary to provide an incentive in order to encourage

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people to get involved. And for this reason, it is necessary to do everything that we possibly can to entice people to participate in this worthwhile program. And I would certainly ask for a favorable vote."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 350. And on that question, the Gentleman from Marion, Representative Friedrich."

Friedrich: "Would the Sponsor yield?"

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

Friedrich: "Why wouldn't this be deductible for federal and state income tax already if you could show that you'd make the contribution to a not-for-profit organization? I don't understand that. You can give clothing even to the Salvation Army, and if you put a value on it, you can deduct that. I don't understand why you couldn't give a bushel of beans to the Salvation Army and get the same deduction. I think it's a nice thing to do, but I don't know why you have to have a law to do something you already do. Your CPA there ought to be able to tell you about that, because he can tell you about contributions to not-for-profit organizations. Mr. Hannig, would you advise your neighbor there?"

Rea: "If you itemize your deductions, I'm told, it does not follow through to the state."

Friedrich: "Wouldn't you have to itemize this? How are you going to get credit if you don't itemize it?"

Rea: "That's what this Bill is attempting to do."

Friedrich: "Well, if you're going to itemize it anyway, you can't... if you don't itemize, you can't get the deduction. If you do itemize, you get it already. I... I still don't understand."

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

Keane: "Thank you, Madam Speaker. On a point of clarification to

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the previous speaker. The... He is correct. The Bill, as is written, allows, if you deduct it in your federal income tax, if you deduct the contribution in your federal income tax, it automatically carries over on the state, and this would allow another deduction on top of that off the state."

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

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

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

Klemm: "Representative Rea, in the manufacture of these products, I would think that the company who did that has included those costs as a cost of doing business and has used it in their federal and state income tax return automatically. Isn't that correct?"

Rea: "This has nothing to do with manufacturers."

Klemm: "Well, the purchase of the food... How do these people get the food in the first place - these companies?"

Rea: "This is strictly retailers, farmers, wholesalers..."

Klemm: "Alright, well, those people that acquire the food, wholesalers, people who purchased it somehow, have this excess food. Is that what they're going to be giving away?"

Rea: "Yes."

Klemm: "Alright. So they payed for this food some place, and it's a part of their cost of doing business as an Illinois Corporation; and, therefore, they use that cost of buying it, for whatever they have, as part of their cost which lowers their income tax for both federal and state purposes. Isn't that correct?"

Rea: "That would be correct. Yeah... It can be in some cases."

Klemm: "So, therefore... Yes, it would. So, therefore, if

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they've already used those costs and deducted it as a cost of doing business to lower their income tax, and then if you allow them to take full value of that very product, they are really getting double taxation benefits, which I don't think is so bad for businesses, but I don't think that's good public policy. Would that be correct?"

Rea: "Well, they would not allow the double deduction, and this is an incentive program."

Klemm: "Thank you. To the Bill, Madam Speaker. It just seems that when a corporation were to take their expenses versus their sales and end up paying income tax at the purchase of these products that they haven't been able to get rid of has already been charged off against their sales, therefore, they lower their corporate profits. Then to take that warehouse full of goods, give it to a good cause, and then take full market value for that and write it off again seems to be a double deduction. And I don't think that's very good, and I would then oppose this..."

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

Ewing: "Would the Sponsor yield please?"

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

Ewing: "I'm a little concerned about how we're going to value this double exemption that this Bill grants. We talk about wholesale value of perishable canned or farm food items. Is that the value in the field, the value that it would be if it were canned?"

Rea: "Well, actually, the value, as I understand it, would be... would be the purchasing, the producing, the processing, those costs it would take to... to get it to... yeah, their cost only."

Ewing: "Are you going to do all of those things to it before you give it away? Is it going to be processed before you give

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it away or are you going to give away the raw food product?"

Rea: "Well, it would have to be food for human consumption, so it would have to be in some cases processed, in other cases not. So, you know, it depends on the food. For instance, if it's perishables, vegetables, no, it would not have to be processed."

Ewing: "Is it your understanding that the farmer, the food processor, the distributor, the wholesaler, the retailer can all get a deduction for this?"

Rea: "It would be a composite of the total amount that... in terms of... The person that would be making the donation would be the one that would take the deduction based upon his cost."

Ewing: "Well, if the farmer is making that... making that gift, he's not going to process it, is he? Isn't he just going to take it out of the field and haul it over there?"

Rea: "A farmer could make his determination upon how much, for instance, if it should be a bushel of tomatoes, as to what the cost of... of that production would be."

Ewing: "So, Mr... Madam Speaker, excuse me, Ladies and Gentlemen of the House, I think this is extremely innovative. We have been talking about going to a value added tax, but the Democratic side of the aisle has come up with a value added deduction. I really think this has tremendous possibilities, and we should explore it later. And in the meantime, we should probably vote down this Bill."

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

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

Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the

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opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Rea to close."

Rea: "Thank you, Madam Speaker, Members of the House. Actually this is a very important Bill, and it will be one that will provide an incentive to people throughout this state and to help certainly the ones that are poor and starving. And there's much food that is wasted. There's much that is tossed away that certainly could be utilized that is good quality that could be utilized through the food banks of this state. And the cost on this, if it had been in operation last year, the revenue that would have been lost to this state would only have been a 125 thousand dollars. I think it is an exceptionally good Bill and one that is needed. And, yes, this is an innovative concept that I think that we should pass, and I would ask for an 'aye' vote."

Speaker Breslin: "The question is, 'Shall House Bill 350 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Gentleman from Macoupin, Representative Hannig."

Hannig: "Yes, Madam Speaker, Members of the House, to briefly explain my vote. Basically under the federal income tax laws, we can itemize our deductions and take a charitable contribution, but that amount of deduction does not fall through into our state taxes so that I or you who takes the charitable contribution will not receive that on their state income taxes. What this Bill is simply doing is setting up a process whereby an individual who makes a contribution of food or in-kind food can now deduct that from his state income taxes. For those corporations or businesses who already can do that, it would make no difference, and they would not be given an extra deduction but would simply be allowed to continue as they do. So the

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Bill allows individuals an opportunity to take this charitable contribution of food off of their state taxes. It will not create any additional loopholes, and I think it's a good Bill and would ask for your 'yes' vote."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 50 voting 'aye', 52 voting 'no' and 4 voting 'present'. Representative Rea."

Rea: "I wish to place the Bill on Postponed Consideration."

Speaker Breslin: "The Gentleman asks leave to place this Bill on the Order of Postponed Consideration, and it will be placed on the Order of Postponed Consideration. House Bill 447, Representative Giglio. Clerk, read the Bill."

Clerk O'Brien: "House Bill 447, a Bill for an Act to amend the Use Tax Act. Third Reading of the Bill."

Speaker Breslin: "Representative Giglio."

Giglio: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 447 is a... somewhat of a cleanup Bill from the Illinois Manufacturers Association with the Department of Revenue. It was heard in Committee. Revenue... The Department of Revenue was in favor of it. What it does, it clarifies the separating of the tax when it's part of the selling price and authorize the exemption."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 447. And on that question, is there any discussion? We're waiting for the board to clear. There being no further discussion, the question is, 'Shall House Bill 447 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 116 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the

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Constitutional Majority, is hereby declared passed. House Bill 997, Representative Ryder. Clerk, read the Bill."

Clerk O'Brien: "House Bill 997, a Bill for an Act to amend Sections of the Retailers' Occupation Tax Act. Third Reading of the Bill."

Speaker Breslin: "Representative Ryder."

Ryder: "Madam Speaker, thank you. Ladies and Gentlemen of the House, this also is a cleanup. The current law requires retailers of motor fuel to prepay sales tax; however, they then receive it back when they wholesale. This requires them to pay at the end, rather than the beginning. The Department of Revenue indicated that they understood the problem. They were sympathetic, and they've signed off on it. And I'd ask for a 'yes' vote."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 997. And on that question, the Gentleman from Madison, Representative McPike."

McPike: "Thank you, Madam Speaker. Perhaps the Sponsor could answer this in his closing arguments. We just want to make sure that the liquid propane gas dealers are not opposed to this."

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

Ryder: "I don't believe that they would be opposed to it since they're probably the ones that asked to have it taken care of, and I would also urge an 'aye' vote. Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 997 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Phelps. Have all voted who wish? The Clerk will take the record. On this question, there are 116 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1127,

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Representative Cullerton. Clerk, read the Bill."

Clerk Leone: "House Bill 1127, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker. I'd ask leave to bring the Bill back to Second Reading for the purpose of an Amendment."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the order of Second Reading for the purposes of an Amendment. Are there any objections? Hearing no objections, this Bill is on Second Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1127, which amends the Revenue Act. Amendment #1, Cullerton, amends House Bill 1127."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, Amendment #1 would become the Bill. This would allow the Cook County assessor to issue a certificate of error on property tax assessments without the approval of the Board of Appeals. Move for the adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 1127. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 to House Bill 1127 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 #2, Cullerton, amends House Bill 1127."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. This changes the word 'it' to 'he'. It amends Amendment #1 which was improperly drafted. Move for the

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adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 1127. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 to House Bill 1127 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 Cullerton."

Cullerton: "Yes, I would have leave to..."

Speaker Breslin: "Representative Cullerton now asks leave for immediate consideration of House Bill 1127. Is there any objection? Hearing no objection, this Bill will be heard immediately on Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1127, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. The way the certificate of error process works is that it's recommended by the assessor and then approved or disapproved by a court. There's been some interpretations by the Judges in Cook County that they also... if the taxpayer had also gone to the Board of Tax Appeals that the... that the certificate of error should also be considered by the Board of Tax Appeals. So what this Amendment says is that we would... would eliminate that process and just go to a situation where the assessor either recommends or doesn't recommend a certificate of error and then a Judge rules on the application."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1127. And on that question, the Lady from Cook,

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Representative Pullen."

Pullen: "I'd like to ask the Sponsor a question or two."

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

Pullen: "Why are you proposing to eliminate the Board of Appeals from this process?"

Cullerton: "Because a certificate of error is ruled on by a Judge. The procedure is for the assessor to make a recommendation of a certificate of error, and then it goes to a Judge. Now, what's happened is that if... if the taxpayer didn't go to the Board of Tax Appeals in the same year that they went to the assessor, then the Board of Tax Appeals has no... plays no role at all in the process of whether the certificate of error shall be granted. It just simply is ruled on by the Judge. But if the taxpayer went to the assessor's office and the Board of Tax Appeals, then, even though the assessor made a recommendation to approve the certificate of error, the Judge is not ruling on that unless the Board of Tax Appeals has also ruled on it. And certificates of error take about two years before they're ruled, so it just doesn't make any sense to have a person be denied a certificate of error simply because that... the taxpayer happened to file an appeal at the Board of Tax Appeals."

Pullen: "Are there any situations in which the assessor can turn down a certificate of error and the Board of Appeals can recommend it and the Judge can grant it?"

Cullerton: "No. If the assessor does not recommend the certificate of error, it does not even go to court."

Pullen: "So this Bill would speed the certificate of error process in some cases."

Cullerton: "That's true."

Pullen: "Thank you."

Speaker Breslin: "The Gentleman from Knox, Representative

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Hawkinson."

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

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

Hawkinson: "Representative, does this Bill, as amended, have any effect outside of Cook County."

Cullerton: "No."

Hawkinson: "Thank you."

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

Cullerton: "I'd ask for a favorable Roll Call."

Speaker Breslin: "The question is, 'Shall House Bill 1127 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Dunn. Have all voted who wish? The Clerk will take the record. On this question, there are 117 voting 'aye', none voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1151, Representative Keane. Clerk, read the Bill."

Clerk Leone: "House Bill 1151, a Bill for an Act in relationship to information on utility tax returns. Third Reading of the Bill."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. I'd like to take 1151 back to Second for purposes of a Motion and 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, this Bill is on the Order of Second Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1151 is a Bill for an Act in relationship to information on utility tax returns. Amendment #2, Keane - Woodyard, amends House Bill 1151."

Speaker Breslin: "Representative Keane. Representative Keane."

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Keane: "I would like leave to table Amendment #1."

Speaker Breslin: "The Gentleman moves to table Amendment #1 to House Bill 1151. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 to House Bill 1151 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendment #1 is tabled. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Keane - Woodyard."

Speaker Breslin: "Representative Keane."

Keane: "I would move the adoption of Amendment #2 to House Bill 1151."

Speaker Breslin: "The Gentleman moves the adoption of Amendment #2 to House Bill 1151. And on that question, the Gentleman from Madison, Representative McPike."

McPike: "Well, thank you, Madam Speaker. Could the Gentleman explain what Amendment #2 is?"

Speaker Breslin: "Representative Keane."

Keane: "Yes, it amends the use and the ROT tax. It's a very... It's a fairly simple Amendment. It basically says... The Amendment itself is large, but if you look through it, it basically says, quote, 'sale at retail', end quote. Also includes any sale of gas for use or consumption under which the seller would not be subject to liability under the Gas Revenue Tax Act."

McPike: "Are there some examples currently where a end user would not be subject to the tax?"

Keane: "Yes, there are examples where pipelines are selling gas at wellhead and delivering it to a customer without paying utility tax."

McPike: "And who would these customers be?"

Keane: "There are various customers, large users, throughout the state, and I don't have a list of them."

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McPike: "Do you have any idea what type of revenue impact this.. this would be?"

Keane: "No."

McPike: "Do you have any idea how much gas, how many units of gas or what the volume is you're talking about that's not taxed currently?"

Keane: "What we're finding... This... This was brought to us... our attention by the Illinois Commerce Commission. It provides the... the use of buying gas at wellhead and having it delivered through pipe... pipelines to a customer directly bypasses our utility tax. If we don't plug this loophole, which this Bill attempts to do, the growth of this will be fantastic. What could happen is a city could buy gas at a wellhead, have it transported through the pipelines and bypass paying any kind of state utility tax on that gas. So I don't know what the impact is at the present time, but we anticipate a major impact unless this loophole is closed."

McPike: "To the Amendment, Madam Speaker."

Speaker Breslin: "Proceed."

McPike: "I think that this is not a simple Amendment; but, in fact, it is an extremely complex piece of legislation. The reason it is is that for many years large industries have not been paying this tax. Without knowing who we're applying this new tax to now, without having any data on which industries are being effected, without having any data as to the amount of gas usage that we're talking about, without having any information on the impact that this would have on a company or a... or a group of companies, we are adopting an Amendment that could cost millions of dollars. For example, in my district, we have a steel mill that uses the large... large amounts of natural gas. I do not think that they are currently

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subject to the 5% gas revenue tax that... that currently applies to those users who do not buy from the wellhead. For an... For a steel company of this size, I think they have about two thousand employees, I would guess that this tax would run them a million dollars or could run them a million dollars a month... or, I'm sorry, a million dollars a year. The steel company currently pays about two million dollars a month in electric costs to union electric. They use a tremendous amount of gas as any... any heavy industry would. Without knowing the impact that it would have on this... on this just one company, I would say that a small company like this that suddenly has a new tax imposed upon them of a million dollars a year, it could mean the difference between staying open or shutting down. This particular company had a profit the first quarter of this year, the first time in five years. I only use this one example because it's my district. There may be a hundred examples like this. There may be a thousand. There may be five thousand. But to move ahead with a tax, a broad based tax, a tax with revenue potentials of ten million, fifty million, a hundred million dollars without having any idea of where the tax will fall, without having any idea of what impact it will have, without having any idea of what kind of impact it will have on our economy, I think is ludicrous. This is the type of legislation that should be held in Committee. This is the type of legislation we should ask both the Department of Revenue and the Commerce Commission to supply us with information on so that we have some idea of what we're doing. To do it on the House floor three days before the deadline with absolutely no data whatsoever to act upon, I don't think speaks well for the legislative process. So I would... I would think that this is the type of Bill we should put in Interim Study. This

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Amendment should go in Interim Study. It's the type of Amendment we should have hearings on so that we have some idea what we're doing. Not an hour ago, we... we passed Representative Homer's Bill that would cut utility taxes both to consumers and would probably freeze utility taxes to industry. An hour later we come along with a Bill that would add utility taxes back onto some industries that do not now... that are not now paying these taxes. It may be equitable. It may not be equitable. I haven't the faintest idea how to judge it. I do know that it could threaten a small company in my area. It could cause, perhaps, a loss of two thousand jobs in my district. For that reason, I oppose it. And for the various reasons I've raised, I think you should oppose it."

Speaker Breslin: "The Gentleman from Edgar, Representative Woodyard."

Woodyard: "Thank you, Madam Speaker. I rise to support Amendment... on this Bill. It does exactly what Representative Keane, the Chairman of Revenue Committee, intends it to do. This Bill is not an additional tax or anything by any stretch of the imagination. It does close a loophole in the... in our present utility tax laws that allows certain customers to buy gas at the wellhead. And when they take title at that gas in the pipeline as it enters the state, there's no tax collected on that. I don't think that's fair to me, as a consumer, and I don't think that's fair to you as a consumer. This does just exactly that. It closes that particular loophole, and the taxes would be collected on it. And the last comment, yesterday in the Senate, there was a Bill passed out of there, Senate Bill 110, which attempts to address the same problem, this very issue, but it does it in an entirely different manner. I will tell you that this Amendment

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addresses that issue in a far better manner than Senate Bill 110. Senate Bill 110 would actually define a pipeline... a pipeline company as a public utility with all of the rules and the regs and the rate setting that would be incumbent by the Illinois Commerce Commission on the pipelines. And I don't think we want that. This simply is a... is a way that... to close this loophole, and certainly it will generate revenues. Nobody can project or predict at this time how many dollars increase this will be, but certainly it is a large amount of money that is not being collected by the State of Illinois in a fair manner. And I urge the adoption of this Amendment."

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

Keane: "Thank you, Madam Speaker. The previous speaker said that this was a new tax, and it was a tax that we should take a lot of time looking over. It is not a new tax. People who have been using gas, taking it up, buying it at the wellhead and bringing it into this state without paying personal property tax, sales tax, tax on that have been violating the Revenue Act. It is a matter of the Department of Revenue going out and in some cases, there's going to be a lot of back taxes and penalties to pay. This just tells the people, many of whom are not aware of what their responsibilities are under our present law, that you're going to have to... you cannot go to a wellhead, buy a certain volume of gas, ship it through the pipelines and not pay tax on it. Rather than face a lot of back taxes and a lot of penalties, we wanted to get this out and done. We're also going to be faced with a similar kind of a thing with the deregulation if we ever deregulate electricity, where people will buy electric and transport it over the high... the high tension wires and sell it. It's got to

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be... It's the same thing. It's got to be taxed. This Bill codifies, clarifies, and the Amendment is not new legislation. It's trying to let the people in the State of Illinois know what their responsibilities are. And I'd ask for a favorable vote on Amendment #2."

Speaker Breslin: "The question is, 'Shall Amendment #2 to House Bill 1151 be adopted?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Homer. Have all voted who wish? The Clerk will take the record. On this question, there are 69 voting 'aye', 35 voting 'no' and 9 voting 'present', and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Keane."

Keane: "I'd ask for leave to hear the Bill on Third Reading."

Speaker Breslin: "There is an objection, Representative Keane."

Keane: "Madam..."

Speaker Breslin: "Representative Keane."

Keane: "I move that House Bill 1151 be heard on Third Reading."

Speaker Breslin: "The Gentleman moves that House... that the appropriate rules be suspended and that this Bill be heard immediately on Third Reading. The question is, 'Shall the rule be suspended and this Bill be heard immediately on Third Reading?' 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', 31 voting 'no' and 1 voting 'present'. And this Bill will be heard immediately on Third Reading, House Bill 1151. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1151, a Bill for an Act in relationship to information on utility tax returns. Third Reading of the Bill."

Speaker Breslin: "Representative Keane."

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Keane: "Thank you, Madam Speaker. I think we've discussed House Bill 1151. I have... I'd be happy to answer any questions and would ask for a favorable Roll Call."

Speaker Breslin: "The question is, 'Shall House Bill 1151 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Gentleman from Madison, Representative McPike, to explain your vote."

McPike: "Just briefly to explain my vote, Madam Speaker. As the Sponsor of the Bill said, this is not a new tax. We've been paying taxes on gas for a long time, but it's a new application of an old tax. It is a tax increase. It will undoubtedly be a tax increase on industry. The people that have not paid this tax in the past because of whatever reason are large industrial customers, and this new tax on industry could impose a burden that could create a problem in my district or anyone else's district. All I said earlier was that before we impose this new tax on large industrial customers we should know who they are and what impact this new tax will have."

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

Keane: "Thank you, Madam Speaker. I don't think that we should have two sets of rules for different types of taxpayers. I think that what we have here is we have a set of taxpayers who are... we have a set of taxpayers who are very large, who have been violating the law, have not been paying their just amount of taxes. If this happened to individuals we would have... we have plugged up these loopholes. It's unfortunate to see that we are... have two sets of rules, one for the fat cats and one for the common person. Those of you who are voting red on this have a vote for the fat cats, and so be it."

Speaker Breslin: "Have all voted who wish? The Clerk will take

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the record. On this question, there are 34 voting 'aye', 67 voting 'no' and 17 voting 'present'. This Bill fails to meet the necessary Constitutional Majority and is thus lost. House Bill 1154, Clerk... Out of the record. House Bill 1395, Representative Steczo. Clerk, read the Bill."

Clerk Leone: "House Bill 1395, a Bill for an Act in relationship to physical facilities of Illinois Park Districts. Third Reading of the Bill."

Speaker Breslin: "Representative Steczo."

Steczko: "Thank you, Madam Speaker. Members of the House, House Bill 1395 is a Bill that would add a five cent levy provision to allow park districts to generate necessary funds to address repairs and alterations to their facilities required to meet standards imposed on them by other regulatory bodies. The necessary repairs and alterations can... can be completed only to meet health safety environmental standards and handicapped accessibility as well as energy conservation. The legislation mirrors legislation that was passed in the last couple years for school districts and for community college districts. The authority provided in House Bill 1395 can be used only - and I stress - it can be used only if the action is a result of the enforcement of any law or regulation by an agency that insists that a park district is required to alter or repair its facilities or if the park district board determines that an alteration is necessary and is required for health and safety, for handicapped accessibility and for environmental protection. Now in order for this nickel levy to be used, it has to be found first that there's a lack of sufficient funds available in their operation, building and maintenance fund, and there has to be an estimate from a certified engineer or architect that the expenditure will be over 25

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thousand dollars. The park districts are seeking this authority to assist them in meeting unexpected costs associated with mandates and mandated alteration of their facilities to meet health and safety standards and to bring facilities into conformance with the requirements of handicapped accessibility. In addition to that, park districts quite often have taken over school buildings, and we understand that there is a problem which we discussed last year about asbestos. So the provisions of House Bill 1395, with the safeguards, will enable some of these concerns to be rectified, but the safeguards also will prevent just an automatic imposition of the levy. I would answer any questions and would urge support for House Bill 1395."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1395. And on that question, the Gentleman from Cook, Representative Parke."

Parke: "Yes, I rise in support of this Bill. A local community college in my area had a side of a building fall in. They did not have tax revenue to take care of it. They utilized this tax to rectify that problem. I believe the park districts in Illinois should have the same ability to have emergency funds set up, and so I ask for support of this piece of legislation."

Speaker Breslin: "The Gentleman from Cook, Representative Shaw. There being no further discussion, the question is, 'Shall House Bill 1395 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Representative Steczko, one minute to explain your vote."

Steczko: "Thank you, Madam Speaker. Let me reiterate to the Members of the... of the Body two things. This is not an ongoing levy. It's a levy only that would meet certain

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specified projects. And even within those projects there are safeguards that have to be provided, such as an authority that the park districts must correct this. In addition to that, there's an authority that the project has to cost more than 25 thousand dollars. It's the same type of provision that we have allowed, as Representative Parke had mentioned, to elementary districts or school districts and community college districts. It does not effect the City of Chicago, and I would appreciate a few more 'yes' votes."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 64 voting 'aye', 48 voting 'no' and 5 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1504, Representative Giorgi. Clerk, read the Bill."

Clerk Leone: "House Bill 1504, a Bill for an Act to amend an Act relating to the organization of public health districts and for the establishment and maintenance of a health department. Third Reading of the Bill."

Speaker Breslin: "Representative Giorgi."

Giorgi: "Madam Speaker, House Bill 1504, which affects three public health districts, allows those districts to raise their ceiling for their annual tax from 10.10 to .15 to pay for increased health care costs. This affects only three health districts. It provides for a backdoor referendum, and these organizations can't be put together unless there is a referendum. I urge the support of the House on this Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1504. And on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 1504 pass?' All those in favor vote

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'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 32 voting 'aye', 71 voting 'no' and 9 voting 'present'. And this Bill, having failed to received the Constitutional Majority, is hereby declared lost. House Bill 1847, Representative Currie. Clerk, read the Bill."

Clerk Leone: "House Bill 1847, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Breslin: "Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. The underlying Bill, House Bill 1847, as introduced, is in response to a 1984, Illinois Supreme Court Decision interpreting the Illinois Revenue Act. The problem in that particular case was that through ministerial, administrative, clerical assessor error a particular piece of property in a large... large group of properties was omitted over a period of ten years. When the assessor discovered the error and was sought to collect back taxes, under the Revenue Act, they were required to establish substantial penalties and interest against the company in question as well. There was in that case no evidence that the company itself had any reason to think that the omission had occurred. There was no question of fraud on the part of the company involved. The Supreme Court, I think, would have been happy to have been in a posture where it could have collected against the company the taxes that actually were due and owing but was uncomfortable assessing them with a very substantial interest and penalty payment. The underlying provision in House Bill 1847 reflects a... Solomon-like decision that in cases like this where clerical error is the problem, no showing of intent or fraud on the part of the taxpayer, the option of

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collecting the taxes should be available without the requirement that interest and penalties be included as well. Amendment 1... House Amendment 1 to House Bill 1347 is a proposal that would delete statutory authority for us to enact a statewide property tax. We do not presently... We do not presently enact... we have not enacted such a tax. None is in place at the moment, and the proposer of that Amendment was anxious that we limit our further opportunities to do so. There may be some question as to whether some outstanding bonds could make this a... not a specialty-wise proposition for us at this particular time. But certainly, it's a very popular measure with the Members of this House, and I urge support for the Bill while we further investigate the question of outstanding bonds with respect to House Amendment 1."

Speaker Breslin: "The Lady has moved for the passage of House Bill 1347. And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Will the Sponsor yield?"

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

McCracken: "To the Bill itself, you talk about property or acreage omitted."

Currie: "Yes."

McCracken: "If it was omitted, well, I suppose it would have to have been omitted in its entirety for no tax bill to have been issued, so you're talking about partial omissions or mistakes."

Currie: "Right. In this particular case, the... the acreage in question never... never got a pin number, and when that was later discovered after an aerial survey I think ten years had elapsed so the tax bill in question was hefty. What made it especially difficult a case was that the penalty and interest payments would have been even heftier. And

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given that there was no evidence that the company knew about the omission or was attempting to... to defraud the Cook County assessor's office or failed deliberately to pay taxes due and owing, the... the court ruling was that the company had no liability whatsoever. This... This Bill then says in that situation the property owners should be liable for the taxes, but does not need to pay penalties and interest since the taxpayer had no reason to know that the taxes were... were, in fact, due in the first place."

McCracken: "Okay. Thank you."

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

Cullerton: "The Sponsor yield?"

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

Cullerton: "Now as to the Bill itself as was originally filed, you've indicated this tracks a recent Supreme Court case?"

Currie: "No, it is a response to a recent Supreme... Illinois Supreme Court case. In that case the Court finding no reason to... to suspect that the company, whose property was at issue, whose taxes were at issue, had any reason to think that the taxes were due, was not... there was no evidence of intent to defraud or intent not to pay taxes on the part of the company, I think the Supreme Court, looking at the provisions of the 1939 Revenue Act, felt that it either had to say the company owes nothing or the company owes not only 10 years of back taxes but also hefty interest and penalty payments. The Court didn't find reason, a good public policy purpose, in supporting the total amount, so the Court, in effect, said to the gravel company, 'You don't owe the County of Cook anything.' I think that was not the best possible outcome, but not... not because I think the Court was wrong, but only because I think there was an omission in the Revenue Act. And this

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Bill, House Bill 1847, is meant to fill that gap and provide for the collection of back taxes in a case of ministerial assessor error without... without requiring that the taxpayer be liable for penalty and interest payments when that taxpayer had no reason to think that there was any kind of mistake involved in the tax bill itself."

Cullerton: "Okay. Let me ask you then about Amendment #1. My understanding is that there have been some bonds that have been sold, and they've been sold with the understanding that the state had as a ultimate last chance situation to impose a... a property tax. And it was the existence of the possibility of imposing that tax that... that allowed for... that was incorporated in the sale of the bonds. So it would seem to me that by eliminating that possibility, even though it hasn't been used for 40 years, that we may be impairing that contract that was entered into with the sale of those bonds. Now do you have a... a defense for that Amendment that you're... that you're trying to pass into law now?"

Currie: "I alluded to that... to that issue. I eluded to that issue in my opening remarks, Representative Cullerton. There is a question. The question you raised is precisely the right question to raise. We're investigating the question. We're trying to find out whether there would be an unconstitutional impairment of bonds already outstanding against the State of Illinois. I did mention that Amendment 1 to House Bill 1847 seemed to be a very popular proposal with the Members of this chamber, and I thought that while we find out whether there is this constitutional impairment issue, we might just want to support House Bill 1847 on Third Reading in this chamber and send it across the rotunda."

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Cullerton: "Well, I personally think, Madam Speaker, that the best way to approach this would be to have Representative Currie pick up a... a Senate Bill that amends the Revenue Act and amend her fine Bill onto that so we wouldn't have to rely upon the... the great minds over in the Senate to hold this Bill while we investigate whether or not it's unconstitutional. I think it might be... Amendment #1 might clearly be unconstitutional. I don't know what effect it has on the... the constitutionality of the whole Bill. It may... It may hurt Representative Currie's Bill. So I assume that with the popular Amendment being adopted that this Bill will pass, but I want to note for the record my reservations."

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

Currie: "Thank you, Madam Speaker. Members of the House, I think both issues in the Bill are... have been well and sufficiently addressed. I share Representative Cullerton's reservations about the constitutional impairment issue. I hope that we will have better answers to that question before this Bill should reach the Governor's desk."

Speaker Breslin: "The question is, 'Shall House Bill 1847 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Representative Homer, would you vote me 'present' please? Have all voted who wish? The Clerk will take the record. On this question, there are 97 voting 'aye', 10 voting 'no' and 7 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2259, Representative Greiman. Clerk, read the Bill."

Clerk Leone: "House Bill 2259, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Greiman."

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Greiman: "Thank you, Speaker. Sometimes we find legislation in different ways. Sometimes it's through personal experience. In another life, in another city, I'm a lawyer, and I do real estate transactions as well as others. The General Assembly has authorized municipalities to tax transfers of real estate, and that's perfectly alright. And, as a matter of fact, a number of Cook County suburban communities have agreed, I mean, have thought that was a grand idea and are presently, in fact, taxing real estate transfers. And I don't quarrel with that. But what they have done is to set up all kinds of conditions to... to get the taxes paid. For example, traditionally, if you want to get... if you want to pay a state transfer tax under the old days when we used to have federal transfer tax, all you had to do was pay the money, get the stamps, affix the stamps to the deed, and you could have the stamps... they were like... they were like currency. You bought them at the title company. You bought them at the recorder's office, and they were revenue stamps. Now, in Dalton, which is a city in Cook County, they tell you, 'Send the deed in.' Now some... who knows who the grantee is going to be. Sometimes we don't know who the grantee will be until the day of closing. But never mind. Dalton says, 'Mail the deed to us, and we'll put the stamps on.' Why? What for? Calumet Park, another community, says you have to come in and you have to bring the deed in. And you can't... It has to be signed in front, and you can't... who knows who's going to sign the deed? Who knows anything about it until the closing? Now those aren't downtown. Those are maybe 30 miles from the center of the City where you record the deeds. So you've got to find a way to go out and buy, like if it's for 80... a 100 thousand dollar house, you've got to buy 500 dollars worth of stamps.

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We're talking five dollars a thousand. But Des Plaines, Illinois, which is about 25 or 30 miles from the center of the City, that has an even better one. They want you to bring in the deed. They want you to bring in a real estate... a survey, if you have one. They want you to bring in a title commitment. Never mind the buyer may not want all those things. Now what do I do. Do I give the buyer the deed to go out... I don't want to give him the deed until he pays the money. That much I learned even before law school. So what this Bill does is merely saying that the communities have to sell you the stamps if you write them and you give them a transfer declaration, and you say, 'I want... I have 500... a 50... 100 thousand dollar house. Here's 500 dollars.' And they send you 500 dollars in stamps. And when I... when I get ready to record the deed, I affix the stamps to the deed, just like we do in Cook County... stamps, just like we do in the State of Illinois' revenue stamps. And that's what you do. And it makes some sense. Also it provides... it allows you to go to the registrar. The community may want to go to the registrar of titles and work out a deal to be sold right there in the registrar's office. It's only precatory on the recorder. He doesn't have to go into it. But if they want to work out a deal, they can do it. The City of Chicago, which is sort of in the center of the City, does have a water certification, and the Bill excludes cities over 500 thousand for water determination. And that's not a problem because the City's water department happens to be on the same building in that little duplex on Washington and Clark that houses the county recorder. It's a Bill that makes sense. It... It... You know, we... In government, we give them authority. They then take authority, and somebody says, 'Let's pass a fancy

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ordinance.' And suddenly, it becomes a whole mishmash just to record a deed, just to sell a piece of real estate. Nobody wants to take the money away from the communities, just make it simple to... to affix the deed... the stamps and go about your business. I would ask you, therefore, to give this fine Bill your approval."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2259. And on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "We're for this Bill, Representative Greiman. Parliamentary inquiry. Are you preempting home rule?"

Greiman: "Yes."

McCracken: "After what you said yesterday, are you preempting home rule?"

Greiman: "Sometimes there are matters so... that get to the gut of democracy."

McCracken: "Well, I'm in favor of this Bill too. It's a good idea, and I hope it gets the requisite number of votes."

Speaker Breslin: "There... The Gentleman from Macon, Representative Tate."

Tate: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield?"

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

Tate: "Representative Greiman, this Bill does preempt home rule. Is that correct?"

Greiman: "Yes."

Tate: "Would you be willing to take this Bill back to Second Reading for an Amendment preempting home rule for... for gun issues?"

Greiman: "Well, you may remember that I had an insurance issue that I wanted to tack on a gun issue, and the good Parliamentarian said that that was not germane. So I wouldn't want you to have an ungermane Amendment."

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Tate: "Well, Madam Speaker, Ladies and Gentlemen of the House, I'd like to rise in support of this Bill. But I would like to also point out that what the Sponsor has indicated in this debate is that we have a mishmash network of laws on real estate transfers and a hodgepodge network of... of different municipalities doing it differently. And as the Sponsor had indicated yesterday on the issue of home rule, we all have concerns over local jurisdiction, local authority, the rights of local government to make their determination. And I... I just wonder sometimes how this... this issue applies to that entire debate; however, I do think the Sponsor's come up with a good idea. And hopefully, now since he is an enlightened individual, when we hear House Bill 410 later on this week, maybe he can reciprocate the votes."

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

Dunn: "Thank you, Madam Speaker. I rise in support of this Bill. The Sponsor has finally gotten hold of a good piece of legislation, and Lord knows he's overdue. Let's support this Bill."

Speaker Breslin: "There being no further discussion, the question is, 'Shall House Bill 2259 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 117 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we skipped over one Bill on this Call. With leave, we will go back to it. That's House Bill 152, Representative Mautino. Clerk, read the Bill."

Clerk Leone: "House Bill 152, a Bill for an Act to amend Sections

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of the Revenue Act. Third (sic - Second) Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "For corrective purposes, I believe it's on Second Reading, and we passed over it as we were addressing Amendment #3."

Speaker Breslin: "The Gentleman asks... Is this Bill still on Second Reading, Mr. Clerk?"

Clerk Leone: "House Bill 151, which amends the Revenue Act, Second Reading. Amendment #1 was withdrawn. Amendment..."

Speaker Breslin: "No, it's House Bill 152. House..."

Clerk Leone: "152, amends the Revenue Act. Amendment #1 was withdrawn. Amendment #2 was adopted. Further Amendments, Floor Amendment #3."

Speaker Breslin: "I don't believe we adopted Amendment #2, Mr. Clerk. We took the Bill out of the record before we took action on that. Your records indicate... The records indicate that it was adopted, Representative Mautino. As a consequence, Representative Mautino asks that Amendment #2 be tabled. Is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is tabled. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Mautino, amends House Bill 152 on page..."

Speaker Breslin: "Representative Mautino."

Mautino: "Table."

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

Clerk Leone: "Floor Amendment #4, Mautino, amends House Bill 152 on page one and so forth."

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Speaker Breslin: "Representative... Mr. Clerk, what is the status of Amendment #1?"

Clerk Leone: "Amendment #1, was withdrawn."

Speaker Breslin: "Amendment #1 was withdrawn. Amendment #2 was tabled. Amendment #3 was withdrawn. We're now on Amendment #4. Proceed, Representative Mautino."

Mautino: "Thank you. Number... Amendment #4 is the Amendment that I discussed with Representative Woodyard, Representative Vinson, Representative Cullerton and those individuals who had a problem with the first three Amendments. Basically, what this says is before a property sale... tax sale is consummated, the mortgage holder as well as the property owner, who requests notification before that happen 15 days under this Amendment, will be notified. This is to protect the individual who may have misplaced their tax bill, not paid it on time and this Amendment and the Bill, subsequently, allows for notification to the mortgage holder as well as the property owner that a tax sale is eminent and the taxes then could be paid. And I move for the adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to House Bill 152. And on that question, the Gentleman from Cook, Representative Piel."

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

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

Piel: "Question, we've either tabled or withdrawn 1, 2 and 3. You're leaving Chicago and Cook County into the Bill then?"

Mautino: "Amendment #4 does take them out."

Piel: "Okay. Fine. Thank you very much."

Speaker Breslin: "There being no further discussion. The question is, 'Shall Amendment #4 to House Bill 152 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' it, and

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

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Mautino now asks for immediate consideration to hear House Bill 152 on Third Reading. Is there any objection? Hearing no objection, the Attendance Roll Call will be used so that this Bill can be heard immediately on Third Reading. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 152, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. Basically, Amendment #4 for all intent purposes becomes the legislation. In its final form now, this legislation, 152, has the County Treasurer notify the mortgage holders of property prior to the application to the courts for judgments on the property for sale as a tax delinquent provision. This Amendment and the Bill states that the mortgage holders and the individuals will be notified 15 days before hand. It's a good piece of legislation. Protects the home owner from a tax sale being made on their property if they, in fact, were on vacation or away for six months or, in fact, if they disregarded or lost the notice. It's a good consumer measure and I respectfully request your 'aye' votes."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 152. And on that... There being no further discussion. The question is, 'Shall House Bill 152 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 116 voting 'aye', none voting 'no', and

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none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we had scheduled to go to the Order of Education Reform at 3:00. The hour of 3:00 having almost arrived, we will go to the Education Reform Calendar. That appears on page 28 and the First Bill is House Bill 62, Representative Greiman. Representative Greiman. Clerk will read the Bill while we wait for Representative Greiman."

Clerk Leone: "House Bill 62, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "With leave of the Body, we'll have to take this Bill out of Third... out of the record and we'll come back to it, if there is leave. Representative Giglio, in the Chair."

Speaker Giglio: "We are now on House Bills Third Reading, Education Reform, on page 28 of the Calendar. I would ask that we have leave to hear House Bill 1095 on this Order of Business and we'll put in the order when we come down... down the line. Hearing no objection, leave is granted. Okay, House Bills Third Reading, Education Reform, House Bill 62, Representative Greiman."

Greiman: "Speaker... Speaker..."

Clerk Leone: "House Bill..."

Greiman: "A number of components of the education program, we believe... many of us believe are essential. One of the first is that there be a certification process for teachers not different, not too different from the kind of certification that the State Boards do for doctors, Bar Exams do for lawyers and that it be an appropriate kind of certification. House Bill 62 provides that from July 1, 1988, we begin testing teachers to assess their knowledge in certain fields. This is new applicants, not teachers

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who are teaching now, not people in the systems now, new applicants to receive certification in Illinois would have to have an assessment of their basic skills, their subject content knowledge in their specific subject field. It requires the State Board to conduct a pilot study. It requires applicants for school service personnel to be certificated under this Section as well. It abolishes the current State Board's system and local board under Chicago and makes one teacher certification standard, so that teachers who live in Waukegan, who are certified in Waukegan, and teachers in Madison County and teachers all over this state have the same kind of high quality. We think it's important. It does not by the way limit other school dis... the school districts from imposing higher standards. Indeed, they could impose higher standards if they wanted to. It is that kind of reform that we believe will be appropriate for Illinois school children to receive the highest and best kind of education. And I would ask for passage of House Bill 62."

Speaker Giglio: "Mr. Clerk, read the Bill, please."

Clerk Leone: "House Bill 62, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Giglio: "On the question, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I rise in support of this piece of legislation and commend the Sponsor... commend the floor handlers since this is now part of the Committee package, but Representative Greiman has worked on this issue throughout two legislative Sessions. He has responded to the request of the Committee to make changes in the legislation and provide us with a good system of teacher certification throughout the state, and I urge your vote and support of the measure."

Speaker Giglio: "Further discussion? Representative Hoffman."

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Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I, too, rise in support of this legislation and to commend the Sponsor for the time and the effort that he has put into the program. This kind of legislation, I think, will do a lot to increase the public's confidence in the teachers and the teaching profession, and I would ask that we vote 'aye' on this legislation."

Speaker Giglio: "Representative Ryder."

Ryder: "Thank you, will the Sponsor yield for a question?"

Speaker Giglio: "He indicates he will."

Ryder: "Representative, I like you are one of the fortunate people that went through the misery of a bar exam to which you made allusion earlier in your comments, and I found that that Bill was subject matter, but it had very little context with the ability of a person as an attorney. I'm wondering how it is, if you could describe to me, that the certificating process would test the abilities of a teacher or is it similar to the bar exam and that it only tests subject matter knowledge?"

Speaker Giglio: "Representative Greiman, to respond."

Greiman: "Yes, thank you, Mr. Speaker. They can test, of course, whatever they like. I mean, we give the State Board that broad discretion to determine test. They could, I suppose, like they do in, you know, state boards for dentist, have practicals. I'm not sure that you can do it in a meaningful way in this kind of a context, but at least the beginning is to test the academic credentials to make sure that the person is well-founded in the basics that you need to teach. Now, obviously school boards can... will have to do interviews. They'll have to determine personalities. They'll have to determine all the other things that they discern that they used as indicative of whether or not a person should be hired. This doesn't get you a job. It

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just get you the paper to get a job, not unlike, you know when I had a law license, it didn't mean I was going to make a living out of it. Some days I don't."

Ryder: "Some days like today. But what you're saying is that..."

Greiman: "And... and let me just point this out as I think of it too, that in part... in every educational system has a practice teaching component so that there is that quality as well. And I think that the thrust of this Bill is really to go to the education schools and say, do better, turn out better, be more critical, that's what it's about."

Ryder: "Then to the Bill, if I may."

Speaker Giglio: "Representative Ryder."

Ryder: "Then let us not be persuaded that one receiving a certificate, and I intend to favor this Bill because of what it said. But let us not be persuaded that simply because one receives a certificate that it's in the indication that one is, will be or has been a good teacher but rather that one has met the minimum requirement and that the practical aspect of teaching is something that will have to be examined in some other fashion."

Speaker Giglio: "The Gentleman from Macon, Representative Dunn. Representative Dunn, do you care... wish to speak?"

J. Dunn: "The Sponsor yield for a question?"

Speaker Giglio: "Indicates he will."

J. Dunn: "The analysis of the Bill indicates that the teacher certificate shall be specifically endorsed for each subject the holders certificate is qualified to teach. What... I'm a little confused by that. Does that mean that your teaching license will say that you are a math teacher and if you're called upon to teach history, you... let's say, geography, a related subject, would you be able to teach geography? What does this mean?"

Greiman: "The endorsement on your certification will show where

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you can teach and what fields, areas you can teach. The test will be directed, Representative Dunn, to your specialty, to the specialty that you wish to teach. Now, a lot of people, I suspect, will get a lot of specialties and that will be more typical so that there will be a lot of switch hitters as there are today in the schools, but the initial certification will have to be in some areas... subject matter. That was done at the request of the Committee. That was an Amendment that was added because of the Committee's requirement that it be done with specificity as the subject matter."

J. Dunn: "Well, I'm... I'm confused a little bit by this. In the classic cases, the football coach who teaches history and sociology and... or could put it more plainly. In a small school where the school season opens and there is a vacancy and somebody has to teach history, and we have to draft somebody who's already on board to teach history, scramble with the books. That's what we do now in the smaller districts. If this... if nobody happens to be qualified to teach a particular history course, then what'll we do? Do we have to go out and fire somebody and bring somebody in who is qualified to teach history as well as math and geography? How do you do this?"

Greiman: "Well, I think that what we have to do is to develop a degree of competency in Illinois teachers, not that they are... most are competent and to develop competency in a subject matter level. And I think that's what critical to our education system and that's what this Bill is all about. I understand... As to your answer, I'm not sure but obviously, they have to get somebody... have to get somebody who's certificated in history. Now, most schools will have a lot of switch hitters."

J. Dunn: "How does a teacher how is qualified to teach geography

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and mathematics and five years later, they decide they'd like to addition be qualified teach history. How do they come back and get that qualification to teach history?"

Greiman: "They would get certificated in that area."

J. Dunn: "Have to go back and take the test again?"

Greiman: "No, not... not the test. They'd have to take a different test that would certificate them in a different subject area."

J. Dunn: "Will there be a separate test, then, for each area? I really... seriously, I have trouble visually..."

Greiman: "That's what the Bill... yes, that's what the Bill provides. The Bill provides that... that it'll be by subject area. So that... there will some general testing, but there will be some... this was what the Committee was very specific about. It believes that that unless you had a test that really brought the competency of a teacher who teaches history up to snuff, that we weren't getting the competency that somebody who's a... who is a teacher of manual training or industrial arts may not be competent to teach in another course and it just... We don't need a lot of bodies just to stand in front of the classroom. We need people who are con... conversive in the subject matter."

J. Dunn: "Mr. Speaker, Ladies and Gentlemen of the House, to the Bill. I just would indicate that the analogy that was drawn earlier to a legal profession is... in the legal profession if you pass the bar examination, you receive a license to practice law in... essentially, in any of its specialties and then you must develop the expertise later so you don't have to make a life long decision as a person right out of school. I think that's what this test is going to do. It's going to require people who want to enter the teaching profession to choose for a lifetime while they're in school what's specialties they're going to

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teach, even if they would find out later that they might want to change, but it's a good step in the right direction - lot of good parts of this Bill maybe... if they are difficult in this area, maybe they can be worked out. It does seem to me a little awkward to require a teacher who want to be a teacher to take a general test and then, maybe, to take 5, 6, 8, 10 other separate tests to qualify for certain subject areas if they really want to be flexible. I think, surely, there is a better way."

Speaker Giglio: "Further discussion? Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Sponsor of this Bill originally and who is now the floor manager for what is a Committee Bill that was produced with the cooperation of Representative Greiman who by the way did a very fine job, I think, on this piece of legislation and was more than willing to listen to the reasons that the various Members of the Subcommittee and the Whole Committee had about the whole topic of teacher certification. His Bill, in its form before you today, I believe is, indeed, an integral part of any education reform in Illinois. I urge its adoption. Thank you."

Speaker Giglio: "Representative Weaver."

Weaver: "Thank you, Mr. Speaker. Hello. Hello. Thank you, Mr. Speaker, Members of the General Assembly. I rise in support of this Bill as a Member of the Educational Committee and also as a teacher. We've got a number of teachers in this Body who consider themselves professional. I have talked with many teachers in my district and many colleagues who also consider themselves professionals and welcome the scrutiny that this type of measurement would involve. But make no mistake when you go back to your constituents and you ask them for increase taxes to fund education and to increase the average salary of the teacher

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in this state, they're going to demand something in return. They're going to demand a higher level of education. They're going to demand certificated teachers and they're going to demand some form of evaluated process that's going to guarantee something that they're paying for. This is a step in the right direction. We've got to ensure that the people that we put in the classrooms are well trained, not only in teaching techniques, but in the subject areas that they're teaching that we don't end up with something like drivers ed teachers or a coach who is teaching in a field that they're not really qualified for just because they don't have the personnel to fit those spots. Make no mistake when you go back to your constituents and tell them that you're going to endorse a higher level of salary for the teachers in the classrooms. They're going to want to see something more for their money. I urge passage of this Bill."

Speaker Giglio: "Further discussion? Representative Oblinger."

Oblinger: "Mr. Speaker and Members of the General Assembly, I'm probably the only one here who has taught in a one room country school in the elementary school and the secondary school and also on the college level. And in answer to, I'm just going to be brief, I want to answer one question that was raised by one of the Representatives. On the elementary level I would have suspect the competency exam would include all subject matter and they would have to show their competency there; but, when you get to the secondary level, you really do have to have more specialized knowledge. I'm going to give you two examples, I was teaching a world history class and met with the other two teachers. They had never heard of the Country of Lebanon and they had never heard of the United Arab League and yet, they were teaching our children world history. We

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are going to have to be sure that their majors and minors are in those fields in which they're teaching, and I think this is what Representative Greiman's Bill is all about."

Speaker Giglio: "Representative Huff."

Huff: "Yes, Mr.... Will the Sponsor yield?"

Speaker Giglio: "The Sponsor indicates he will."

Huff: "Representative Greiman, does this apply to Chicago as well?"

Greiman: "Yes, it does."

Huff: "Well, would you mind telling me... It's laudable what you're doing. How would that reconcile with the reality of the classroom situation. You know, I've heard other Representatives who are teachers talk about their school districts. I think we should emphasize that in Chicago there is no comparison to the school situation in their districts. It's no question in my mind, Ladies and Gentlemen, that a test of this nature would show that a teacher is competent, but I think that competency would fall apart in the realistic atmosphere of the Chicago classrooms where the teachers are inundated with superfluous lesson plans, and when there's a discipline problem arise, the principal is nowhere to be found, the principal's office is shuttered, and probably two gang leaders are posted on either side of the door. That's the reality there, plus, what is a teacher to do in a classroom where there are no books, no supplies, unless she pays for it or he pays for it out of their own pocket. That's the reality that this competency is going to come up against in the real world school situation in Chicago, which is unlike, I'm quite sure, any experience that our downstate colleagues are talking about with reference to their school districts."

Speaker Giglio: "Representative Greiman."

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Greiman: "Well, the question was... is a good one, in part rhetorical, but I answer it, and I answer it this way: The children in this state, wherever they live, deserve to have competent teachers. Children in this state deserve to have dedicated teachers. Children in this state deserve to have the best, and that's in Chicago, too. To suggest that they will not have different challenges would not be realistic. Once they get certificated, once they're out in the field, their experiences were very different. There's no question that a different experience faces a teacher in the suburbs or in exurbia and a teacher in the inner city. But those are situations which exist now, whether competent or incompetent. This test... why should we send anybody into any school in this state, that has not reached a level of competency, anyplace. Children in this state are entitled to have a level of competency of which we can all be proud, everywhere."

Speaker Giglio: "Representative Huff, are you finished?"

Huff: "Yes, Mr. Speaker."

Speaker Giglio: "Representative Kulas."

Kulas: "Thank you, Mr. Speaker. If we're going to spend half an hour on each Bill to which there is no opposition, then we might as well sit here until midnight every day, because we'll never get through. And I move the previous question."

Speaker Giglio: "The Gentleman moves the previous question. All those in favor signify by saying 'aye', those opposed? The 'ayes' have it. The previous question is adopted. Representative Greiman to close."

Greiman: "I appreciate the discussion on the Bill. I hope this Bill will afford competent young people in our school system, and I hope that they will burn with the fire to teach, and the competency to do so."

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Speaker Giglio: "The question is, 'Shall House Bill 62 pass?'

All those in favor vote 'aye', those opposed vote 'nay'.
Have all voted who wish? Have all voted who wish? Have
all voted who wish? Mr. Clerk, take the record. House
Bill 62, having received 116 'aye', none voting 'no', 2
voting 'present'. This Bill, having received the
Constitutional Majority, is hereby declared passed. The
Chair, when we started this Order of Business,
inadvertently gave you the wrong number for another Bill to
be presented on this Order of Business, House Bill 1095. I
ask leave to take this Bill out of the record. I have
leave. Hearing none, leave is granted. House Bills Third
Reading. On page 28 of the Calendar appears House Bill 90,
Representative Currie. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 90, a Bill for an Act to amend the
School Code. Third Reading of the Bill."

Currie: "Thank you, Mr. Speaker and Members of the House. House
Bill 90 contains the early childhood education reform
proposals finely crafted by the House Committee on
Elementary and Secondary Education. For the last twenty
years, we've known in this country that if you want to make
a difference to children's success in school and in later
life, the best time to start, the best place to begin is in
their early years. The proposals here reflect that kind of
research, research most recently available from a long term
study of children with and without preschool programs in
Ypsilanti, Michigan. Following those children for over a
19 year period, researchers discovered that the children
who had access to quality programs were only half as likely
to need special education services in their later school
years, were ever so much more likely to find and keep jobs
after they graduated from school. In fact, those
researchers suggest that there is a seven to one benefit

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from dollars spent on early education programs. Every one dollar we spent is likely to save us or net us seven dollars in the long run. In light of that research, the proposals embodied in House Bill 90 are quite moderate. There are three distinctive provisions. One would remove the present disincentive that makes it difficult for school districts to establish full day kindergarten programs. The proposal is to permit that second half day costs to be reimbursed through the formula at the same rate that present partial day programs are funded. The second proposal in the Bill is to establish a grant program for the operation of preschool activities by local school districts, again a permissive program. School districts interested in preschool programs would apply for grants to the State Board. Those programs are to be targeted to children who are at special risk of educational failure. The third provision of the Bill requires the State Board of Education to do a program to help evaluate school readiness among young children. I would be happy to answer your questions, and I certainly would appreciate your support for House Bill 90."

Speaker Giglio: "On the question, Representative Didrickson."

Didrickson: "Yes, Mr. Speaker, Members of the House, I, too, rise in support of this Bill. All of you have read the series of articles, editorials with regards to breaking the poverty chain in the Tribune over the past few months. This is a key component of that whole editorial progression of articles. Representative Currie has also emphasized the fact that for every dollar we put in we're saving seven dollars down the road. And I would also like to also underline the fact, particularly for my colleagues on this side who have questioned me with regards to whether or not this is mandated, no, it's not. This is permissive. Your

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local school districts can decide whether or not they want to apply for a grant for pre-kindergarten programs. They can also decide, at their own option, whether or not - with local control - whether or not they want to provide a full day kindergarten. I, for one, in my district, have been contacted by a number of schools, particularly grade schools, who plan to institute this program and, indeed, in school district 153 have already passed on this and will be putting this into place next year. I urge its adoption."

Speaker Giglio: "Further discussion? Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. I come from an area that has a number of schools, particularly, and not one kindergarten teacher has supported this particular idea, not that they are not in support of providing early education, but the mere fact that a youngster who is about five, four and a half, are really, at this point, not quite old enough to stay in school for a full day. Now, I think we ought to be a little practical on this. The fact that even though we're trying to provide good quality education, whether or not those youngsters can stay in school for a full day is really not probably in the best interests of those particular students and certainly for the teacher who is attempting to teach them for a full day. If you don't think it's difficult to stay at a classroom with kindergarten students, then you ought to try it. Try doing it for a half a day. Certainly, a whole day is much too much to ask for not only the teacher, but the students themselves."

Speaker Giglio: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. I would emphasize once again that this is a Committee Bill that was developed by the Elementary and Secondary Education Committee with the cooperation of Representative Currie. I would emphasize

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once again that the provisions in this Bill are all optional. No school district which wishes to have only half day kindergartens has to have anything other than half day kindergartens. It is my hope that many school districts will have both a full day and a half day kindergarten and, therein, is one of the advantages of this Bill. It provides considerable flexibility at local school district and by individual student levels. Local school districts may test very young children and determine that some of them are ready for a full day of kindergarten, some are ready for only a half a day of kindergarten, and most of all, they may test very young children and find that many of them are in need of preschool programs that precede kindergarten. Mr. Speaker and Ladies and Gentlemen of the House, this Bill is an essential element in any education reform package. And most of all, it puts our dollars and our attention in early childhood so that we do not need more dollars and more attention and more sorrow at the other end of the spectrum with the high school dropouts. I urge adoption of this Bill."

Speaker Giglio: "Further discussion? Representative from Winnebago, Mulcahey. Representative Regan, from Will."

Regan: "Thank you, Mr. Speaker, Members of the House. Will the Sponsor yield?"

Speaker Giglio: "Sponsor indicates that she will."

Regan: "I just have a little confusion in regards to the funding. You say this is optional. If the school district decides to start a full day of kindergarten program, how are they reimbursed?"

Currie: "They're reimbursed, Representative, through the state aid formula. They would be reimbursed for the second half day. Presently, they're reimbursed only for the half day program. All this Bill does is take out the disincentive

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that in the statutes right now discourages those school districts that would like to offer full day programs from doing so."

Regan: "In other words, only the school districts with the abundance of money would be able to implant this."

Currie: "Well, presently, only those districts that are able to charge the full costs to their local property tax payers are able to provide a full day program. This Bill says that the local share will be the same share that it is for the half day program if the school district chooses to go to the full day activity."

Regan: "Isn't this another situation where we're mandating an extra cost?"

Currie: "No, we are not mandating a cost because the Bill is absolutely optional. No school district under the provisions of this Bill would be required to offer a full day program. That isn't the intent at all. The intent is only to say that if, at the local level where good, strong education policy decisions can and should be made, if, at the local level, the school boards and the teachers and the parents think that full day kindergarten programs will have educational value, they're not going to have to pay the full cost out of their own pockets. They will be reimbursed at the usual state rate for providing the second half day, the same rate that they're now reimbursed for providing the morning program."

Regan: "Thank you. To the Bill. I believe that it's a good Bill. It's a good intent - full day kindergarten. I think the children that are five years old and definitely even younger, the brain is a computer that starts working from the time it's a fetus. It takes all the impact it gets and it places it in and it spits it out later on on the welfare rolls if it's got bad input. I think a child in a

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bad home surrounding, the quicker it's taken from that home surrounding and put in the care and comfort of a good, caring teacher will help and pay off in the past. I support the Bill, and I urge you to. Thank you."

Speaker Giglio: "Representative Wolf."

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

Speaker Giglio: "Gentleman moves the previous question. All those in favor signify by saying 'aye', those opposed 'no'. The 'ayes' have it. Question is... Representative Currie, to close."

Currie: "Thank you, Mr. Speaker, Members of the House. I think there's been adequate discussion of the permissive provisions of House Bill 90. This is the Bill that was crafted by the House Elementary and Secondary Education Committee. It is early education as a critical key to education reform in this state. Were we to talk about educational reform and leave out early education proposals, we, I think, would have failed in our mission this Session of the Assembly. I urge your support for House Bill 90."

Speaker Giglio: "Lady moves the adoption of... the adoption of House Bill 90. The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 93 voting 'aye', 22 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Third Reading - Education Reform, on page 28 of the Calendar, appears House Bill 123, Representative Brookins. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 123, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Giglio: "Representative Brookins."

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Brookins: "Thank you, Mr. Speaker, Ladies and Gentlemen. What we are attempting to do is establish three pilot programs at three different school districts in the City of Chicago, north, west and south, to see if we cannot impact on the controls that the gangs are having in these communities. We are going to offer social programs, taking them off the streets and removing them from the temptation of joining gangs. This program will be run by experts and people that are trained and have experience in dealing with young folks. I ask for a favorable vote. Available for any questions."

Speaker Giglio: "On the question - no discussion? Representative Brookins? Representative Huff. Excuse me."

Huff: "Yes, Mr. Speaker. Will the Sponsor yield?"

Speaker Giglio: "The Sponsor indicates he will."

Huff: "Representative Brookins, I see that this required a fiscal note, and it was filed. Can you tell me what the fiscal impact to the state would be, to run this type of program?"

Brookins: "A fiscal note was passed, and this... no dollar amount was set at present. It would be the amount that we to establish such a program, and I think it's somewhere around \$150,000, roughly."

Huff: "To the Bill, Mr. Speaker."

Speaker Giglio: "Representative Huff."

Huff: "You know, I listened to all of this... these measures talking about educational reform, but as a practical matter, as exemplified by Representative Brookins' Bill, these measures will have absolutely no effect in the school district of Chicago. The fact of the matter is that, notwithstanding the fact that we spent over a billion, 600 million dollars for that school system, only two percent of that money goes into any of the programs, and I don't believe that the 150 thousand dollars that Representative

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Brookins wants to put in that system would be any different. Our children are not getting the benefit of the monies that we spend, and none... and none of these Bills will have any impact on that fact, notwithstanding the fact that you're calling them reform. It's a euphemism. It's a charade."

Speaker Giglio: "Hearing no further... Representative.. excuse me... Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Will the Sponsor yield to a question, please?"

Speaker Giglio: "He indicates he will."

Cowlshaw: "Representative Brookins, it was my understanding that this Bill provided for a program which was an anti-gang type of activity program, but that it... the... there would be three programs like this, that one of them would be in the City of Chicago, and that the other two would be in two other school districts in some other part of the state with the State Board of Education to determine which two other school districts had the greatest need for such a program. Is that correct?"

Speaker Giglio: "Representative Brookins."

Brookins: "Representative Cowlshaw, in the beginning, I had envisualized (sic - envisioned) it to work in school districts in Chicago. In Committee and in talking with the State Board of Education, your interpretation is correct. Your interpretation is correct."

Cowlshaw: "That is right?"

Brookins: "That is correct."

Cowlshaw: "Very good. In that event, I think this is a fine Bill and deserves to be supported. Thank you, Mr. Speaker."

Speaker Giglio: "Representative Brookins to close."

Brookins: "I think that this will go a long way to help us

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understand the problems of the young folks with gangs and if we can deter this from spreading. I ask for a favorable vote."

Speaker Giglio: "The Gentleman moves that House Bill 123 pass. The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed by voting 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 94 voting 'aye', 22 voting 'no', 2 voting 'present'. House Bill 123, having received the Constitutional Majority, is hereby declared passed. On the Calendar appears House Bill 243, Representative Klemm. Mr. Clerk, read the... read the Bill."

Clerk Leone: "House Bill 243, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Giglio: "Representative Klemm."

Klemm: "Yes, Mr. Speaker. May I ask leave of the House to bring back House Bill 243 back to Second Reading for purpose of an Amendment?"

Speaker Giglio: "The Gentleman asks leave to bring House Bill 243 back to the Order of Second Reading for the purpose of an Amendment. All those in favor signify by saying 'aye', 'nay'. The 'ayes' have it, in the opinion of the Chair. House Bill 243 is on Second Reading for the purpose of an Amendment. Representative Klemm?"

Clerk Leone: "House Bill 243 has Motions to table Amendment #1."

Speaker Giglio: "The Gentleman asks leave to table Amendment #1. All those in favor say 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Further Amendments?"

Clerk Leone: "Further Motions. Second Motion to table. Motion to table Amendment #2 to House Bill 243. Representative

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Klemm."

Speaker Giglio: "Representative Klemm moves to table Amendment #2 to House Bill 243. All those in favor say 'aye', opposed 'nay'. Representative Satterthwaite."

Satterthwaite: "Could I ask a question of the Sponsor, please? Representative Klemm, do you have a further Amendment? Unfortunately, I haven't seen the substitute Amendment, so... "

Klemm: "The Amendment is exactly what you and I chatted about and is actually your Amendment."

Satterthwaite: "With a technical arrangement of the... "

Klemm: "That is correct, and that would be Amendment #3."

Satterthwaite: "Okay. No objection."

Speaker Giglio: "Amendment #2 is tabled. Mr. Clerk, are there further Motions?"

Clerk Leone: "No further Motions. Further Amendments. Floor Amendment #3, Klemm, amends House Bill 243 on page one and so forth. Representative Klemm."

Klemm: "Thank you, Hr. Speaker. Amendment #3 corrected the problem of Amendments 1 and 2, which we had a problem of engrossing... of trying to put that as part of the Bill, so we clarified that with Amendment #3 and also made a technical change to delineate the grades 9 through 12 and grades 10 through 12, rather than use a hyphenated line, and this clarifies it and becomes the Bill, and I ask for its adoption."

Speaker Giglio: "The Gentleman moves to adopt Amendment #3 to House Bill 243. All those in favor signify by saying 'aye', those opposed? In the opinion of the Chair, the 'ayes' have it. Amendment #3 is adopted. Representative Klemm."

Clerk Leone: "No further Amendments."

Klemm: "Mr. Speaker, may I move that the House waive the

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appropriate rule so that House Bill 243 could be heard on Third Reading immediately?"

Speaker Giglio: "The... This Bill is on Third Reading, and the Gentleman has asked that... he asked for immediate consideration to hear House Bill 243. Does the Gentleman have leave? Hearing none, leave is granted... the Attendance Roll Call. House Bill... Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 243, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Giglio: "Representative Klemm."

Klemm: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 243 gives a definition now in our statutes so that we can comply and meet the Federal Access... the Equal Access Act. The Federal Equal Access Act really says, in its provisions, that 'secondary schools' means a public school which provides secondary education as determined by state law. In checking the statutes in Illinois, I find that we had no definition of 'secondary education', much to everybody's surprise. In discussing this Bill with the Committee during Committee debates, we found out that the best definition is that used in the Document #1 of the State Board of Education's regulation for evaluation, supervision and recognition of schools, and that's exactly what House Bill 243 says. It simply says that for the Equal Access Act, the term 'secondary education' means the curriculum offered by a school district or an attendance center or centers serving grades 9 through 12 or grades 10 through 12, and I would answer any questions, if you have it."

Speaker Giglio: "On the question, Representative Bowman."

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

Speaker Giglio: "The Gentleman indicates he will."

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Bowman: "Representative Klemm, I have been contacted by some people who teach their children at home, and they have told me that there is a Bill around that defines elementary and secondary education in such a way that might preclude them from teaching their children at home, or at least make it more difficult for them to do so by requiring them to either be licensed or certified or approved or something by the board of education prior to their being able to do that, to provide their education at home. What effect will your Bill have on these people and their situation?"

Klemm: "My Bill will not change that, and for legislative intent for the record, let me at least add that this, in no way, is trying to change the home schools or the parochial schools or any other change. It is clearly trying to limit, somewhat, the definition for equal access."

Bowman: "Okay. So, as I understand it, you're saying that people who teach their kids at home now may continue to do so without any additional administrative burden or bureaucratic red tape. Is that correct?"

Klemm: "Well yes, I am. It's not my intent to change the definition of home schools."

Bowman: "Thank you."

Speaker Giglio: "Representative Levin."

Levin: "Would the Sponsor yield?"

Speaker Giglio: "He indicates he will."

Levin: "Representative, you're first of all, to be admired for stepping into this thicket. It is a rather sharp thicket, and there are a lot of thorns in it. I just have one question in terms of your intent, and I know this was covered in Committee, and I just wanted to get this on the record on the floor. Is it your intent, by this legislation, to give broad or narrow impetus to the concept of equal access?"

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Klemm: "Well, basically, when you have middle schools, for example, that have varying grades of, maybe, seventh, eighth, ninth and tenth, we end up finding out which is, by the Federal Act, the definition of an elementary school, and some of our problems we have is in the federal definition. What my Bill would do would tend to narrow that a little bit to certainly clarify specifically what grades we're talking about."

Levin: "Thank you."

Speaker Giglio: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, this Bill in a way is a 'merely' Bill, but this Bill in another way is a very important Bill to all of our local school districts. Lest anybody be confused about the issue, when we're talking about access in regard to this Bill, we are not talking about access to students to educational programs, we are, instead, talking about access to extracurricular activities within that school initiated by students. The federal law is very confusing in many regards, and I commend the Sponsor for working with us in Committee to put this Bill in appropriate form to delineate that it will be only for certain grades - nine and above - that this access law will apply in the State of Illinois. However, I think that we would be remiss if we did not caution all of our school districts about the implementation of this federal law. The federal law, as I understand it, does not require any school district to ever open their doors to the limited open forum required by the federal legislation. However, once a school district does open their doors to a limited open forum, then they must, in fact, give access to all other students who request access for forums in that school. And so, I would simply rise to caution our school districts that they be very

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cognizant of the impact of the federal law before they try to implement this law at the state level, and that they be very clear as to what groups will qualify for the parameters of this federal legislation and not be led astray, because once they have provided a limited open forum on the initiative of any student within their student body, then they must, in fact, provide equal access to all other student originated groups wanting to use that facility. And for that reason, I think that we should be very careful about the implementation of the federal law."

Speaker Giglio: "Representative Regan."

Regan: "Mr. Speaker, I make a Motion to call the question, please."

Speaker Giglio: "The Gentleman moves that the debate be cut off. Does he have leave? All those in favor say 'aye'. 'No'? The 'ayes' have it. Leave is granted. Representative Klemm to close."

Klemm: "Thank you, Mr. Speaker. I think we've discussed House Bill 243 sufficiently. I think it's necessary to have that definition and ask for your support. Thank you."

Speaker Giglio: "The question is, 'Shall House Bill 243 pass?' All those in favor signify by voting 'aye', those opposed vote 'nay'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'yes', 3 voting 'no', 4 voting 'present'. House Bill 243, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading on page 28 of the Calendar appears House Bill 320, Representative Braun. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 320, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Giglio: "Representative Braun."

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Braun: "Thank you, Madam Speaker... Mr. Speaker, Ladies and Gentlemen of the House. House Bill 320 is a simple Bill that authorizes the State Board of Education to make grants to local districts for before and after school extracurricular programs. As we discussed this in the Education Committee, the idea here is to allow for the education of the whole child, and as we deal with the issue of school reform, we not forget that things like the arts, liberal arts and sciences and music are part and parcel of the total education of young people. I encourage your support for House Bill 320."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 320 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 104 voting 'yes', 12 voting 'no', 1 voting 'present'. House Bill 320, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading appears House Bill 348, Representative William Peterson."

Clerk Leone: "House Bill 348, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Giglio: "Representative Peterson."

Peterson: "Thank you, Mr. Speaker and Members of the House. House Bill 348 provides that school boards may permit payment of school fees and other charges through the use of credit cards. This was a piece of legislation initiated through correspondence with local school districts. I know of no opposition. I would appreciate your affirmative vote on House Bill 348."

Speaker Giglio: "Any discussion? Hearing none, the Gentleman moves that House Bill 348 pass. All those in favor signify

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by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'yes', 2 voting 'no', 1 voting 'present'. House Bill 348, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading appears House Bill 409, Representative Virginia Frederick. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 409, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Giglio: "Representative Frederick."

Frederick: "Mr. Speaker, Ladies and Gentlemen of the House, I request leave of the House to return House Bill 409 to Second Reading for purposes of an Amendment."

Speaker Giglio: "The Lady moves that House Bill 409 return to the Order of Second Reading for the purpose of Amendment. Does the Lady have leave? Leave is granted. Mr. Clerk?"

Clerk Leone: "Amendment #2, Virginia Frederick, amends House Bill 409 on page two and so forth."

Speaker Giglio: "Representative Frederick."

Frederick: "I think, Mr. Speaker, I need to withdraw Amendment #1, which had a technical error in it."

Speaker Giglio: "The Lady wishes to table Amendment #1. Does the Lady have leave to table Amendment #1 to House Bill 409? All those in favor say 'aye', opposed 'no'. The 'ayes' have it. Amendment #1 is tabled."

Frederick: "Thank you, Mr. Speaker."

Speaker Giglio: "Mr. Clerk?"

Clerk Leone: "Further Amendments. Floor Amendment #2, Virginia Frederick, amends House Bill 409."

Frederick: "Amendment... "

Speaker Giglio: "Representative Frederick."

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Frederick: "Amendment #2 does exactly the same as Amendment #1 did, which was to limit the duration of the Bill for three years, and it corrects the deficiency in the first Amendment. I move adoption of Amendment #2."

Speaker Giglio: "The Lady moves for the adoption of Amendment #2 to House Bill 409. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it, and Amendment #2 is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading."

Frederick: "Now, Mr. Speaker, I ask leave of the House to suspend the appropriate rule and hear House Bill 409 immediately."

Speaker Giglio: "The Lady moves to hear immediately the House Bill 409. We'll have the Attendance Roll Call. Does the Lady have leave? Leave is granted. Third Reading. Representative Frederick on House Bill 409."

Clerk Leone: "House Bill 409, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Giglio: "Representative Frederick."

Frederick: "Mr. Speaker... Mr. Speaker and Ladies and Gentlemen of the House, House Bill 409 allows a school district, in the emergency situation of a fire or an earthquake or a tornado, to levy five cents for temporary relocation of a student body. The money so collected shall be used to pay back the state monies that may be received from the state. Amendment #2, which we just adopted, limits that levy to three years duration and also includes some other costs related to relocating the student body. I move approval of House Bill 409."

Speaker Giglio: "Any discussion? The Representative from Cook, Representative DeLeo."

DeLeo: "Would the Sponsor yield?"

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Speaker Giglio: "The Lady indicates she will."

DeLeo: "Thank you. Does this exclude Cook County?"

Frederick: "No, it does not. It applies to Warren Township High School, a high school in our district that was almost totally destroyed by fire in December of this year, and now that high school has had to relocate its total student body to an empty school building in another part of the county."

DeLeo: "Thank you."

Speaker Giglio: "Hearing no further discussion, Representative Frederick to close."

Frederick: "I just move affirmative action on this Bill."

Speaker Giglio: "The Lady moves that House Bill 409 pass. The question is, 'All those in favor signify by voting 'aye', those opposed by voting 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 105 voting 'yes', 12 voting 'no', 1 voting 'present'. House Bill 409, having received a Constitutional Majority, is hereby declared passed. On the Order of Third Reading appears House Bill 414, Representative Ropp. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 414, a Bill for an Act to amend an Act concerning truancy. Third Reading of the Bill."

Speaker Giglio: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker. May I ask leave of the House to bring House Bill 414 back to Second Reading for the purpose of an Amendment?"

Speaker Giglio: "The Gentleman asks leave to bring House Bill 414 back to the Order of Second Reading for the purpose of an Amendment. Mr. Clerk. Does the Gentleman have leave? Hearing none, leave is granted."

Clerk Leone: "Amendment #3, Ropp, amends House Bill 414 on page one and so forth."

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Speaker Giglio: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker, Members of the House. This is a technical Amendment. It allows for the addition of the word 'chronic truant' should a petition be required."

Speaker Giglio: "On the Amendment, all those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #4, Klemm, amends House Bill 414 as amended."

Speaker Giglio: "Amendment #4, Representative Ropp."

Ropp: "Amendment #4 by Representative Klemm is going to be withdrawn. It's included in #6. So, that's why we're withdrawing 4 and 5, and I've talked with Representative Klemm on that."

Speaker Giglio: "Gentleman asks leave to remove..."

Ropp: "Representative Klemm is in the back of the room if you'd like to..."

Speaker Giglio: "Representative Klemm. Representative Klemm in the chambers?"

Ropp: "Way in the back."

Speaker Giglio: "Representative Klemm, on House Amendment #4 to House Bill 414. Gentleman asks leave to withdraw Amendment #4 to House Bill 414. Does the Gentleman have leave? All those in favor say 'aye', opposed 'nay'. The 'ayes' have it. Amendment is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #5, Klemm, amends House Bill 414 as amended."

Speaker: "Representative Klemm moves to withdraw Amendment #5. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Amendment #5 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #6, Ropp, amends House Bill 414 on

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page three and so forth."

Speaker Giglio: "Representative Ropp, on Amendment #6."

Ropp: "Thank you, Mr. Speaker. Amendment #6 adds to the exemptions which include parochial schools, private schools and in-home instructions. And I urge your support of this Amendment. Actually this Amendment deals with some of the questions that some people have had relative to church schools and for fear that this would take away some of their constitutional rights. There is no intent to do that in anyway shape or form and so we are exempting them from this particular Bill."

Speaker Giglio: "The Gentleman moves for adoption of Amendment #6. On the question, Representative Bowman."

Bowman: "Question of the Sponsor."

Speaker Giglio: "Gentleman indicates he will."

Bowman: "Representative Ropp, I asked Representative Klemm on an earlier Bill about in-home education. I wanted to know have you stated for the record, what's your... what this Bill does, precisely, with respect to in-home education as amended - as this Amendment would amend it?"

Ropp: "Okay, the Bill as amended now continues to allow those parents who want to instruct their children at home to continue to do so. It will not be in a position where they would be considered truants or chronic truants and be subject to the intent of this Bill. Also, those who are in parochial schools are... or other private schools are also exempted from the intent of this Bill."

Bowman: "Okay. One other question. The Bill, in its original form, intended to or gave the juvenile court jurisdiction over truants and now we've amended it a couple of times here... Does the Bill still do that - the juvenile court - as the Bill would be amended with this Amendment and subsequent... prior Amendments and still give the juvenile

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court jurisdiction over the chronic truants?"

Ropp: "Yes, in public schools outside of Cook County."

Bowman: "I see. Thank you. Well, I'll be opposing the Bill but at least the Amendment is good."

Speaker Giglio: "Further discussion? Hearing none, Representative Ropp, on Amendment #6."

Ropp: "I just welcome your support, please."

Speaker Giglio: "Gentleman moves for the adoption of Amendment #6 to House Bill 414. All those in favor signify by saying 'aye', those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Amendment #6 to House Bill 414 is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Giglio: "Third Reading. Representative Ropp moves that House Bill 414 be heard for immediate consideration. Appropriate rule waives. Does the Gentleman have leave by the Attendance Roll Call? Leave is granted. House Bill 414 shall be heard at this time. Representative Ropp."

Clerk Leone: "House Bill 414, a Bill for an Act to amend an Act concerning truancy. Third Reading of the Bill."

Speaker Giglio: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. A few years ago we passed a Bill that really took away a very important arm in the area of encouraging truants to stay in school. That was Senate Bill 623. In many downstate communities, mine in particular, Champaign County, Winnebago County and others, this was a very important tool in keeping young people in the school system. When you check the records and find that 25% of the high school students that enter school as freshmen do not graduate as seniors, this is a real tragedy in our American educational system. When you also find out that there is a very close correlation between those young people who do not

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adequately prepare themselves through an educational system, many of those young people end up in correctional institutions. We all know that the cost for maintaining their care for a full year is in the area of \$25,000 per year, not to mention the unemployment figures that many people might be on or public aid or other areas that are a cost to our society and to our state. This is an attempt in the area of improving our educational system to once again allow the juvenile court system to provide that lever of enforcement to keep those young people in our educational system. It is a real tragedy that we face today when now young people can literally thumb their nose at society saying, 'I don't want to go to school.' How tragic it is that we have young minds growing up in a very exciting time in our world to have them not take advantage of the educational opportunities that we have. This Bill will encourage that by allowing Juvenile Court Judge to work with them as they have done in my county and others throughout the state to assure and to assist that many, many more of them will comply with the State Mandate to go to school the full term. So, really to deny school districts the option of using the juvenile court system as a last resort to stem truancy is to abandon those truants who become permanent members of the underclass of this society, uneducated, unemployed, unemployable and living off of public aid. I urge your favorable support of this very important Bill so that minds may be filled with the needed skills to become employable or to go on to higher education. I welcome your support and will be glad to answer any questions."

Speaker Giglio: "Further discussion? The Lady from Lake, Representative Stern."

Stern: "Mr. Speaker and Members of the House, I rise in

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opposition to this Bill. I'm very much concerned about it. I think Representative Ropp's intentions are all the best. He points out, however, that truants are the young people who thumb their nose at the educational system. I don't think we should be putting people in jail for thumbing their nose. I think it behooves us to find a way to work with these youngsters in a way that does not expose them to further criminal elements in jail - find a way to get them back into the schools without resorting to the courts. He made... mention of the fact that the Judges would work with the young people in point of fact, I believe, his Bill simply puts them in the jurisdiction of the court and possibly in jail. I urge a 'no' vote on this Bill."

Speaker Giglio: "Representative Hallock."

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

Speaker Giglio: "Indicates he will."

Hallock: "Representative Ropp, at what point do you have... do you allow court intervention?"

Ropp: "Court intervention is here as a last resort. We have in no way taken away the current programs that are in operation. We're stating that those people who have become absent from school or classified as chronic truants, ten days out of forty, deserve to have some attention in the juvenile court system. Many school units, in my district and I'm sure is true throughout the state, are attempting to work with these young people in every way that they possibly can. This is merely a last resort lever, allowed for the juvenile court system to get those young people back into the classroom. In my judgment, you certainly cannot learn the things that we think are just and right out on the street and that the classroom is the proper place, and we have many, many examples where a juvenile court system have worked extremely well."

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Hallock: "Thank you very much. Mr. Speaker, Members of the House, several years ago this House passed Senate Bill 623, which I believe at that time was a mistake. What that Bill did in essence was removed the court from juvenile proceedings of this type. It was a big mistake. Since that time, truancy has escalated. It seems to me - I think most Judges around the state believe that unless you have at one point court intervention you, in fact, will not have these truants going to school at all. In essence what happens is they will be brought before the court services. They'll be brought before... social service agencies and then time and time again not go to school. Unless you have some judicial authority who can try to instill, basically, in these kids the fear of going before the court and also the need to go to school, they're not going to go to school. If they can't go to school, they're not going to learn. You have to have court intervention. This Bill instills that, and I believe it's a very good Bill and urge its support."

Speaker Giglio: "Further discussion? Representative from Macon, Representative Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Not everyone is in support of this legislation. Those who you hear speaking in support of legislation are generally those who are concerned about keeping people in school and that it's worthwhile. Of course that does increase the aid from the State Board of Education. It helps the school aid formula. I'm sure that's not the reason for trying to keep people in school. But the people, who work with these youngsters on a day to day basis when they're not in school, are almost... and probably are unanimously opposed to this legislation. They have found that by sending the truants through the court

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system that we have done them a disservice and injustice. The court systems are clogged. They have other things to do. Many of our communities, I think, they're 80 or 90 across the state have community based programs to deal with these young people. They have found that they've had no trouble dealing with them. They've been dealing with them on a day to day basis. They've been dealing with them successfully and they are unanimously opposed to this legislation. I think we ought to listen to the people who are dealing with these children everyday rather than listen to the people who say I think we have a better idea, but I'm not the one that has to deal with them. So, I would respectfully urge a 'no' vote."

Speaker Breslin: "Representative Cowlshaw."

Cowlshaw: "Mr. Speaker, Ladies and Gentlemen of the House, I am in accord with the remarks of the prior speaker. I understand the problem that the Sponsor is trying to address. However, there are already provisions in many of our education reform Bills to provide alternative education. There are already community based programs that are being very effective in addressing this problem and to the extent that this Bill would require students who do not want to be in school, to be there with the feeling that they are, in fact, incarcerated in that school. We would have a more disruptive atmosphere and a less quality education for all students in our school. I urge opposition to this Bill."

Speaker Giglio: "Representative Regan. Representative Regan."

Regan: "Mr. Speaker, I call a question, please."

Speaker Giglio: "Gentleman asks leave that we move the previous question. All those in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Representative Ropp, to close."

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Ropp: "Thank you, Mr. Speaker, Members of the House. There has been some opposition predominantly from those people who for religious belief want to keep their students trained in parochial schools, and we have taken care of that. There are those people who want to train their students... their sons and daughters at home. We have taken care of that. There are those who have said that let's continue to operate as we are with the social service agencies providing for the care of these young people who do not want to go to school, and they say those programs are working well. Well, let me tell you that the total days of absence from school since these social groups are working so well has increased a million - has increased a million since Senate Bill 623 went into effect. Now, if you want to continue that kind of an operation so that as these young people grow and become adult, we have to then continue to spend dollars, dollars and dollars to educate the illiterates, then you should vote 'no' on this Bill. I cannot understand when we are attempting to reform education to insist that young people ought to take advantage of every educational opportunity they have by just going to school - that we have now taken away the lever that insists that they stay in school. I urge your favorable support of this vote because it does provide that lever by which we can keep those young people in our educational system. There is no reason why we should spend a few dollars now in attempting to keep them into school and in five or ten years spend millions as they become incarcerated or as we must attempt to educate them through other kinds of new programs that we now call illiterate programs. I mean, we hear that now two out of six people are illiterate in the State of Illinois. I heard that by the year 19... 2000 if we don't continue to do something,

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two out of three people in this country will be illiterate. I say it is much cheaper to spend dollars now in this kind of program by passing House Bill 414 than it is to wait and spend millions and millions later on. I urge your favorable vote of this very important Bill for downstate because we have exempted Cook County, and it does not apply to them in any way. And I welcome your support."

Speaker Giglio: "The question is, 'Shall House Bill 414 pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. The voting is open. On the question, the Lady... the Gentleman from Cook, Representative Bowman."

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I stand in opposition to this particular piece of legislation. Indeed, we should try to do all we can to encourage youngsters to stay in school. But this Bill would... put them under the jurisdiction of the courts. This Bill would make criminals out of youngsters who are truants from school. We have youth service agencies and other agencies to deal with this problem. They are the ones who should be dealing with this problem. We should not be making criminals out of youngsters. We should give them encouragement and incentives to attend schools, but not to use the police power of the state to force them into a building during the day where they may listen, but they will never learn."

Speaker Giglio: "To explain his vote, Representative Olson."

Olson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm familiar with the legislation that was passed a few years ago, 623. My Judge, in the 15th Circuit, Judge Tom Hornsby is Chief of the Juvenile Division for the State of Illinois, looked at this situation during the intervening three year period. There is no question in his mind and my mind that we need a court of last resort to do

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the things that we intend to do with our youngsters. And I would urge a 'aye' vote on this very important piece of legislation."

Speaker Giglio: "The Gentleman Bureau County, Representative Mautino."

Mautino: "Thank you, Mr. Speaker. I, too, stand in support of House Bill 414. You know, there is some downstate areas where there are no support systems that can provide the services necessary to these particular students. As Representative Olson mentioned, the Honorable Tom Hornsby did yeoman's work in providing the right avenue as it pertain to House Bill...excuse me, Senate Bill 623 of two Sessions ago. But there is a need to provide the additional service if, in fact, the other agencies are not operating nor are they being able to provide those services in more rural areas. Most importantly though, I think, the issue was raised into putting these students into a building and not learning. What we do have is what I term to be basically half way houses - good residential facilities operated by the court system that does provide the necessary services for these students. And I recommend an 'aye' vote. It's a good Bill."

Speaker Giglio: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Representative Ropp."

Ropp: "Mr. Speaker, would you please poll the absentees?"

Speaker Giglio: "On this question there is 58 voting 'yes', 50 voting 'no', 7 voting 'present'. The Gentleman asks for the Poll of the Absentees."

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

Speaker Giglio: "Representative Hastert. Change Representative Hastert from 'no' to 'aye'. Representative Klemm. Change

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Representative Klemm's vote from 'nay' to 'aye',
Representative Turner."

Turner: "I'd like to request a verification on this Bill of the
Affirmative if it receives the requisite number."

Speaker Giglio: "Mr. Clerk, what's the count? 60 voting 'aye',
58 voting 'nay'. 48 voting 'nay'. Representative White.
Change Representative White to 'no'. Representative
Woodyard."

Woodyard: "Thank you, Mr. Speaker. How am I recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'present'."

Woodyard: "Would you change me to 'aye' please?"

Speaker Giglio: "Change the Gentleman to 'aye'. Representative
Nash."

Nash: "Mr. Speaker, How am I recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Nash: "Vote me 'present' please."

Speaker Giglio: "Record the Gentleman voting 'present'. What's
the count, Mr. Clerk. There are 59 affirmative votes, 48
'nays'. Does the Gentleman persist in the verification?
This Bill... This Bill having failed to receive...
Representative Hast... Hensel. Hensel. Excuse me,
Representative Hensel."

Hensel: "Change my... from 'no' to 'aye' please."

Speaker Giglio: "Change the Gentleman from 'no' to 'aye'.
Representative Kubik. Change the Gentleman from 'no' to
'aye'. Representative Rice."

Rice: "Mr. Speaker, you mean we're sitting amongst a bunch of
church people who vote and send folks to jail, and this
morning they were talking about social worker license.
They're being social workers now without license. They go
to jail and when they go jail, they learn how to be good
criminals and that's what they're doing. They're putting
them in jail to learn, Pontiac... and all the rest of them.

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These people are not thinking. You better start thinking. More folks in jail, we got to appropriate more money. They don't want to pay us now. We, minorities, don't care about going to jail because that's all..."

Speaker Giglio: "Representative Didrickson."

Didrickson: "Mr. Speaker, how am I recorded?"

Speaker Giglio: "How is the Lady recorded? Representative Didrickson."

Clerk O'Brien: "The Lady is recorded as voting 'no'."

Didrickson: "Please record me 'aye'."

Speaker Giglio: "Change the Lady to 'aye'. Representative Ropp."

Ropp: "I was just going to explain my vote if need to because I really think if we're talking about saving dollars, let's encourage them while they're younger to stay in school rather than to allow them not to receive an education."

Speaker Giglio: "Representative O'Connell."

Ropp: "That's why I'm voting green because I want to save dollars. I want to save millions and millions of dollars by making sure those kids take advantage of the school situation that we're providing."

Speaker Giglio: "Representative O'Connell, are you seeking recognition?"

O'Connell: "Mr. Speaker, how am I recorded?"

Speaker Giglio: "How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

O'Connell: "Change my vote to 'no'."

Speaker Giglio: "Change the Gentleman to 'no'. Mr. Clerk, what's the count? There are 61 voting 'aye', 48 voting 'nay'. This... Representative Turner, do you persist in your verification? Mr. Clerk, poll the Affirmative Roll Call. Representative Piel, for what purpose do you rise?"

Piel: "Leave to be verified, Mr. Speaker."

Speaker Giglio: "The Gentleman asks leave to be verified. Leave

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is granted. Representative Hastert. Leave to be verified.
Leave is granted. Representative Mays. Leave to be
verified? Leave is granted. Representative Tate. Leave
to be verified? Leave is granted. Representative Rea.
Leave to be verified. Representative.. Representative
Hoffman asks leave to be verified. Leave is granted.
Representative Parcells. Leave to be verified? Leave is
granted. Representative Wojcik. Leave to be verified?
Leave is granted. Representative Stange. Leave to be
verified. Mr. Clerk, read the Affirmative."

Clerk O'Brien: "Barger. Barnes. Breslin. Brunsvold.
Countryman. Daniels. Davis. DeJaegher. Didrickson.
Ewing. Dwight Friedrich. Goforth. Hallock. Hannig.
Harris. Hartke. Hastert. Hawkinson. Hensel. Hicks.
Hoffman. Homer. Kirkland. Klemm. Koehler. Kubik.
Kulas. Laurino. Leverenz. Mautino. Mays. McAuliffe.
McCracken. McMaster. Mulcahey. Olson. Panayotovich.
Pangle. Parcells. B. Pedersen. Phelps. Piel. Pullen.
Rea. Bopp. Ryder. Saltsman. Satterthwaite. Slater.
Stange. Stephens. Tate. Tuerk. Vinson. Vitek. Hait.
Weaver. Williamson. Wojcik. Woodyard and Zwick. No
further."

Speaker Giglio: "Are there questions of the Affirmative?
Representative Turner. Representative Turner."

Turner: "Representative Johnson."

Speaker Giglio: "Is Representative Johnson in the chambers? The
Gentleman is voting 'present'."

Turner: "Representative Kulas."

Speaker Giglio: "Representative Kulas in the chamber?
Representative Kulas. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Giglio: "Remove him."

Turner: "Representative Laurino."

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Speaker Giglio: "Representative Laurino. Representative Laurino in the chamber? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Giglio: "Remove him."

Turner: "Representative Leverenz."

Speaker Giglio: "Representative Leverenz in the chamber? Representative Leverenz. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Giglio: "Remove him from the Roll Call."

Turner: "Representative McAuliffe."

Speaker Giglio: "Representative McAuliffe. Representative McAuliffe in the chamber? He's in the back of the room."

Turner: "Representative Panayotovich."

Speaker Giglio: "Representative Panayotovich. Representative Panayotovich in the chamber? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Giglio: "Remove him from the Roll Call."

Turner: "Representative Hannig."

Speaker Giglio: "Hannig. Representative Hannig in the chamber? He's in the back of the chamber."

Turner: "Representative Dwight Friedrich."

Speaker Giglio: "Dwight Friedrich. Representative Dwight Friedrich's in his chair."

Turner: "Representative Van Duyne."

Speaker Giglio: "Representative Van Duyne. How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'present'."

Speaker Giglio: "Change the Gentleman to 'aye'."

Turner: "Representative Ryder."

Speaker Giglio: "Representative Ryder in the chamber? Representative Ryder. He's in his chair."

Turner: "Representative Breslin."

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Speaker Giglio: "Representative Breslin. Representative Breslin in the chamber? How is the Lady recorded?"

Clerk O'Brien: "The Lady is recorded as voting 'aye'."

Speaker Giglio: "Remove her from the Roll Call."

Turner: "Representative Brunsvold."

Speaker Giglio: "Representative Brunsvold. Representative Brunsvold in the chamber? How is the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting..."

Speaker Giglio: "No. He's here. He's in the back of the chamber. Further questions?"

Turner: "No further questions."

Speaker Giglio: "No further questions. Mr. Clerk."

Turner: "What is the count at this time?"

Speaker Giglio: "The count on House Bill 414 is 57 voting 'aye', 47 voting 'nay', and 6 voting 'present'. This Bill, having failed to receive the Constitutional Majority, is hereby declared lost. Representative Ropp asks Postponed Consideration. House Bill 514, Representative Hicks."

Hicks: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 514 is a Committee Bill that came out of the series of Subcommittee hearings that we had addressing school finance. This Bill addresses the School Code and increases the annual state reimbursement rate for special education personnel from the current level of \$6,250 to \$7,000, and also, from \$2,500 to \$2,800. It's the first time there's been a raise in 11 years in this category of reimbursement. The second thing the Bill does, it addresses the rental... the... excuse me, the tuition, per capita tuition costs, that currently are figured in that... the calculations for reimbursement to a special ed district are actually for what charges they can charge. And also the third thing it does, it changes the average daily attendance figures for reimbursement to average daily enrollment. I'd be happy to

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answer any questions."

Speaker Giglio: "Representative or... Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 514, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Giglio: "Any discussion on House Bill 414 (sic - House Bill 514)? Hearing none, Representative Hicks, to close."

Hicks: "I'd simply say that a lot of work went in by the Committee on this Bill, and I'd ask for your 'aye' votes."

Speaker Giglio: "The question is, 'Shall House Bill 514 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Peterson, 'no'. Representative Ewing."

Ewing: "Would you put me 'aye'... 'no' on this, please?"

Speaker Giglio: "Representative Ewing, 'no'. Representative Didrickson, 'no'. On this question, there are 86 voting 'aye', 29 voting 'no', 1 voting 'present'. House Bill 514, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading on page 29 of the Calendar, appears House Bill 593, Representative Berrios. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 593, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Giglio: "Representative Berrios."

Berrios: "Ladies and Gentlemen... Mr. Speaker, Ladies and Gentlemen of the House, this Bill simply amends the School... School Code to provide for granting of scholarships to policemen and firemen who are killed in the line of duty. This Bill was brought to me by the Chicago Fire Fighters Unit, City of Chicago, because of the recent firemen that were killed, and they were so young that their spouses should have the opportunity to go to college. And

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I would ask for an affirmative vote."

Speaker Giglio: "Any discussion? Hearing none, Representative Berrios, to close."

Berrios: "I would just ask for a favorable vote."

Speaker Giglio: "The Gentleman moves for the passage of House Bill 593. All those in favor signify by voting 'aye', those opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 105 voting 'yes', none voting 'no', 6 voting 'present'. House Bill 593, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading on page 29 of the Calendar, appears House Bill 815, Representative Nash. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 815, a Bill for an Act to prohibit public school districts and public institutions of higher education from discriminating against students for observing religious holidays. Third Reading of the Bill."

Speaker Giglio: "Representative Nash."

Nash: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 815 will allow students to make up tests given on religious holidays. In order to do this, the student must give a 5 day notice. These... the test is on a religious holiday, and he has to make the test up this way if they haven't prepared for the test. They don't go in there at the last minute and say it's a religious holiday. It was worked out with the University of Illinois. And Section #2 defines a religious holiday, such as from the State Human Rights Act, and Title VII of the U.S. Civil Rights Act. I ask for a favorable roll call."

Speaker Giglio: "Any discussion? Hearing none, the question is, 'Shall House Bill 8... excuse me, Representative Mulcahey.'"

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

Speaker Giglio: "Indicates he will."

Mulcahey: "Representative Nash, is this the same Bill that Representative Levin had in our Committee that died a violent death?"

Nash: "No, this Bill got out of your Committee."

Mulcahey: "I know, but is it the same Bill that Representative Levin had?"

Nash: "It's not the one that died. The Amendment... The Amendment is not a Bill."

Mulcahey: "Alright. A question of the Sponsor, would you... would you explain one more time about the religious holiday portion of the Bill?"

Speaker Giglio: "Representative Nash."

Nash: "Yes, a student can make up a test if the test is scheduled for a religious holiday, such as Greek Good Friday, which doesn't always fall on the same as the Catholic Good Friday, or a Jewish holiday. In order to do this, with the Amendment the student must give a five day notice that the test is falling on a religious holiday."

Mulcahey: "Okay. Mr. Speaker, to the Bill. We had... We had a Bill which was offered by Representative Levin in Committee which would allow, of course, college students to be excused because of religious holidays, which of course nobody would have anything against. But I think... you better be careful on this because there's all sorts of possibilities regarding what students on university levels could do. At the last minute, 5 days before, or six days before a final examination is coming up, a student could join some particular religion which has a religious holiday falling that day, or it becomes a religious holiday for some reason. Now, this could be very dangerous as far as... as far as these kids are concerned. I have nothing

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against the intent of the Bill, but there are a number of loopholes that I would urge you to look at rather carefully."

Speaker Giglio: "No further discussion, Representative Nash, to close."

Nash: "I ask for a favorable roll call."

Speaker Giglio: "The question is, 'Shall House Bill 815 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 97 voting 'aye', 17 voting 'no', 1 voting 'present'. House Bill 815, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading, appears House Bill 861, Representative Shaw. Representative Shaw. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 861, a Bill for an Act to provide tuition waivers for children of tenured teachers at state supported colleges and universities. Third Reading of the Bill."

Speaker Giglio: "Representative Shaw."

Shaw: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, this is a very simple Bill. All it does is give tuition waivers to tenured teacher's children at the university level. And this is with no cost to the... our state. And I... I ask for a favorable Roll Call vote on the Bill."

Speaker Giglio: "On this question, Representative from Cook, Representative Preston."

Preston: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. When this Bill came before the Higher Education Committee, I had asked the Sponsor for a commitment that the Bill in the form it was presented in would be amended. So, that where there's a situation where fewer than all

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professors' children could receive their scholarship that the scholarship instead of being doled out based on the... strictly on the seniority of the parents would be given, if they couldn't give it to all the children applying, it would be given based on the merit of the... the applicants who are children of the tenured professors. And the Sponsor who I respect, but in this one case I... I'm afraid made an error. The Sponsor committed to make that change and in return for that commitment, I voted for the Bill and the Bill got out of the Higher Education Committee. Subsequently to that, once the Bill was here for whatever the reason the Sponsor may have had he no longer saw fit to stick by that commitment which was the reason the Bill got on Second Reading in the first instance. So, I'm going to be voting 'present' on this Bill, and I certainly hope the rest of the people, to keep the integrity of really our commitments that we make frequently in Committee in order to get Bills out of Committee and on to Second Reading those are important commitments and when they're not kept there should be a penalty attached to the not keeping of that commitment. So, I'm voting present, and I hope others will join me."

Speaker Giglio: "Representative Ropp. Representative Ropp, do you care to speak?"

Ropp: "Yes, I have a question to the Sponsor."

Speaker Giglio: "He indicates he'll answer."

Ropp: "Does this mean... Well, how much does it cost to send a kid to college through this tuition proposal?"

Shaw: "It's a tuition waiver, and the university picks it up."

Ropp: "And where do they get that money?"

Shaw: "I beg your pardon. There is no money involved, Representative Ropp."

Ropp: "There's no money for tuition?"

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Shaw: "No money involved in this case."

Ropp: "I don't see where there's no money. I mean if a kid goes to school and a tuition is requested, we just scratch it off."

Shaw: "I will... I'll yield to Representative Keane."

Ropp: "Okay. Is he a Sponsor to the Bill too, or what?"

Keane: "Yes, in regard to... what we're doing is, we're limiting greatly the number of children or students who could take advantage of this. It's so limited that what they will... the universities will be able to do will be able to fit them in to individual classes. It will not require that... that new classes be opened for them. So, instead of having 25 in a class, they'll have 26 in a class..."

Ropp: "Well, why don't we just waive the tuition for lots of people and just slip them right in there then?"

Keane: "Well, one of the reasons that we did this is that... I don't know if you're familiar with the pay scale in Illinois Public Universities, but over the last few years they've been taking it on the chin. Many of our faculty have been raided, pirated by other states. And this is a noneconomic benefit that we could give. It's not costing us any money. It's also a traditional benefit that faculty receive. I talked to the university... president. I had a discussion with the President of Eastern Illinois University, and I asked him... because within the Department... within the Board of Governor's system he would probably, because he's got a residential school, get hit hardest. He's got dorms and that. He said no problem. It will not be of any impact, and he's going to bear the brunt of that systems."

Ropp: "In other words, we've got maybe a 120, 150 special students from faculty that will get to go to school... to college free."

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Keane: "Well, it's more like 30 to 50 within a system."

Ropp: "Somebody over here told me 120 anyway."

Keane: "Maybe..."

Ropp: "But... I guess my major concern is the fact that... and I appreciate the fact that all teachers in the State of Illinois probably need more money, because of inflation and a lot of other concerns. But I'm wondering whether or not we're picking out a very select few to give them a tuition waiver for their students, and the rest of them are not getting what is considered a cost increase, or a salary increase, is that not correct?"

Keane: "I'm... I apologize... you..."

Ropp: "Well, we're allowing let's say 120, or 30, or 40, or 50 faculty members to send their kids to school tuition free. Whereas, other faculty members will be receiving no financial increase or assistance, because they may or may not have sent their kids to college at cost."

Keane: "That's correct. What happens is... is that... it was at my request that they limited this so we could have a trial on it. I also don't think that we should have freshmen teachers having their kids receive this benefit. We... if you read the Bill, it's 1 in 50. So, what we'll have is our more... our older... our teachers that have been tenured. The ones who are usually the ones who are most susceptible to pirating by other states and other universities. Their children... it would be a benefit for their children. It would also be a benefit for faculty members to stay in Illinois if they knew that when their kids got to be of college age that if finances were tough, that the kid would at least have a college education covered."

Ropp: "Of course, those older teachers probably are at the higher end of their salary scale anyway."

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Keane: "Well, I'm in the higher end of my salary scale, but within the next four years all four of my kids will be in college. And believe me, I may have a high salary, but I'm not living well. And I think that's the same thing that occurs on a campus."

Ropp: "Okay. Thank you."

Speaker Giglio: "Representative Ropp. Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, I think that we should be very supportive of this piece of legislation. It was amended so that it would be manageable in size. And the decision to go with the tenure rather than some kind of scholastic ability of the student, I think was one that is related to the fact that if you have been on a university's faculty and have not gotten salaries competitive with industry, that you will receive some benefit from that longer service to the State of Illinois. And so, I believe that we have here a model program. It is certainly something that will not provide for every staff person's child, but it will be a beginning. We can assess it. If it appears to be a good incentive, then it may be a good trade off for the fact that for years people have gone on very low salaries in these positions. And I urge your support for House Bill 6... 861."

Speaker Giglio: "Representative Johnson."

Johnson: "This is a... an issue where I'm going to speak against what I perceive to be my...my constituents interest at least in the narrow extent it's been expressed. It's not really a matter of how narrow this Bill is, and it's really not a matter of benefits or extra benefits to faculty. If we have, as we do, qualified faculty who are leaving the universities of this state because they're not paid enough, or who aren't coming here because the salaries aren't

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sufficient to attract them, then let's pay them. Let's pay them salaries commensurate with their abilities. But what this Bill says is, to the plumber's son or daughter, or the businessman's son or daughter, or the doctors, or the lawyers, or the candlestick maker's son or daughter, that we have a special level of... of assistance in this state that if you meet certain limited qualifications in terms of who your parents are and nothing more, then you can go to school for free. Your classmates and your colleagues have to go out and work in the summers and work during school, but the narrow category of people that are covered by this Bill are going to be given a free education. Simply from the standpoint of what this says symbolically to the people of the state and what it says to school children and college students who are working their way through, we ought not to find this as a avenue to attract or to keep faculty. There are other more honest upfront ways of doing it then this. I'm not suggesting this is a dishonest Bill. I'm simply suggesting that it's bad policy, bad precedent, and you ought to vote against the Bill."

Speaker Giglio: "Representative Stephens."

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

Speaker Giglio: "Indicates he will. Representative Keane."

Stephens: "I'm concerned. I intended to support this legislation, but I'm concerned with the question that was raised earlier about the merit of who would receive these scholarships rather than being based just on seniority. I'd like the Sponsor to address that. I was in that Committee hearing, and I do recall that that point was brought up. And I'd like a clarification, please."

Speaker Giglio: "Representative Keane."

Keane: "The... Are you addressing it to me, or to Representative..."

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Stephens: "It was Representative Shaw, please."

Speaker Giglio: "Representative Shaw, do you want to respond?"

Shaw: "Yes. What was the... would you repeat the question?"

Stephens: "The question, Sir, was that in Committee the point was made that if we were going to give these scholarships out that maybe just instead of seniority, we should be basing... the merits of the students should be the determining factor on who should get the scholarships. Representative Preston, I believe that was, made that question to you in Committee, and your response was, I believe your response was, that you would work it out and that was the agreement that got the Bill out of Committee. And I'd like for you now to respond why... why you changed."

Shaw: "Well... gladly. I told Representative Preston that I would try and work it out. Certainly I made an effort. I talked to the various representative of faculty around this state. And if you... well, you wasn't here last year. We did pass House Bill 2400, which addresses the problem that Representative Preston is talking about here in terms of merit. And I believe that as... were before indicated that we need to do something to keep our tenured teachers in Illinois. And as you know, the Governor has talked about Build Illinois. And I don't think you can build it without a good educational system, and this is a beginning of that good educational system. It's giving the tenured teachers something at the university level to keep them in Illinois where that they will be able to train our students. Certainly if... I would support Representative Preston's idea, if he'd come up with another Bill. I'd be glad to support him on a Bill of his idea. But right now, I think in this legislation, I think, that it's geared to keeping our good teachers in Illinois, and building Illinois. And

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I think this goes along with the Governor's Program in terms of Build Illinois."

Stephens: "Representative, why didn't you say that in Committee? Why didn't you tell Representative Preston that at the time? I support your idea. It's fine, but what's right is right, and it seems to me that a deal was made. And I see no reason to renege on that."

Shaw: "If you recall, I asked... I told Representative Preston that I would try. I didn't tell Representative Preston that I would work it out, because the university people gave me the Bill and certainly they should have something to say about the legislation and know what's good for the tenured teachers in the university system. And I did go to those people and try and work it out, and I went back to Representative Preston and I... Well, I talked to Representative Preston on the floor, and I told him it could not be worked out."

Speaker Giglio: "Representative Monroe Flinn."

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

Speaker Giglio: "The Gentleman moves the previous question. All those in favor signify by saying 'aye', opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. Representative Shaw to close. Representative Keane."

Keane: "Thank you, Mr. Speaker. I believe the Bill is... It's a good Bill. It is not going to cost the state any money. The university presidents that I've discussed it with support it, and they support it because it's a... it's something that we can do for them. I agree with... Representative Johnson brought up a point, we're losing a lot of good teachers. The problem that we have is it's very difficult to get the money to those outstanding teachers because of the... we have collective bargaining agreements, and it's usually across the board raises. This

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is a benefit that we can provide faculty members, a limited number of them. We figured it out just a minute ago, and the maximum number of people that it... that it can affect are 120 students. Throughout the system, that's nothing. They'll fit in in regular classes. We can hopefully save our better faculty. It's very very difficult. Some of the people that we have at... for instance at the University of Illinois, if they are approached by a school such as the University of Chicago, the University of Chicago will pay your child's tuition to Harvard, Yale, or any of the other eastern, very expensive schools. The... the private universities have outstanding benefits for sons and daughters of faculty. This just gives us a little bit of an edge in a hope to compete. I'd ask for a favorable vote."

Speaker Giglio: "The question is, 'Shall House Bill 861 pass?' All those in favor signify by voting 'aye', those opposed voting 'no'. The voting is open. The Lady from Cook, Representative Currie, to explain her vote."

Currie: "Thank you, Mr. Speaker, Members of the House. Many institutions of private higher education already offer this benefit, this standard fringe benefit to their employees. If our public institutions are going to compete with the private sector, perhaps it's time for us to wake up and join the march. There's nothing unfair, or wrong, or underhanded about this proposal. It is a standard fringe benefit in many institutions, highly valued by the faculty, a good use of resources by the employer since college tuitions take only about four years whether... whereas a salary increase tends to be a permanent proposition. I think this would be helpful to this state in maintaining its faculty excellence, and I would hope that we could put 60 votes on this board."

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Speaker Giglio: "Representative Weaver."

Weaver: "Mr. Speaker, Members of the House, in considering your vote on this I'd ask you to look at one thing, and that is the number of good faculty we have in our universities. In casting my vote, I have to look back on 7 years of experience in which the biggest pay raise I ever received was 7 percent. People who had been at that same university for up to 12 years prior had received at the largest a 4 and a half percent increase. Now, it warms my heart to hear from Representative Johnson that he would like to see us get more money, and I would wholeheartedly support his authorship of a Bill to pay teachers what we need to keep good education in the university systems. But until we can do that, we've got to make sure that we're not losing our good faculty to Indiana, which already does this, and to keep good faculty coming into the university. And I, therefore, vote 'aye'."

Speaker Giglio: "Representative Matijevich."

Matijevich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, I know every vote up there's a sincere vote. I know at... at first when I saw this Bill I thought it was going to be a cost to government, and my first inclination was to vote 'no'. But I agree totally with the remarks of the last speaker. You know, in private enterprise... it is very often that private enterprise does provide fringe type of benefits. This is a limited fringe benefit, and in the end the tax payer I think benefits because we are keeping good university professors in the system. I would urge those who are voting 'present', or 'no', to reconsider your vote. This is a good Bill. I know the IFT strongly supports it. I would hope that the Members, especially on this side of the aisle that have been 100 percent supporters of the IFT. But even if the IFT were against it, I think it is good

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public policy to allow our teachers to stay in the university system. I urge your 'aye' vote."

Speaker Giglio: "Representative Wyvetter Younge."

Younge: "I was just going to add to that, many college professor in Illinois has delayed their earning ability by going to school 4 or 8 years. So, they delayed the point of time in which they started bringing income into their family, because they did go to school. And many of them are dedicated to the proposition of knowledge rather than earning money, and I think that we ought to say to them that we consider you very special people by giving them this... this benefit."

Speaker Giglio: "Representative Johnson and Representative Preston, both of you spoke in the debate. I'm sorry. Anybody else want to be recognized? Mr. Clerk, take the record. Representative Preston, for what purpose do you rise?"

Preston: "Thank you, Mr. Speaker. I'd like a verified Roll Call. I'd like to verify the 'green' votes, the affirmative."

Speaker Giglio: "The Gentleman asks for verification. Representative Keane."

Keane: "Absentees."

Speaker Giglio: "The Gentleman asks for a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Krska and Pangle. No further."

Speaker Giglio: "Proceed with the Poll of the Affirmative Roll Call."

Clerk O'Brien: "Alexander. Barger. Barnes. Berrios. Bowman. Braun. Brookins. Bullock. Capparelli. Countryman. Cullerton. Curran. Currie. DeJaegher. DeLeo. Dunn. Ewing. Farley. Flowers. Virginia Frederick. Giglio. Giorgi. Greiman. Hannig. Hartke. Hicks. Huff. Keane. Kirkland. Kulas. Laurino. LeFlore. Leverenz. Levin.

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Matijevich. Mautino. McAuliffe. McGann. McNamara.
McPike. Nash. Oblinger. O'Connell. Panayotovitch. Rice.
Ronan. Satterthwaite. Shaw. Slater. Soliz. Steczo.
Stern. Sutker. Terzich. Turner. Vitek. Wait.
Washington. Weaver. White. Williamson. Wolf. Woodyard.
Anthony Young. Wyvetter Younge. And Mr. Speaker."

Speaker Giglio: "Questions of the Affirmative Roll Call,
Representative Preston."

Preston: "Representative Barger."

Speaker Giglio: "Representative Barger. Representative Barger is
in his chair."

Preston: "Representative Bowman."

Speaker Giglio: "Representative Bowman. Representative Bowman is
in his... chamber."

Preston: "Representative Bullock."

Speaker Giglio: "Representative Bullock. Is Representative
Bullock in the chamber? How's the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Giglio: "Remove him."

Preston: "Representative DeJaegher."

Speaker Giglio: "Representative DeJaegher is in his chair."

Preston: "Representative Farley."

Speaker Giglio: "Representative Farley. Is Representative Farley
in his chair? Representative Farley is in the chamber."

Preston: "Representative Hartke."

Speaker Giglio: "Hartke. Representative Hartke, is in his
chair."

Preston: "Representative Hicks."

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

Preston: "Representative Huff."

Speaker Giglio: "Representative Huff. Is Representative Huff in
the chamber? How's the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

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Speaker Giglio: "Remove him from the Roll Call."

Preston: "Representative Kirkland."

Speaker Giglio: "Representative Kirkland. Representative Kirkland is in his chair."

Preston: "Representative Laurino."

Speaker Giglio: "Representative Laurino in the chamber? Representative Laurino. How's the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Giglio: "Remove him from the Roll Call."

Preston: "Representative Panayotovich."

Speaker Giglio: "Panayotovich. Representative Panayotovich in the chamber? How's the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Giglio: "Remove him from the Roll Call."

Preston: "Representative Leverenz."

Speaker Giglio: "Representative Leverenz. Representative Leverenz in the chamber? Representative Leverenz. How's the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Giglio: "Remove him from the Roll Call."

Preston: "Representative Levin."

Speaker Giglio: "Levin. Representative Levin in the chamber? Representative Levin. How's the Gentleman recorded? The Gentleman is here. The Gentleman is in the chamber. Representative Huff has returned. Put Representative Huff... Representative Huff asks leave to be verified. Leave is granted."

Preston: "Representative Sutker."

Speaker Giglio: "Representative Sutker. Representative Sutker in the chamber? How's the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Giglio: "Remove him from the Roll Call."

Preston: "Representative Wait."

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Speaker Giglio: "Wait. Representative Wait in the chamber?"

Representative Wait. How's the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Giglio: "Remove him from the Roll Call."

Preston: "Representative Jane Barnes."

Speaker Giglio: "Jane Barnes. Representative Barnes.

Representative Barnes is in her chair. Representative

Laurino has returned. Put Representative Laurino on the

Roll Call. Representative Panayotovich has returned. Put

Representative Panayotovich back on the Roll Call.

Representative Saltsman, for what purpose do you rise?"

Saltsman: "Change my vote to 'aye'."

Speaker Giglio: "Change Representative Saltsman's from 'no' to

'aye'. Representative Pangle wishes to be recorded as

voting 'aye'."

Preston: "Representative Ronan."

Speaker Giglio: "Representative Ronan in the chamber?"

Representative Ronan. How's the Gentleman recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Giglio: "Remove Representative Ronan from the Roll Call.

Representative Krska, do you seek recognition? Are there

further questions of the Affirmative Roll Call,

Representative Preston?"

Preston: "I have no further questions."

Speaker Giglio: "Representative Van Duyne, for what purpose do

you rise?"

Van Duyne: "Mr. Speaker, what's the count? May I inquire as to

what the count is, please?"

Speaker Giglio: "The count at this time is 63 voting 'aye', 39

voting 'nay', 10 voting 'present'."

Van Duyne: "Thank you."

Speaker Giglio: "This Bill, having received... House Bill 861,

having received 66 voting 'yes'... 63 voting 'yes', 39

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voting 'no', 10 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading, appears House Bill 935, Representative Hoffman. Representative Hoffman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 935, a Bill for an Act to provide for the reorganization of school districts. Third Reading of the Bill."

Speaker Giglio: "Representative Hoffman, on House Bill 935."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. On behalf of the Cosponsors and myself, I present to you House Bill 935 an information sheet of which was distributed to you earlier today on golden rod paper. House Bill 935 addresses the issue of school district reorganization in Illinois. This Bill provides that Reorganization Committees will be formed in each educational service region in the state to study the need for school district consolidation. And further provides that all reorganization proposals will require the approval of local voters before being implemented. What this provides for is that in each educational service regions of which there are 56 downstate regions, we'll have a Reorganization Committee. The members of the Committee will be elected by boards of education in the region and will be chaired by the regional superintendent. In Cook County, because of the size of the district and the number of school districts in concert with discussion with the educational service region superintendent, we have divided Cook County into three subregions which conform to the regions developed or utilized by the Illinois Association of... of School Administrators and the Illinois Association of School Boards. Chicago is exempt from this, so they won't be included. They're already of an adequate size.

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The Committees will then study the size and the structure of the school districts in their region and report their recommendations. The Reorganization Committee will then submit their plans to the voters for their approval. If the plans are proved, then they will go into affect in 1987... January... July 1 of '87. If the plan is rejected by the voters the Reorganization Committee will then revise the proposal to reflect the objections to the degree that they can and resubmit it. If it is defeated the second time, the Reorganization Committee is dissolved and that's the end of the issue. In the Appropriation Bill, we have provided a... a million point six budget to assist local Reorganization Committees in conducting their studies. The State Board of Ed does the State Reorganization Committee and be responsible for establish and procedures and developing minimum standards and so on. One other item I want to mention included in this is that if dual districts combine to form a unit district, they will be allowed to retain the same maximum taxing authority as their combined rates were before they were consolidated. This is part of a program developed by the Commission on the Improvement of Elementary and Secondary Education. The Taxpayers' Federation is very strongly in support of this, as is, the Illinois State Chamber of Commerce, the League of Women Voters, and the Large District Council has also been very supportive. And I know you've received communications on it. At the appropriate time, Mr. Speaker, I would like for you to... to recognize Representative Steczo to close on the discussion on House Bill 935. I would be please to respond to any questions."

Speaker Giglio: "On the discussion, Representative Mautino."

Bautino: "Thank you, Mr. Speaker. I have great respect for the Sponsor of this legislation. I listened very intently

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to your proposal. What you're presenting to us is a formation of school consolidation, and yet you say the final determination is made by the voters of the area which are being considered under some grandiose plan. My question is, why do we need it, if in fact the final determination is to be made by the individual voters in those school districts for consideration of consolidation? That's the most important issue. The second part, I guess I would like to inquire of you, are you aware that there are school districts, for example in downstate Illinois where there are not 500 total students in some of the counties, and therefore would lose totally a school unit if in fact Mr. 'Sander's' proposal and your proposal as I understand it, which is the basis for the 500 student facility were to be enacted? Are you aware of those things, Gene?"

Speaker Giglio: "Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker. And let me respond to the first question, first and then the second question, second. One of the advantages of this kind of a proposal over what exists now, is that it allows everyone in a educational service region to set down and look at their present delivery system. Under the present situation, two or three districts can look at it and they can go together. Under this kind of proposal, they can look at any kind of a... of a reorganization that they think is in their best interest socially, politically, and economically. I had discussions with members of a school district down in central Illinois who recognized that it would probably be in their best interest if in reorganization part of the district went one way and part of the district went the other way. Under the present arrangement, you couldn't... you couldn't deal with that. In terms... in terms of the

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numbers, in the... in the Bill, it provides that... it provides for exception. You know, I don't think anybody ought to ride on the bus, you know, hours to get to school like they have to out in Wyoming and Montana and Elk Valley and some of those places. But what this does is it provides resources to the Educational Service Region Reorganization Committee. Provides them an opportunity to sit down and discuss this. To look at the advantages and disadvantages, and then vote. This will give them that opportunity which they don't presently have."

Mautino: "How many elections would we have, Gene?"

Hoffman: "It provides for a maximum of 2 and... they try to take advantage of the... of the objections from the first one, and if that fails, then the Committees just dissolve."

Mautino: "Well, I understand the... the diligent work that you've... you've put into this proposal, but I would like to point out there are those of us from areas of the state where there is total opposition to setting forth the state provisions, specifically for the distinct purpose for consolidation. There is opposition to that philosophy. And since Mr. 'Sanders' survey and study came out, I think that most of the correspondences and calls that have been coming to my office have been in total opposition. They state right now, they can do it if they so desire between the boards involved if consolidation is needed, necessary and economical. So, my question, I guess, is what are we doing if they can do it already and they don't want to do it, what are we shoving down their throats? In that regard, Mr. Speaker, I guess I would stand in opposition to the passage of 935. Basically because, I think we're telling the citizens of this state, we are setting up the mechanism for consolidation, and I'm not sure that's the proper way to go since those avenues are available for use

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right now."

Speaker Giglio: "Representative Barger."

Barger: "Thank you, Mr. Speaker. I'd like to speak to this Bill.

In the golden rod sheet that Mr. Hoffman passed out this morning, it says a Reorganization Committee will be created in each of the educational service regions. The Reorganization Committee will study size and structure, and they will present a plan. And if the plan is rejected by the voters, the Reorganization Committee will revise the plan and submit it again. Well, Mr. Hoffman and I share several school districts, because our two districts abut each other, and the Representatives that I have talked to from those districts are all vehemently opposed to Mr. Hoffman's suggestion and proposition. They don't want to be made into a unit district. They don't want to vote on becoming a unit district. They're very happy doing things just the way they are. One of our high schools is among the top 6 high schools in the State of Illinois, and they're happy because they're turning out well educated students. They don't need this interference from the State Government. They don't want this interference from the State Government. And I agree with Mr. Mautino that we very definitely should oppose this effort. Thank you very much."

Speaker Giglio: "Representative Hannig."

Hannig: "Yes. Thank you, Mr. Speaker, Members of the House.

Very briefly just to reiterate the opposition that has already been stated on this floor, we're being asked to allocate 1.6 million dollars and then to mandate to require to force the school districts in downstate Illinois and in the regions to setup a consolidation study. Now, I suppose if you feel the consolidation is the answer, then you should vote 'yes' for this Bill. But if you share the

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concerns that many of the downstate legislators and people have, the consolidation is not the answer. The busing these kids across these rural areas for all hours of the day and night is not the answer, then you should vote against this Bill. Because this is simply Roll Call on whether you are for or against consolidation, and I'm against it. And I'd ask for a 'no' vote."

Speaker Giglio: "The Lady from Cook, Representative Didrickson."

Didrickson: "Yes. Thank you, Mr. Speaker, Members of the House.

I believe the earlier question was, why do we need this Bill? Having sat on the Commission for the Improvement of Schools and gone statewide and having sat in on the deliberations with regards to school consolidation, I can tell you that the political realities are that nobody wants to step up to the issue that we have over 1,000 school districts in the State of Illinois, that there are only two other states out of 50 who have as many or more. Back home in the south suburban region, there are many school districts that have been meeting on consolidation and they report back to me as there aren't any incentives with regards to school consolidation. We've addressed that here. There are incentives with regard to taxing authority. Their number two point is, why don't you mandate it down in Springfield? The political realities are that there isn't anybody here on this floor that's willing to step up to that issue, nor on the second floor. But we all know and recognize that with regards to equity in curriculum and parity across the state, we do need to step up to it. This proposal allows the locals to set up their own regional committee, come up with their own regional program and then go out to the voters. There is choice. I would also like to remind members of this floor that when we were going across the state with regards to

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the Commission and listening to the students out there, there were students that weren't given options with regards to foreign language courses. It's also my understanding that the University of Illinois School of Engineering has to waive that requirement with regards to entrance because those kids don't even have the offerings with regard to foreign language. I'd also like to address the point that there are over 300 schools in the State of Illinois who don't offer gifted school programs. The gifted students don't have any options, because the school districts aren't large enough to provide those programs. I suppose I could go on and on, but the point is that this is a compromise. We are, yes... we are mandating that they shall address the issue back home locally, but we're giving them the option to decide how."

Speaker Giglio: "Representative Monroe Flinn."

Flinn: "The usual Motion, I move the previous question."

Speaker Giglio: "The Gentleman moves the previous question. All those in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Gentleman from Cook, Representative Steczo, to close."

Steczko: "Thank you, Mr. Speaker, Members of the House. In closing, first I would like to respond perhaps to some of the remarks made by previous speakers. One of the previous speakers said that his particular school districts are happy with things just the way they are, and they're happy with things just the way they are so long as the General Assembly can provide more money to those school districts to carry on a program. Sometimes that money is there. Sometimes that money is not. But I would remind each of you who have been here to remember and recall the discussions that take place every June when we try to determine how that pot of money for school finance is going

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to be divided up. And it always comes to a battle between the unit districts and the dual districts, and we feel that in some ways there has to be a better way or discussion on how to make the situation better. We also have to keep in mind that not so many years ago Illinois had up to 10,000 school districts and had it not been for the General Assembly prompting some change to be made we wouldn't be done to the 999 active districts that we currently have. House Bill 935 does nothing more than mandate discussions to take place. We set-up Committees in each of the regional districts. We mandate them to at least consider what can be done to make the educational delivery service more efficient, more... more cost worthy in those areas. The one big safe guard contained in House Bill 935 is a frontdoor referendum. Those of us who have been involved with the whole question of consolidation in the past realize that the whole question in every part of the state is an extremely emotional one. We know quite often that it's been the emotions that have caused part of the problem in terms of a successful reorganization in many many areas. So, by allowing discussions to take place and by allowing a frontdoor referendum... a frontdoor referendum to be the one that ultimately determines what happens, gives those people in those regions the ultimate say as to what happens. But discussions on some type of a plan to widdle down the outrageous number of school districts that we have has to start sooner or later. We feel that House Bill 935 is a fair approach. It's something again that has all the safe guards necessary, and I would appreciate your support of House Bill 935."

Speaker Giglio: "The question is, 'Shall House Bill 935 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish?"

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Representative from Winnebago, Mulcahey."

Mulcahey: "Forget it."

Speaker Giglio: "Representative Stephens. 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 86 voting 'aye', 26 voting 'no', 3 voting 'present'. House Bill 935, having received the Constitutional Majority, is hereby declared passed. House Bill 952, Representative Hicks, are you ready? Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 952, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Giglio: "Representative Hicks."

Hicks: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 952 addresses the School Code. It has to do with the EAV for school districts. What we have here is, we have a problem whereby I have one school district, a very small school district, that had one taxpayer who left that district in an excess of 7 million dollars lost in assessed valuation which represented more than 15 percent of the total dollars coming into that school district. They had a loss of actual school revenue of over 300,000 dollars because of the loss of the one business leaving, and it happened to be a coal mine that left the area. It's the same type of legislation we've done in quite a few years in the past. We did so last year and the year before. And only addresses the problem of one school district, and I'd ask for... be happy to answer any questions."

Speaker Giglio: "... discussion. No discussion, Representative Hicks to close."

Hicks: "Yes, Mr. Speaker, I'd just ask for an 'aye' vote on the Bill."

Speaker Giglio: "The Gentleman asks that House Bill 952 pass."

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All those in favor signify by voting 'aye', those opposed voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 110 voting 'yes', 4 voting 'no', 2 voting 'present'. House Bill 952, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading on page 29 of the Calendar appears, House Bill 961, Representative Currie. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 961, a Bill for an Act to amend Sections of the Public Community College Act. Third Reading of the Bill."

Speaker Giglio: "Representative Currie."

Currie: "Thank you, Mr. Speaker and Members of the House. House Bill 962 (sic - House Bill 961) is an amended to the Public Community College Act. It is an increase in property tax rates setting a minimum tax rate for Illinois community college districts at 17 and a half cents for educational purposes, and a 5 cent increase in the building purpose tax rate. This is a property tax increase Bill, but the principle behind this proposal is one that was adopted by the Illinois General Assembly in 1974, more than a decade ago. At that time, this Assembly said that any new community college districts formed after that effective date would have this as their minimum statutory property tax support. Since that time, only one new community college district has formed. It, of course, is entitled to 17 and a half cents in the Education Fund, and a nickel in the Building Fund. Other community college districts across the state have not fared so well on this issue. This Bill would bring them up to what this Legislature said 11 years ago should be the minimum support... minimum public support for a community college district. I would

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be happy to answer your questions, and I would urge your support for House Bill 961."

Speaker Giglio: "The Lady urge that the House pass House Bill 961. On the question, Representative Huff, do you seek recognition? Any discussion? Hearing none, seeing none, Representative Currie, to close on House Bill 961."

Currie: "Thank you, Mr. Speaker, Members of the House. The Bill is supported by the Illinois Community College Board, by the Cook County College Teachers Union, and by the Illinois Federation of Teachers."

Speaker Giglio: "The Lady asks that House Bill 961 pass. The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 30 voting 'yes', 78 voting 'no', 3 voting 'present'. This Bill, having failed to receive the Constitutional Majority, here's... hereby declared lost. House Bill 982, Representative Steczo. Representative Steczo on House Bill 982. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 982, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Steczko: "Thank you, Mr. Speaker, Members of the House. I present to you House Bill 982 on behalf of the Committee on Elementary and Secondary Education. This Bill was heard in the Subcommittee on Finance of the Committee which adopted House Bill 982 unanimously and passed... it passed the full Committee by... with 1 descending vote. What this Bill is, is similar to a Bill that... that has passed this House on two previous occasions, and one which deals with the whole question of tax rate equity for unit districts. I'm sure you're all aware and as... as... and those of you who have

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been here in previous Sessions are aware that there's a constant... there has been constant discussion with regard to the creation of unit districts in many areas. However, the tax and equities in those areas has also been look... has always been looked upon as a road block. As the... as the situation currently stands, if you're a unit... if you're a dual district meaning K through 8 and 9 through 12, you're allowed to tax at a rate of 92 cents each or a \$1.84. If you're a unit district, your maximum nonreferendum tax rate is a \$1.60. Those of us in areas who have undertaken serious discussion of creating unit districts have found that this handicap creates quite a problem. And what House Bill 982 does is cure that inequity. It provides that if you're a dual district, and you wish to create a unit district, then your nonreferendum tax rate will be a \$1.84 or a wash with what you currently have now. This Bill also factors in current unit districts which are under a \$1.84 of which there are just a few, and allows them to go to a \$1.84 over a period of 4 years. Another factor, on an expensive item that always arises, is the whole question of transportation. Again, as a dual district, each district is allowed to levy 12 cents per districts, or a total of 24. This Bill allows unit districts to increase that levy by 2 cents per 4 years bringing them up to a total of 20, and as we all now, transportation is quite a heavy cost item. So, this Bill definitely would serve to take away the inequities that one hears about when we talk about districts who voluntarily discuss the whole question of reorganization and creating unit districts out of dual districts. The House in the past has approved legislation on the education tax rates by overwhelming votes. The Sponsors of this Bill and Members of the Education Committee and the Finance Subcommittee

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have tried to contact each and everyone of you to tell you how your districts fared under this Bill. There's only a few people in this... in the chamber really that are dramatically affected by it. I would be pleased to answer any questions, and I would encourage your support of House Bill 982."

Speaker Giglio: "Representative Ewing. Representative Ewing, do you wish to speak?"

Ewing: "I'd like to ask the Sponsor a question."

Speaker Giglio: "The Gentleman says he will."

Ewing: "Representative, if you have a district with about equal number of unit districts and dual districts, how will this Bill affect the dual districts?"

Steczo: "Representative Ewing, it depends on the tax rates. In most areas, the unit districts are currently over a \$1.84. So, if those units are over \$1.84, it would not affect them. If you're dual districts, then we would be giving them the same nonreferendum tax rate that they currently have, \$1.84. So, it would be awash in that respect. And if you have unit districts that are under \$1.84, then they would be able to get up to that level within a 4 year period of time."

Ewing: "Without a referendum."

Steczo: "Without... with backdoor."

Ewing: "Yes. Does this though if we pass this, it actually will probably reduce the amount of aid going to dual districts because the bigger share... there's going to be a bigger share going to units of state aid, no?"

Steczo: "I... I don't agree with that, no."

Ewing: "Oh, you don't. Alright. Thank you."

Steczo: "And..."

Speaker Giglio: "Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker. Will the Sponsor yield for a

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question?"

Speaker Giglio: "He indicates he will."

Cowlshaw: "Representative Steczo, it was my understanding that in order that each and every Member of the Assembly might be as well informed as possible about the affects of this particular Bill, that in fact, specific items of information about existing tax rates in all school districts underlying each of the districts which each of us represent has been distributed to every Member of this Assembly. And consequently, Representative Ewing as well as everyone else here should already be aware of that information. Hopefully, when that was distributed to your desks, you didn't throw it away. You still have it there, and I would suggest you refer to it."

Speaker Giglio: "Representative Steczo."

Steczko: "Thank you, Representative Cowlshaw. I know that you personally talked to Members on your side of the aisle, and myself and a few others talked to Members on this side of the aisle, and tried to talk to each Member personally to let them know how their districts were affected. And in most cases, there districts were not affected at all by this, because most unit districts in this state are over the \$1.84. And if they are, this Bill does not affect them, nor does it affect the City of Chicago, which is currently over that level as well."

Speaker Giglio: "The question is, 'Shall House Bill 982 pass?' All those in favor signify by voting 'aye', those opposed 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 78 voting 'aye', 29 voting 'no', 7 voting 'present'. House Bill 982, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading,

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appears House Bill 1027, Representative Brunsvold. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1027, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Giglio: "Representative Brunsvold."

Brunsvold: "Thank you, Mr. Speaker. 1027 is a very simple Bill, under Section 10-20.9a, which deals with school board responsibility, Section - Final Grade. It simply says that the teacher shall have the ultimate authority in the issuance of the final grade for each pupil. That's what the Bill does. I would ask for your support."

Speaker Giglio: "On the discussion, Representative Dunn. John Dunn, from Macon."

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

Speaker Giglio: "He indicates he will."

Dunn: "The Bill as originally filed did other things, is this all that's in the Bill at this time?"

Brunsvold: "That's all. Everything else was amended out."

Dunn: "Thank you. Thank you."

Speaker Giglio: "Representative Ryder."

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

Speaker Giglio: "He indicates he will."

Ryder: "Under current law, who now has the ultimate authority on final grades?"

Brunsvold: "Well, the ultimate authority for the final grade would rest with the school authorities. What's... What has happened in the past is that for some reason a teacher's final grade would be changed for whatever reason by the principal or the superintendent, and the teacher would not have the say in what the final grade would be. And this is simply saying that the teacher who has taught the child for a whole year, a semester, whatever shall have the ultimate say in what that grade will be. Now, what the school

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board, the superintendent want to do with that student as far as passing them along, that's their responsibility."

Ryder: "Excuse me, but I think you said something that now confuses me when you're saying ultimate authority and ultimate say. Are you... do you mean to equate those? The teacher..."

Brunsvold: "The ultimate authority... the Bill says the ultimate authority, the school board, has to insure that the teacher has the ultimate say in what the grade will be. Now, the superintendent, the principal may decide that they don't for some reason would want to change the grade from say an F to a D. And the teacher says, no, this student shall have an F. And the principal says, no, we're going to give him a D. Well, the teacher says, an F. Fine, if the principal wants to change it. You shouldn't do that. The grade should stay an F. If they want to move that student on, fine. But the teacher has that ultimate say."

Speaker Giglio: "Representative Didrickson."

Didrickson: "Yes, will the Sponsor yield for a question, please?"

Speaker Giglio: "He indicates he will."

Didrickson: "Joe, what happens in the case where let's say my daughter has a personality conflict, or the teacher has a personality conflict in the classroom, and the teacher seeks to retaliate against my daughter with regards to failure, or a D?"

Brunsvold: "Well, that situation should be addressed a long time before you get to the original grade, final grade, excuse me. You... you will be able to tell within the first couple of weeks whether, you know, there's going to be a problem there, should be addressed. You know, that's... your situation is... is something that happens very rarely and..."

Didrickson: "Let's say that I did address that early on in the

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first two or three weeks and I went through the normal processes to have my daughter changed to another class, and I was told; (a) either it was too late, or (b) unfeasible?"

Brunsvold: "So, you're asking... you know, you have a personality conflict?"

Didrickson: "Correct."

Brunsvold: "Well... still it doesn't make any difference whether you have a personality conflict or not. The student is in that class, and sure say they don't get along. That student still has to satisfy that teacher, or they should be removed from the classroom, and take another teacher, or drop the class all together."

Didrickson: "But you are giving me no recourse here, if indeed that does occur. And I think there are many of us who have that concern that that does exist in the classrooms today across this state. And you're giving the ultimate authority to the teacher with no recourse to go to the superintendent, or the school board, or a Department head, or anybody else."

Brunsvold: "What you're saying is that you go into a situation, and you may not get a passing grade, and you can say we have a personality conflict and change that grade. That's defeating the whole purpose of the system."

Speaker Giglio: "Representative Didrickson."

Didrickson: "To the Bill, Mr. Speaker."

Speaker Giglio: "Proceed."

Didrickson: "I understand what the Representative is trying to do here, but I think he is taking it to far with regards to ultimate terminology. I think there should be recourse for students and for parents with regards to grades, and I think he is eliminating that. And I oppose the Bill on that basis."

Speaker Giglio: "Further discussion? Representative McNamara."

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McNamara: "Yes, Representative Brunsvold, I believe in Committee when we discussed this Bill, there was a remedy for a situation which would... which may occur which allow for a punitive grade, or something of that area to be overturned by the administration. And it was my understanding that the teacher's grade would still stand. However, the board or the principal in charge had the ability to overturn that grade for pass or failure, is that correct?"

Brunsvold: "They can do that now. That's right. That's the situation. The teacher says, this is the grade the student should receive from the work they have done over the semester. Now, if there are extenuating circumstances, and the school district, the school board, the principal superintendent, wished to change that grade which they wouldn't be able to do, but they should put notes with the grades saying that this... there was extenuating circumstances then that's fine. Yes, because I believe... if and recall my memory correctly, but I believe that if what we were talking about in that area was a situation that suppose the teacher got fired and gave the whole class say a failing grade, then I think that the discussion that was brought out was well, then the board could overturn that particular situation. Leave the F there but with an explanation that that grade was due to a extraordinary condition and then give the grade that they thought would be correct for it, and pass the student on. But is it correct that you are trying to say that if a grade is going to be changed, then the board or whoever is changing the grade must make it known that they are the ones that are changing the grade, and it isn't put underground so that the teacher would be forced to change the grade?"

Brunsvold: "That's correct. The teacher has got to have the right to give the grade that he or she feels the student

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receives. Now, the extenuating circumstances you have described are not... I don't know, I've never seen it happen. You know... I don't know if we can address that situation with passing of the laws there's always some extenuating situation someplace that is not going to fall into the... into the scope of the law. And what has been described by Representative Didrickson and yourself is very, very, very rare that that will ever happen."

McNamara: "Okay."

Brunsvold: "Representative McNamara."

McNamara: "To the Bill. I think what I wanted to bring out in the discussion very simply is... is that there is a remedy in cases where those extraordinary things will happen which we haven't seen happening as to now. That is that the grade does not necessarily mean the failure of the child, and I believe that we can support this Bill on that basis. Thank you."

Speaker Giglio: "The Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would like to point out to those of you who are attorneys and to all of you who are concerned about the principles of justice, that what this Bill violates is perhaps one of the most basic principles of our judicial system, and that is the right of appeal. If this law... If this Bill were to become law, no student or his or her parents who believed the grade arrived at by a teacher had been arrived at on some faulty basis whatever that basis would have any right whatsoever to appeal. We admit that judges can make mistakes. If the people whom we respect enough to put in black robes we acknowledge can make mistakes, perhaps we ought to acknowledge the teachers can make mistakes, too. Sometimes they may not even be purposeful mistakes. I think this is a very bad Bill. I

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do not think it respects the rights of students and of parents. I think it ought to be defeated. Thank you."

Speaker Giglio: "Representative Bullock."

Bullock: "Thank you, Mr. Speaker. I'll be extremely brief. Representative Cowlshaw is absolutely correct. She is absolutely correct when she indicates that the Bill does not allow for the process of appeal. We have great respect for our public school teachers and teachers in general. But the principals and the administrators have a roll in education as well. And they are charged with the custodial duties for those students, and she is absolutely correct when she says that if this Bill becomes law, we have denied the process of... the due process to work within our public school system. I don't know if the Sponsor took into consideration this denial when the Bill was introduced. He's an outstanding Member of this Assembly, but I too rise in opposition to the Bill. And I agree with Representative Cowlshaw. The Bill should not be passed."

Speaker Giglio: "Representative Brunsvold to close."

Brunsvold: "Thank you, Mr. Speaker. If a principal comes to me, which they have, and they said we'd like you to pass Johnny, because Johnny had extenuating circumstances, his mother and father got divorced, I'd change the grade. There's no problem. I've done that before. I've also had principals ask me to change grade for reasons that weren't valid, and I refused to change that grade, but they were changed on the report card anyway without my approval. The teacher that had taught that child for a whole semester, or a year. What are we violating here? Just a little while ago, Representative Greiman stood here and said we're going to pass reforms so teachers can... have to go through bar exams. They have to take these tests, that test. They're going to be scrutinized by their principals, and then in

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the end result are going to say no, we don't believe that grade is correct. I don't think we can do that. If we're going to make professionals out of teachers, they ought to at least have the right to put the grade down they feel the child deserves. If the principals and administration wants to add extenuating circumstances, fine. That's their prerogative to do that. So, I would ask for a green vote. So that the teacher that is a professional that we're trying to make a professional can at least put down the grade that they want them to have."

Speaker Giglio: "Question is, 'Shall House Bill 1027 pass?' All those in favor signify by voting 'aye', those opposed voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 80 voting 'yes', 33 voting 'no', 4 voting 'present'. House Bill 1027, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading, on page 29 of the Calendar, appears House Bill 1034, Representative Satterthwaite. Mr. Clerk, read the Bill"

Clerk O'Brien: "House Bill 1034, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Giglio: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, this Bill provides for scholarships to be extended through the State Board of Education for the purpose of educating teachers. It would mean that we would encourage students to go into the education realm at a time when they are going to be very sorely needed. The projections are that by 1990, we will have a shortage of teachers in many different fields. We currently have a shortage in some parts of the state for things like some of the advanced math or science courses, but we think that this problem will be much, much greater

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as we get to the year 1990. Part of that results from the additional children coming into our school systems now at the lower grade levels, and part of it arises from the fact that much of our current teaching staff will be at retirement age by the early 1990's. And so for that reason, I extend to you this Bill for the provision of scholarships to students to train them in teacher education. I'd be happy to answer questions."

Speaker Giglio: "Any discussion? The Gentleman from Coles, Representative Weaver."

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

Speaker Giglio: "She indicates she will"

Weaver: "Representative, we talked about this in Committee. How many scholarships did we end up with and what is the resulting fiscal impact?"

Satterthwaite: "Yes, the Bill was substantially amended here on the House floor. It currently calls for 500 scholarships to be extended. There would be no scholarships extended until the fall of 1986. And so no fiscal impact would come in the next year's budget. It would be the year after that. It would be an amount of about 1.5 million dollars."

Weaver: "Are these loans or are they outright grants?"

Satterthwaite: "They are grants, but there is a provision that if the student would not complete the course or if the student would not teach after having become certificated, then they would repay it."

Weaver: "Thank you."

Speaker Giglio: "Further discussion? Hearing none, Representative Satterthwaite, to close."

Satterthwaite: "Simply ask for your support in passing this Bill.!"

Speaker Giglio: "Question is, 'Shall House Bill 1034 pass?' All those in favor signify by voting 'aye', those opposed by

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voting 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 101 voting 'yes', 14 voting 'no', 2 voting 'present'. House Bill 1034, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading appears House Bill 1034, Representative Didrickson. Mr. Clerk, read the Bill. Excuse me. 1037."

Clerk O'Brien: "House Bill 1037, a Bill for an Act relating to elementary and secondary education. Third Reading of the Bill."

Speaker Giglio: "Representative Didrickson, on House Bill 1037."

Didrickson: "Yes, thank you, Mr. Speaker, Members of the House. House Bill 1037 is the Committee Bill from the House Elementary and Secondary Education Committee with regards to pupil performance and instructional standards. Primarily, it deals with student competencies, dropout dispare, literacy, substance abuse prevention and personal services courses. The product, this Bill, went through a very deliberative process with regards to almost line by line, almost unprecedented with regards to the Committee structure, also was amended on the floor and, I think, reflects a very good, orderly process. And in specific, House Bill 1037 does the following. It allows the Department of Alcohol and Substance Abuse to establish school-based alcohol and substance abuse prevention and intervention programs with approval by the State Board of Education. Number two, it requires the State Board of Education to report to the General Assembly annually a count of dropouts and students at risk of dropping out. Something we presently do not get nor receive. Number three, it allows local school districts to establish optional educational programs. These pilot projects,

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requiring State Board of Education approval, shall be grants awarded to local school districts, fifty percent for dropout programs, fifty percent for students at risk. Such programs shall be individually planned to focus on academic and vocational skills, may include evening school, may include summer school, community college courses, adult ed and preparation courses for the GED. The fiscal impact on this particular alternative program for the dropouts is nine million dollars. Number four, provides summer school grants to school districts for gifted student programs with regards to math, science and computer learning and provides for mediation programs for students to advance to the next grade level. The fiscal impact on this is 20 million dollars. Student competency - requires the State Board of Education to provide a selection of competency exams which test basic skills and learning outcomes at grades three, five and seven in reading, math and language arts. Students whose test results reflect competency levels two years below grade level shall attend a summer school remediation program before advanced to the next grade. The fiscal impact here is 400,000 dollars for setting up the statewide tests with certain anchor items by the State Board of Education. Unfortunately, we cannot predict the fiscal impact. We know it is less than the Commission on the Improvement of Schools, because we are talking about two years below grade level and we are talking about summer school remediation. Number six, extends the bilingual instruction to include all school districts, removing that 20 student minimum to ensure that each student across the state shall have the benefit from educational instruction. Fiscal impact on this is 10.2 million. Number seven, State Board of Education shall develop proficiency tests for students to proficiency out of health education and

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consumer education. Fiscal impact 300,000 dollars to develop the tests. Point number eight, state said it shall be the policy of each school district in this state to discourage social promotion. Point number nine, requires the p.e. curriculum in grades nine and ten to also include health education as required in the Critical Health Education Act. Number ten, provides for qualified teacher aides in grades K through three. Aides must have 30 semester hours of college credit or successfully completed a teacher aide program. Grants shall be available to qualifying school districts and allows one aide per three certificated teachers. Grants are also available to qualifying school districts for qualified reading specialists for the training of teachers in effective methods of teaching reading skills to pupils in K through six. One reading specialist for 15 certificated teachers. The fiscal impact on this is 40 million dollars. Point number eleven provides that when joint vocational ed programs are disbanded, the teacher shall not lose tenure and that students shall continue to have access to voc ed. Number twelve, State Board of Ed. shall make grants to school boards for development of comprehensive arts programs. An appropriation of 500,000 dollars will be submitted. This is for grades K through six. Allows local school boards to waive the p.e. requirement in grades 11 through 12 for student athletes, college prep courses, voc ed and remedial course work. Point number fourteen, grants are provided by the State Board of Education for reading and library materials for the media centers. A one million dollar appropriation is expected to track along with this. The last point regards drivers' education behind the wheel. This may be contracted out on... with approved licensed driver training schools approved by the Secretary of State.

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It also provides that the district may charge a reasonable fee to students and provides for the waiver of the student who is unable to pay. I would entertain any questions."

Speaker Giglio: "Any further discussion? Representative McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. Would the Sponsor yield to a question?"

Speaker Giglio: "She indicates she will."

McGann: "Representative Didrickson, what affect does your Bill have on the present programs regarding physical education and drivers' ed?"

Didrickson: "It does not demandate physical ed, nor does it demandate drivers' ed. It gives flexibility with regards to those personal services courses. P.E, as I mentioned, can be waived in those certain instances where an athlete is already performing in an athletic program and practicing before school and after school and wants to take that p.e. course time in 11th and 12th grade and use it for an academic course."

McGann: "Why don't you elaborate on flexibility? Are we changing the present mode as how the physical education programs are handled?"

Didrickson: "We are..."

McGann: "And also the drivers' educational programs?"

Didrickson: "Okay. We are allowing local school boards to waive 11th and 12th grade p.e. for those instances that I cited."

McGann: "Thank you."

Speaker Giglio: "Representative Klemm."

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

Speaker Giglio: "She indicates she will."

Klemm: "Representative, since there are a number of items in here that tend to be mandated for the local school districts, have we provided and will we provide continual funding for

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those local school districts to pay for these programs?"

Didrickson: "If the question is, are we going to be tracking the appropriate dollars for these programs that we are mandating back to the local school districts?"

Klemm: "Will the state reimburse the local districts to pay for these mandated programs?"

Didrickson: "That is our intention. And to the best of my ability with regards to the fiscal impact, I have itemized that for each one of those programs that we will be mandating. In specific, we're talking about literacy. That was an expensive item with regards to reading specialists, but I think that when we consider the literacy factor in the State of Illinois, that is most indeed an appropriate measure to be in this package. When we're talking about no more social promotion and student accountability, I wasn't able to give you a definitive dollar figure on that; however, we know, as I mentioned, that it is less than what has been previously recommended. To the best of our ability, this is a 71.5 or 9 million dollar program."

Klemm: "So that's an estimate, and I understand that because of variables. But if this were to be implemented by the school districts, do they then send to the State Board or something their costs, the actual costs that they're involved with rather than this estimated amount, and will they be then reimbursed for these mandated programs?"

Didrickson: "Representative Klemm, as you understand, these are line items."

Klemm: "I didn't understand you."

Didrickson: "These are line items."

Klemm: "So, are you going to repay them for their costs because we're mandating these, yes or no?"

Didrickson: "That is the intention."

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Klemm: "And that will be what will be done? Good intentions down here, we have a lot of them."

Didrickson: "I have been trying to get an exact answer for you myself, and the answer that I have received is these are line items, and the appropriate dollars will be tracked back. There are other specialists here on the floor. I think Representative Hoffman probably could speak to the issue also a little bit more in depth. We are working in a hazy area here with regards to predicting what the costs are going to be."

Klemm: "Just because... I think we both share the same philosophy that if the state intends to mandate to these locals to do it..."

Didrickson: "Absolutely."

Klemm: "... such as the example of bilingual education for any student who just has a limited ability to speak English, any school district and every school district are going to have to do it. And that's a commendable program. But it may require hiring special teachers for the elementaries and the kindergartens and all those varying grades, and whatever it may be - I'm not quarreling with it. I'm just saying that, are we, in fact, going to pay and reimburse those schools that do what we're mandating? And I know you are a champion of that, as I am. I'm just wondering if this Bill of yours will do that very thing."

Didrickson: "With regards to the bilingual education, this only reflects those students right now who are disenfranchised from that program, because they can't put together 20 or more students within their district. And with regards..."

Klemm: "Why is it so difficult, yes or no? I mean, it's a simple question. I understand there's varied programs, and I don't mean to pick each one and you know that. And so I just use that as an example whether locals will end up with

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costs on their school districts. I'm just asking, will they be funded, and are they going to be continually funded, rather than we'll fund it for one year and then, locals, you're on your own? That's all."

Speaker Giglio: "Representative, may I remind the Body we've got two more Bills to go. We're over and passed of the time limit for the next Order of Business. We'd like to go through these two Bills and then go onto the next Order of Business which is Labor. We'd like to repeat that..."

Klemm: "Well then just shortly, quickly to the Bill then, since it's difficult to get a definite answer. I hope somebody could at least address that, because we're all concerned. Thank you very much."

Speaker Giglio: "Representative Hensel. Representative Hensel?"

Hensel: "Thank you, Mr. Chairman, and I move the previous question."

Speaker Giglio: "The Gentleman moves the previous question. All those in favor signify by saying 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Representative Didrickson, to close."

Didrickson: "Thank you, Mr. Speaker, Members of the House. I would just like to continue on with regards to Representative Klemm's questioning. It is the intention that these items will be funded on a line item basis. To the best of our knowledge, that's all we can say. For those of you who are wondering whether or not we were going to have meaningful reforms, we have made meaningful gains. I would underline that - meaningful gains as regards to House Bill 1037. I ask for your approval."

Speaker Giglio: "Question is, 'Shall House Bill 1037 pass?' All those in favor signify by voting 'aye', those opposed voting 'nay'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish?"

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Mr. Clerk, take the record. On this question there are 110 voting 'yes', 2 voting 'no', 4 voting 'present'. House Bill 1037, having received the Constitutional Majority, is hereby declared passed. Representative Breslin in the Chair."

Speaker Breslin: "Ladies and Gentlemen, by agreement of both sides of the aisle, we are going to try to complete two Bills on this Order of Business that are out of sequence. We will, however, come back to this Order of Business again, hopefully tomorrow. So with leave of the Body, the Chair will call House Bill 1528, Representative Hoffman. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1528, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill"

Speaker Breslin: "Representative Hoffman."

Hoffman: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1528 is a formula Bill which... for state aid which came out of the Finance Subcommittee of the House Elementary and Secondary Education Committee. What it does, in effect, is change the... the qualifying rate for unit districts from \$2.92 down to \$2.76. There had been a lot of discussion about the fact that there's no incentive for districts to reorganize as unit districts. What this does is it gives them that incentive. It will... It will move the majority of the new money that's included in whatever the appropriation level happens to be to unit districts. There will still be some of the new money going to dual districts; but, by reducing that qualifying rate, it will push the majority of the money, the new money - this has nothing to do with old money - to unit districts. And I would ask for your support of House Bill 1528."

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

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House Bill 1528. And on that question, the Gentleman from Macon, Representative Dunn."

Dunn: "Sponsor yield for a question?"

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

Dunn: "What's this do for my school district?"

Hoffman: "Decatur?"

Dunn: "That's one of them, yeah."

Hoffman: "It will be helpful."

Dunn: "How much?"

Hoffman: "It depends on the appropriation. See, the formula is driven by the money. So the more money we appropriate, the more helpful it would be."

Dunn: "And how is my district helped in comparison to other districts? What I'm saying is this is the age-old thing. We should have a printout on this Bill so we can see how we're doing comparing to other districts at various levels of fundings. Probably aren't four people in this room..."

Hoffman: "I could..."

Dunn: "... who know how their district is going to do under this legislation. So, how do I know whether I should vote for this or not?"

Hoffman: "Trust me."

Dunn: "Yeah. Yeah. Alright, I recommend a 'no' vote on that basis."

Hoffman: "Seriously..."

Dunn: "I was serious."

Hoffman: "The devil made me do that."

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

Huff: "Will he yield? Representative Hoffman, I assume that this excludes Chicago, right?"

Hoffman: "Oh, no, it includes Chicago."

Huff: "It includes Chicago?"

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Speaker Breslin: "There being no further discussion, the question is, 'Shall House Bill 1528 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. The Gentleman from Cook, Representative Shaw, one minute to explain your vote. Representative Shaw, one minute to explain your vote. Have all voted who wish? Clerk will take the record. On this question there are 110 voting 'aye', 4 voting 'no' and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The next Bill taken out of sequence is House Bill 2387, Representative Madigan. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2387, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Madigan."

Madigan: "Madam Speaker, Ladies and Gentlemen of the House, this Bill deals with the question of teacher evaluation, remediation and, if there is a failure of remediation, then dismissal. It provides that there shall be a mandatory requirement that each teacher would be evaluated once every two years. There would then be a mandatory remediation period. Then, if there is a failure through all of that procedure, then we would move to a dismissal of that particular teacher. In my judgement, this Bill is absolutely critical to the question of educational reform. All of us have worked on the question of educational reform for several months. We have had the advantage of studies from all over the nation that have given us ideas and proposals as to how we can provide for better instruction in the school systems of our state. It is my position that if we take under advisement all of the material, all of the studies that have been given to us and, as we move through the Legislature all of these educational changes, if

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through all of that we do not provide that school districts can remove incompetent teachers, then we have failed in the charge given to us by the people of this state to provide for educational reform during this Session of the General Assembly. If educational reform means that we will simply sprinkle more money on school systems and on school teachers without providing the wherewithal to remove incompetent teachers, then we have failed in our responsibility to provide for educational reform during this Session of the General Assembly. I would highly recommend to you the provisions of this Bill and recommend an 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2387. And on that question, the Lady from DuPage, Representative Cowlshaw."

Cowlshaw: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 2387 began as the initiative of Speaker Madigan. It was assigned to one of the Subcommittees of the Elementary and Secondary Education Committee which worked with it in cooperation with Speaker Madigan. I believe that emerging now as a Subcommittee proposal endorsed by the full Committee and sponsored by Speaker Madigan, that indeed it is, like other portions of our education reform package, an essential element in the whole package. I commend the Speaker for sponsoring this excellent Bill, and I urge its adoption."

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

Friedrich: "Would the Sponsor yield?"

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

Friedrich: "Representative Madigan, would this supercede the Tenure Law? In other words, you'd ignore the Tenure Law if... if this person was found... And what about a union

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contract? That's the two things I'd like to know how you handle with respect to this. I think you're on the right track. I just want to know how you handle it."

Madigan: "The provisions of this Bill would apply to tenure teachers so that there would be a direct impact upon the Tenure Law, but it does not supercede the provisions of a union contract."

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

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

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 Madigan, to close. The Gentleman waives his close. The question is, 'Shall House Bill 2387 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 115 voting 'aye', 1 voting 'no' and 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, we are going to change the Order of Business to go to the Special Order dealing with Labor Bills. It appears on page 19 on your Calendar. The first Bill is House Bill 346, Representative Shaw. Clerk, read the Bill"

Clerk O'Brien: "House Bill 346, a Bill for an Act to amend Sections of the Illinois Human Rights Act. Third Reading of the Bill."

Speaker Breslin: "Representative Shaw."

Shaw: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. House Bill 346 amends the Human Rights Act

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making it a civil rights violation to deny pregnant employees a maternity leave and reinstating them in employment. And this is a very simple Bill. It's... All it does is require the employer to rein... once the pregnant lady has applied for a maternity leave, it would require the employee to give her that maternity leave and make sure that she is reinstated upon return... to her job. And I ask for a favorable Roll Call."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 346. And on that question, the Gentleman from DeWitt, Representative Vinson."

Vinson: "Yes, Madam Speaker, I wonder if the Sponsor might yield for a question."

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

Vinson: "Representative, has Amendment #1 to this Bill been adopted?"

Shaw: "Yes, it has, Representative Vinson."

Vinson: "Do I read Amendment #1 to say that the date on which the pregnant employee can choose the six month leave is at her discretion?"

Shaw: "Yes, that's correct."

Vinson: "Well, doesn't that really open it up to quite a bit of abuse?"

Shaw: "I don't think so. If she's just little bit pregnant..."

Vinson: "She's what?"

Shaw: "If she's just a little bit pregnant, I don't think..."

Vinson: "Have you ever seen somebody like that?"

Shaw: "No, I think, Representative Vinson, I don't think that would open it up for abuse. I think that that would give her an option. There's a lot of ladies who cannot stand on their feet in the eighth month or the seventh month, and it would give them some latitude in terms of choosing what period they wanted off."

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Vinson: "How is the employer going to know if the employee is pregnant?"

Shaw: "Well, beg your pardon?"

Vinson: "How is the employer going to know if the employee is pregnant?"

Shaw: "Well, if he or she is not a doctor, I assume, in this legislation they would bring a doctor's certificate in as required now under..."

Vinson: "Can you point out to me where that's required in the legislation?"

Shaw: "It's already in the Human Rights Act right now."

Vinson: "It requires in the Human Rights Act right now for the pregnant woman to come with a certificate for a pregnancy leave?"

Shaw: "Beg your pardon?"

Vinson: "It requires right now for the pregnant woman to come in with a doctor's certificate for a pregnancy leave?"

Shaw: "No, no."

Vinson: "I didn't think it did. To the Bill, Mr. (sic - Madam) Speaker, Ladies and Gentlemen of the Assembly. First of all, a State Mandate's Act fiscal note has been filed in regard to this Bill. It states that the Bill creates a reimbursable mandate for which the state will have to reimburse units of local government. Substantial costs are involved. Further, there is no protection, whatsoever, for the employer under this particular proposal. The... complete ridiculousness of the situation is clearly shown when it's not for some specified period prior to delivery or after delivery. But it can occur at any point from the point of conception through the period after delivery. There is no reasonability. There is nothing that requires a doctor's certificate. We're talking here about something that is just going to be a gross imposition on employers in

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this state that goes far beyond what the rest of the country has done and that will, once again, demonstrate to business and government in Illinois that we don't care about costs, we don't care about how we're going to inhibit jobs in Illinois. All we're going to do is provide expensive and unnecessary protections for employees. I would urge a 'no' vote."

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

Didrickson: "Yes, thank you, Madam Speaker, Members of the House.

Similar legislation was passed in the State of California, and it was struck down, and that's my reason for opposing this because it established different standards for maternity leave from non-occupational disabilities which sits in the federal laws. If we get out of conformity with the Federal Government, we can be in the same situation as it was ... as they found themselves in California. In 1978 the Federal Government mandated that the State of Illinois and other entities conform with federal standards on maternity leaves. The requirement is that maternity leaves be treated the same as any other non-occupational disability with a determination of the beginning and ending dates set by an attending physician. I oppose this Bill based on our preempting federal requirements, similar to what occurred in California. Thank you."

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

Shaw: "I... Yes, Ladies and Gentlemen of the House, I think that the two previous speakers has talked about what's wrong with this legislation and how do you determine whether the person is pregnant. Well, you would have to take their word for it just as anything else. If the person tell you that I come to work and ... a Member of this House, say I'm going home, I'm sick, there's no doctor's statement

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required. And if you go to your employer and tell your employer, say, 'Well, I'm pregnant', you have to take their word for it. And hopefully, at some time when the person comes back after they have said that they were pregnant, they would bring the evidence. And I would hope that the Members of this Assembly would vote the green vote for this legislation. This is a good piece of legislation that's needed throughout this state and too long I think that we can be a progressive state in terms of this type of legislation. And I ask for an 'aye' vote in terms of this legislation."

Speaker Breslin: "The question is, 'Shall House Bill 346 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? The Clerk will take the record. On this question there are 48 voting 'aye', 61 voting 'no' and 1 voting 'present'. Representative Shaw?"

Shaw: "Postponed Consideration, would you?"

Speaker Breslin: "The Gentleman asks for Postponed Consideration, and the Bill will be placed on that Order of Business. The next Bill is House Bill 387, Representative Farley. Clerk, read the Bill."

Clerk O'Brien: "House Bill 387, a Bill for an Act to amend Sections of the Illinois Municipal Code. Third Reading of the Bill."

Speaker Breslin: "Representative Farley."

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 387 allows municipal units of government to enter into collective bargaining agreements before an appropriation is made. The way the law reads now is the appropriation has to be made before they enter into an agreement. This is a cleanup in the language of collective bargaining procedures. It only makes sense that a unit of

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government can collectively bargain before they make an appropriation. The Bill was passed here last year by a vote of 86 to 17. It got mixed up in the Senate with some other Amendments that everybody didn't agree to, and the Bill never saw the light of day. So I would suggest to you, Madam Speaker and Ladies and Gentlemen of the House, that this is a good Bill, and I would appreciate an affirmative Roll Call."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 387. And on that question, the Gentleman from Peoria, Representative Tuerk."

Tuerk: "Will the Sponsor yield for a question? Representative Farley, absent a change in the law, what affect does it have on the collective bargaining process today?"

Farley: "Right now you have to wait for the appropriation before there is an agreement. This would allow them to make an agreement without the appropriation."

Tuerk: "But the collective bargaining process can take place regardless. It doesn't hamper the process at all."

Farley: "That's correct, Representative Tuerk. However, you can't sign a contract."

Tuerk: "How long after the process would the appropriation follow? Any idea?"

Farley: "That varies, Representative Tuerk. It varies. It's up to the municipality."

Tuerk: "Well, I... to the Bill, Madam Speaker. I don't think it's any earth-shaking type of change. In other words, I think the municipalities in the bargaining units would be able to negotiate regardless of the change in the law. I just leave it to your judgement as to whether or not you want to support the Bill."

Speaker Breslin: "The question is, 'Shall House Bill 387 pass?' All those in favor vote 'aye', all those opposed vote 'no'."

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Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 92 voting 'aye', 34 voting 'no' and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Changing the Order of Business again, Ladies and Gentlemen, we are going to House Bills Second Reading under Labor, page 21. There appears only one Bill. That's House Bill 1665, Representative Panayotovich. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1665, a Bill for an Act to amend the law concerning public purchases, leases and contracts. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #1, offered by Representative Parcels, amends House Bill 1665..."

Speaker Breslin: "Representative Parcels."

Parcels: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. The Bill did not mention the quality of the items to be purchased and; therefore, I added here 'or products substantially similar thereto' in several places. Sponsor of the Bill has seen this and had no objection to it."

Speaker Breslin: "The Gentleman... The Lady has moved for the adoption of Amendment #1 to House Bill 1665. And on that question, the Gentleman from Cook, Representative Panayotovich."

Panayotovich: "Thank you, Madam Speaker. Representative Parcels is correct. I agreed that the Amendment is needed to tie up the loose ends on the legislation. I move for its adoption."

Speaker Breslin: "The question is, 'Shall Amendment #1 to House Bill 1665 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's adopted. Are there any

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further Amendments?"

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

Speaker Breslin: "Representative Parcells."

Parcells: "The amount of the money under the lower amount, being
500 dollars, seemed like a very small amount of money.
Anything lower than that did not have to be 'Buy America'.
Anything over that had this provision. Therefore, I
suggested that we raise that amount in this second
Amendment to 50,000 dollars instead of 500 dollars."

Speaker Breslin: "The Lady has moved for the adoption of
Amendment #2 to House Bill 1665. And on that question, the
Gentleman from Cook, Representative Panayotovich."

Panayotovich: "Yes, Madam Speaker, I stand in opposition to this
Amendment. It's taking the real intent away from the Bill.
Two years ago when we passed the 'Buy American' legislation
that the Governor passed and signed... I mean, the Governor
signed on the 'Buy American Steel', he agreed to the 500
dollar change and the 50,000 dollars is just a ridiculous
factor here... that ridiculous factor. And I stand in
opposition to this and urge a 'no' vote."

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

Parcells: "I think 500 dollars is too low a figure, and I would
encourage an 'aye' vote for 50,000 dollars."

Speaker Breslin: "The question is, 'Shall Amendment #2 to House
Bill 1665 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 45 voting 'aye', 59 voting 'no' and 2
voting 'present'. And the Amendment fails. Are there any
further Amendments?"

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

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Parcells."

Speaker Breslin: "Representative Parcells."

Parcells: "As a backer-uppper, just in case that one happened to fail, I'm trying 5,000 dollars. Would you buy 5,000?"

Speaker Breslin: "The Lady has moved for the adoption of Amendment #3 to House Bill 1665. And on that question, is there any discussion? The Gentleman from Cook, Representative Panayotovich."

Panayotovich: "Thank you, Madam Speaker. I'll buy 500, and I stand in opposition to this Amendment, also, and urge an 'no' vote."

Speaker Breslin: "The Gentleman from Macon, Representative Dunn. Representative Dunn, your light is flashing. The Gentleman from Adams, Representative Mays."

Mays: "May I ask the Sponsor a question, please?"

Speaker Breslin: "Proceed."

Mays: "Does this... the underlying Bill that this Amendment impacts, does that just deal with steel products, or does it deal with anything that a given unit of government, local or state or whatever, would consider purchasing?"

Parcells: "All goods and commodities."

Mays: "Like copy machines or paper supplies..."

Parcells: "Maybe even gasoline."

Mays: "... typewriters, you name it, the whole shooting match. Well, I don't see why this is such an unreasonable figure in view of the types of things that this far-reaching Bill can get into, and I would urge the adoption of this Amendment."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Amendment #3 to House Bill 1665 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

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question there are 52 voting 'aye' and 56 voting 'no' and 1 voting 'present'. And the Amendment fails. Are there any further Amendments?"

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

Speaker Breslin: "Representative Tuerk."

Tuerk: "Well, Madam Speaker, Amendment #4 is very simple. If this Bill passes, it's going to increase the cost to local government. What this Amendment does is delete any provision which exempts the state from reimbursing local governments for the costs accrued as a result of the Act. So, therefore, it deals with the State Mandate Act and; therefore, I would urge the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved the adoption of Amendment #4 to House Bill 1665. And on that question, the Gentleman from Cook, Representative Panayotovich."

Panayotovich: "Yes, Madam, I stand opposed to this Amendment. Two years ago, again, when we had the 'Buy American' legislation, in dealing with the different parties and the Governor's Office, they were talking about state mandates and the state having to refund local governments, and we decided it would not be the state's responsibility. We do not want the state to have that responsibility. So, we do not want the State Mandates back in, and I ask for 'no' votes."

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

Mays: "... the Sponsor please?"

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

Mays: "The underlying Bill that this Amendment deals with is estimated to cost how much money? Do we have a fiscal note filed on this? What's the cost of impact of the Bill that this Amendment deals with? Do we have any estimates at all?"

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Tuerk: "Oh, you're asking me the question?"

Mays: "Yeah."

Tuerk: "Well, the only... the only example we have is in... how large is Quincy, for example?"

Mays: "Fifty thousand."

Tuerk: "Well, that's about half of what the example is. Peoria, for example, is 125,000, but I have an example here of approximately 100,000 population which has foreign purchases of 15 percent out of a total of 50 million. It would be an annual purchases of a million and a half a year."

Mays: "So, you're saying that if this Bill passes and this Amendment is not on, a municipality the size of Quincy, which is under 50,000, would have roughly 100,000 dollars worth of expenses incurred, is that right?"

Tuerk: "Well, it would be more than that. It would be close to a million dollars, three-quarters of a million dollars."

Mays: "For a community the size... 50,000, a million dollar cost on that community. Is that correct? Ladies and Gentlemen, to the Amendment. Obviously, municipal governments are as strapped as State Government in this decade ahead of us, and the Federal Government isn't going to be there to provide all sorts of gift lists and monies down to us. There is... If I recall in discussion on the Bill last year that passed initially, there was no way we could tie additional jobs to this kind of a concept, let alone justify the costs that we would be asking our local units of government to expend. And per the example that Representative Tuerk just cited, those costs are very immense. I've got a hunch a lot of people back in your districts, in your home towns, would much rather see those dollars going for something productive than something along this nature. And for that reason, I would support the

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Gentleman's Amendment."

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

Wolf: "Madam Speaker, 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 main question is put. Representative Tuerk, to close."

Tuerk: "Well, Madam Speaker, Members of the House, Representative Mays hit the nail on the head. Actually, what this is doing, as I outlined in my opening remarks, it's going to increase the cost appreciably to local government. Make no mistake about it. So now, on the one hand, you're saying, 'Well, if we stand down here making policy for the local municipalities, we should send the money'. On the other hand, you're saying, 'Well, that's alright. We can excuse our actions on that,' and, therefore, cause the taxpayers of the cities of Peoria, Quincy, Carbondale, etcetera, throughout the state to pick up the cost. I submit to you that it is an intolerable situation as far as local government is concerned. It probably could cause cost escalations somewhere in the vicinity, maybe 250 million dollars throughout the state. I would urge support of the adoption of the Amendment."

Speaker Breslin: "The question is, 'Shall Amendment #4 to House Bill 1665 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 55 voting 'aye', 57 voting 'no' and 2 voting 'present'. Representative Tuerk."

Tuerk: "Well, I think that's close enough to poll the absentees and perhaps verify the negative."

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Speaker Breslin: "Poll the absentees, Mr. Clerk. Representative Ryder, for what reason do you rise?"

Ryder: "Please change me from 'no' to 'yes'."

Speaker Breslin: "The Gentleman changes his vote from 'no' to 'yes'. Representative Hicks, for what reason do you rise?"

Hicks: "Yes, Madam Speaker, please change me from 'yes' to 'no', please."

Speaker Breslin: "The Gentleman changes from 'yes' to 'no'. The Lady from Lake, Representative Stern, for what reason do you rise?"

Stern: "Madam Speaker, would you please change me from 'present' to 'no'?"

Speaker Breslin: "The Lady wishes to be recorded as voting 'no'. Representative Van Dwyne also seeks recognition in order to be recorded as voting 'no'."

Clerk O'Brien: "Poll of the Absentees. Huff. Leverenz. Mulcahey. And Wyvetter Younger. No further."

Speaker Breslin: "Mr. Clerk, what's the count? There are... Representative Mulcahey, for what reason do you rise? Representative Mulcahey? He doesn't seek recognition. Representative Huff, for what reason do you rise?"

Huff: "Yes, Madam Speaker, to Representative Panayotovich, when House Bill 317 come up, maybe he'll vote for it. Vote me 'no'."

Speaker Breslin: "The Gentleman asks to be voted 'no'. There are 55 voting 'aye', Representative Tuerk, and 60 voting 'no'. Representative Mulcahey, do you wish to speak now?"

Mulcahey: "Thank you. Yes, record me as voting 'aye'."

Speaker Breslin: "The Gentleman wishes to be recorded as voting 'aye'. There are, therefore, 56 voting 'aye' and 60 voting 'no'. Representative Homer, for what reason do your rise?"

Homer: "I wish to be recorded as voting 'aye'."

Speaker Breslin: "Representative Homer changes his vote from 'no'

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to 'aye'. There are, therefore, 57 voting 'aye' and 59 voting 'no'. Representative Parcells, for what reason do you seek recognition?"

Parcells: "Sorry, Madam Speaker, I had had my light on to explain my vote. I suppose..."

Speaker Breslin: "Okay. You can turn it off. Proceed with a poll of the negative votes, Mr. Clerk."

Clerk O'Brien: "Alexander. Berrios. Bowman. Braun. Breslin. Brookins. Brunsvold. Bullock. Capparelli. Christensen. Cullerton. Currie. DeJaegher. DeLeo. Farley. Flinn. Flowers. Giglio. Giorgi. Greiman. Hannig. Hicks. Huff. Keane. Krska. Kulas. Laurino. LeFlore. Levin. Matijevich. McGann. McNamara. McPike. Nash. O'Connell. Panayotovich. Pangle. Phelps. Preston. Rea. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Soliz. Steczko. Stern. Sutker. Terzich. Turner. Van Duyne. Vitek. Washington. White. Wolf. Anthony Young. Mr. Speaker."

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

Tuerk: "Yes, I do, Madam Speaker. Giglio?"

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

Tuerk: "Kulas?"

Speaker Breslin: "Representative Kulas is at his seat."

Tuerk: "Shaw?"

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

Tuerk: "Capparelli?"

Speaker Breslin: "Representative Capparelli is in the chamber. Representative Currie asks leave to be verified. Does the Lady have leave?"

Tuerk: "Very good."

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Speaker Breslin: "She does."

Tuerk: "Hannig?"

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

Tuerk: "Christensen?"

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

Tuerk: "Matijevich?"

Speaker Breslin: "Representative Matijevich? Representative Matijevich? The Gentleman is not in the chamber. Remove him."

Tuerk: "Giorgi? I didn't... Yeah, I see old Zeke over there."

Speaker Breslin: "Representative Giglio has returned to the chamber. Add him to the Roll Call."

Tuerk: "Laurino?"

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

Tuerk: "DeJaegher?"

Speaker Breslin: "Representative DeJaegher? Representative DeJaegher? The Gentleman is not in the chamber. Remove him. Representative Steczo asks leave to be verified, Representative Tuerk. Does the Gentleman have leave, Steczo? Yes."

Tuerk: "Yes."

Speaker Breslin: "Representative DeJaegher has returned to the chamber. Add him to the Roll Call. Representative McPike asks leave to be verified. The Gentleman has leave."

Tuerk: "I have no further questions."

Speaker Breslin: "There are 57 voting 'aye' and 58 voting 'no'. So the Amendment fails. Are there any further Amendments?"

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

Speaker Breslin: "Representative Tate. Proceed, Representative Tate."

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

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House, Amendment 5 prohibits state appropriations for travel where the monies are used for travel by an automobile not manufactured in the United States?"

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #5 to House Bill 1665. And on that question, the Gentleman from Cook, Representative Panayotovich."

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

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

Panayotovich: "Representative Tate, what you're... correct me if I'm wrong, or would you answer the question - are you saying that any Legislator that does not have an American-made car that drives down here would not be reimbursed for their gas? You're saying state official, aren't you?"

Tate: "Sam, what I'm saying is that unless the... as long as it's not a state car, it's okay then."

Panayotovich: "As long as it's not... it's our personal car, your personal car, my personal car. I think you stand to be corrected there. It says, 'expenses for any official state travel by automobile...'"

Tate: "Yeah, I'm sorry. You are correct. It is... If you are driving a foreign car, your personal car is a foreign car and you're driving to work, you will not be reimbursed then by the State of Illinois to drive to work."

Panayotovich: "Well, I think the Republicans would have a lot of problems with this Amendment, and I stand in opposition to it."

Tate: "Well, I think the Democrats may have more problems than we do on that one."

Speaker Breslin: "The Gentleman from DuPage, Representative Hoffman."

Hoffman: "Thank you very much, Madam Speaker. Ladies and

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Gentlemen of the House, I think this is a perfectly reasonable Amendment. I mean, if we're going to talk about 'Buy America', then let's... let's talk about 'Buy America' and let's do it. Now, you know, I don't have any problem. I'll park my Caddy in the drive any day. It was made right here. It was made right here in the United States, and I deserve the reimbursement. If you drive your BMW up there, you don't. And I rise in support of this. I think we ought to go all the way with this kind of stuff."

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

Bullock: "Thank you, Madam Speaker. Parliamentary inquiry."

Speaker Breslin: "Proceed."

Bullock: "Madam Speaker, I'd like to request a ruling from the Chair if this Amendment is, in fact, out of order as being non-germane."

Speaker Breslin: "And for what reason do you make that request?"

Bullock: "Well, Madam Speaker, I think the Amendment is frivolous to begin with. It's frivolous. Secondly, the germaneness is obviously in question, the germaneness of the Amendment. But aside from being frivolous and not germane, it's silly."

Speaker Breslin: "Representative Bullock, your point is well taken. The Amendment is not germane. Representative McCracken, for what reason do you rise?"

McCracken: "Point of order, Madam Speaker. The Amendment deletes the enacting clause and inserts in lieu thereof, 'and new title', and; therefore, it is germane."

Speaker Breslin: "Except that the Amendment must pertain to the original Bill, and the original Bill deals with the Illinois Domestic Steel Products Procurement Act. And the Amendment that has been offered deals with state travel. So, it is not germane. Are there any further Amendments?"

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Clerk Leone: "Floor Amendment #6, Tate, amends House Bill 1665 on page one and so forth."

Speaker Breslin: "Representative Tate."

Tate: "Yes, thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment 6 prohibits public agencies from financially aiding any business which does not have its principle place of business located within the United States. I think it's consistent with the... the other Amendment as well as the Bill in that if we're going to buy American and we're going to practice what we preach in this state, then I think we should be consistent, and we should not be spending state tax dollars and subsidizing with state tax dollars to bring foreigners into this state with our tax dollars."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #6 to House Bill 1665. And on that question, the Gentleman from Cook, Representative Panayotovich."

Panayotovich: "Thank you, Madam Speaker, I rise in opposition to this Amendment, which basically guts the Bill. It takes the whole Bill away in providing no public agency with any form of financial aid that is not located within the United States. Basically what it is is gutting the whole Bill, and I stand in opposition and definitely need a 'no' vote on this one."

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

Cullerton: "Yes, I believe that this Amendment may suffer from the same infirmity that the previous Amendment did. So I'd ask the Parliamentarian as to whether or not this is germane."

Speaker Breslin: "Representative Cullerton, your point is well taken for the same reasons as before. This Amendment is not germane. Are there any further Amendments?"

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Clerk Leone: "Floor Amendment #7, Vinson, amends House Bill 1665
on page two of..."

Speaker Breslin: "Representative Vinson."

Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the
Assembly. I would move for the adoption of Amendment #7 to
House Bill 1665. The effect of Amendment #7 would be to
exempt Canada from this protectionist scheme. And I would
strongly urge its adoption for two reasons. For centuries,
we have lived at peace with an unguarded border and in
intimate economic contact with our closest neighbor to the
north. And just recently, after a period of some
anti-Americanism dominating Canadian government, we have
seen an administration take power in Canada which has
sought to abandon protectionist schemes that it has in
regard to the United States, to open up its industry to
American participation and to remove some of the strict
controls that it once had on the use by our consumers of
Canadian energy. I believe that it would be wholly
inappropriate for a state like Illinois, as important as it
is in the American scene, to reciprocate so negatively, so
unfairly and so improperly toward our good neighbors to the
north. And for those reasons, I would move for the adoption
of Amendment #7 to House Bill 1665."

Speaker Breslin: "The Gentleman has moved for the adoption of
Amendment #7 to House Bill 1665. And on that question, the
Gentleman from Cook, Representative Panayotovich."

Panayotovich: "I stand in opposition to this because it is
against the intent of the legislation, and I ask for a 'no'
vote."

Speaker Breslin: "The question is, 'Shall Amendment #7 to House
Bill 1665 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

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any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Ladies and Gentlemen, back on the Order of House Bills Third Reading under Special Order of Business - Labor, appears House Bill 580, Representative Levin. Clerk, read the Bill."

Clerk Leone: "House Bill 580, a Bill for an Act relative to sales representatives. Third Reading of the Bill."

Speaker Breslin: "Representative Levin."

Levin: "Madam Speaker, Ladies and Gentleemn of the House, House Bill 580 provides a mechanism for salesmen who sell at the wholesale level to collect commissions owed them if they are terminated by their principle. The best examples of...are the salesmen who sell apparell out of the apparell center who are employed by garment manufacturers in New York. The Illinois Wage Payment and Collection Act does not cover independent contractors. Currently, no remedy except protracted and costly litigation exists for these individuals to collect commissions that are owed them. They are forced, in many cases, to accept only a small percentage of what they have earned. This legislation, which is similar to legislation adopted in a number of other states across the country, including Minnesota, Missouri, Tennessee, Florida and, last month, Indiana does several things. First of all, it sets standards which parallel the standards in our own Wage Payment and Collection Act as to when a commission is due if an individual is terminated. Secondly, it provides a mechanism if you have to go to court where you can obtain an award of attorneys' fees and damages, if that is appropriate. The legislation includes Amendments which were developed in conjunction with technical Amendments that were developed in conjunction with the Department of

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Labor. It was reported out of the Labor Committee by a 23 to nothing vote, and I know of no opposition."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 580. And on that question, is there any discussion? The Gentleman from DuPage, Representative McCracken."

McCracken: "Will the Sponsor yield?"

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

McCracken: "Representative Levin, would you explain how the treble damages works? Is it a mandatory award, or is it in the discretion of the court?"

Levin: "This is in the discretion of the court, and I think that we've... you know, got some precedent in this state as to when these kind of damages would be awarded. Where, you know... I think where the court concludes that there is a willful and wanton conduct, the court would be able to do that."

McCracken: "Well, is there anywhere where it sets forth the standards for determining whether or not to make that punitive damage award?"

Levin: "No. I think... you know, the court would look to, you know, our current precedence in terms of the award of these kind of damages."

McCracken: "Is it your intention that the treble damage not be awarded automatically but only in the discretion of the court as a punitive damage measure?"

Levin: "Yes."

McCracken: "Alright."

Levin: "The... you know, the purpose of the legislation is to put the salesmen on an equal footing and to encourage good faith conduct on everybody's part."

McCracken: "Alright. To the Bill, then. I don't think that Section 4 affects that purpose. As I read Section 4, a

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principle who fails to comply with the provisions of the Act - that is, the timely payment - is liable for what is called in the Bill exemplary damages not to exceed three times the actual commissions owed, which... which under traditional contract law would be the sum of the damages. So, I would read this to require the imposition of treble damages rather than allowing it in the discretion of the court as a punitive measure. I suppose it could be cleaned up at... in the Senate or by legislative intent, but I don't think it affects the Sponsor's intent as it's written."

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

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

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

Mays: "In regards to the previous Representative's comments, I know from introduction of this Bill through this entire process that you have indicated a willingness to work on this topic matter with... to address those concerns. It appears to me that this is a concern that could be cleaned up and that the previous speaker did raise a good point. Would it be your intent, should we pass this Bill, to work on an Amendment agreeable to all concerned when it gets over to the Senate?"

Levin: "Yeah, as the Representative has indicated, you know, I have attempted to work with all parties in connection with this legislation and, you know, would be pleased in the Senate to entertain a clarifying Amendment."

Mays: "To the Bill, Madam Speaker."

Speaker Breslin: "Proceed."

Mays: "When this Bill first came up for our consideration in Labor and Commerce Committee, I gave the Sponsor credit for attempting to do something that I have attempted to do in

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the past with no success whatsoever. He is addressing an extremely complex problem... or extremely complex question, and I think he's done it in a commendable fashion. And for that reason, I rise in support of this measure. We don't know what else may turn up as the process goes on, but from past performance in working with the Sponsor on this particular measure, I have no hesitation whatsoever in supporting his passage on Third Reading here in the House."

Speaker Breslin: "The question is, 'Shall House Bill 580 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 98 voting 'aye', 18 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 636. Clerk, read the Bill."

Clerk Leone: "House Bill 636, a Bill for an Act in relationship to health and safety of public employees. Third Reading of the Bill."

Speaker Breslin: "Representative Curran."

Curran: "Thank you, Madam Speaker. House Bill 636 is identical to House Bill 3057 which passed out of this chamber last year and then was stalled in the Senate. This Bill amends the Health and Safety Act to make the Act applicable only to public employees and not to private employees. It provides that the Department of Labor is vested with the authority to carry out the provisions of this Act. By way of House Bill 636, we show our intent to provide work sites that are safe for public employees and to provide that they have the same rights as private employees for occupational health and safety."

Speaker Breslin: "The Gentleman... Excuse me. Go ahead."

Curran: "Just keep in mind that this Bill only affects public

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employees. The legislation will have the effect, I believe, of saving taxpayers' dollars because we would have fewer accidents for public employees. The Department of Labor has included this program in this year's budget. In fact, we put this money in last year's budget; but, as I said, the substantive Bill was held up in the Senate. It's a good Bill to save taxpayers' dollars by preventing injuries to public employees, and I ask for your 'aye' vote."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 636. And on that question, the Lady from Cook, Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation. Representative Curran and people who are working with him on this version of OSHA have... state version have started negotiations which have not yet concluded. It's our understanding that those negotiations are continuing regarding the applicability of this law to the public sector, but it is, at base, a good piece of legislation and I encourage your support."

Speaker Breslin: "The Gentleman from Peoria, Representative Tuerk."

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

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

Tuerk: "Why is it you want to exempt the private sector and only include the public sector?"

Curran: "Representative, OSHA covers the private sector."

Tuerk: "Well, I know that. I know that. But why is it that you want to just apply the Illinois law to the public sector?"

Curran: "Well, because in Illinois, the public sector doesn't have the kind of protection that we need. Let me point out to you that in... that public employees become injured and

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killed much more often than private sector employees. And this basically, in my view, is a program which will save money by preventing unnecessary accidents and injuries and, therefore, work loss of public employees. I think it's a good taxpayers' dollar type of legislation"

Tuerk: "Well, the existing law covers both public and private employees, does it not?"

Curran: "The State of Illinois would have to have adopted its own rules and regs for it to cover public employees. We have not done that. And, in fact, that's part of what we're doing here."

Tuerk: "Well, does not the existing law cover both public and private employees?"

Curran: "Yes, it does, but it's... but the existing law is preempted by OSHA and this clarifies that."

Tuerk: "Well, I think it confuses the issue, frankly. I plan to vote 'no' on the Bill, and I would urge colleagues to do the same."

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

Mays: "Thank you very much, Madam Speaker. I'll be brief. It is my understanding, when this issue first came before us two years ago, that there was a gap due to a court ruling in Illinois that made OSHA not apply to public employees. For that reason, I supported it. I see no reason not to continue support of this measure because I don't believe the underlying cause for closing that gap has been eliminated. So, I rise in support of the measure so that the gap is closed and there is a clear jurisdiction on occupational safety and health applications throughout the public and private sector in Illinois."

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

Dunn: "Question for the Sponsor. If this Bill passes, will we have to have seatbelts in here?"

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Curran: "No."

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 Curran, to close."

Curran: "This legislation is a well thought out answer to spending public taxpayers' money unnecessarily because of unnecessary injuries to public employees. I request your 'aye' vote."

Speaker Breslin: "The question is, 'Shall House Bill 636 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 78 voting 'aye', 37 voting 'no' and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 724, Representative Bullock. Clerk, read the Bill."

Clerk Leone: "House Bill 724, a Bill for an Act in relationship to contractual firefighting services. Third Reading of the Bill."

Speaker Breslin: "Representative Bullock."

Bullock: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment... House Bill 724 has been amended twice. The Bill, as amended, basically amends the State Fire Marshal Act and provides for the regulation and certification of private firefighting enterprises and directs that the State Fire Marshal would, in fact, establish rules and regulations governing those

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enterprises. Amendment #1 was somewhat technical and stylistic. Amendment #2 was a similar change, somewhat technical, but, more specifically, Amendment #2 did, in fact, preempt home rule but not in the sense that an extraordinary 71 votes would be required. It only preempted paragraphs (h) and (i) and, in fact, indicating that this legislation makes this matter exclusive state's jurisdiction. And I would urge an 'aye' vote, Madam Speaker and Ladies and Gentlemen of the Assembly."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 724. And on that question, the Gentleman from Cook, Representative Piel."

Piel: "I would beg to differ with the Gentleman from Cook, Madam Speaker, and I would ask the Chair, with the adoption of Amendment #1, it is our interpretation that this does preempt home rule, and I would ask the Chair on what the vote requirement is going to be here. Are we going to need a Three-Fifths Extraordinary Majority on this?"

Speaker Breslin: "Representative Piel, was that a question?"

Piel: "I'm asking the Chair, yes, Ma'am."

Speaker Breslin: "I'm sorry. Proceed again with the question."

Piel: "With the adoption of Amendment #2, it does deny and limit the powers of home rule units of government, and the Sponsor said that it would not, you know, preempting home rule units. But it is our interpretation it does, and I would like a ruling from the Chair on exactly how many votes it will need to pass this Bill."

Speaker Breslin: "We'll look at the Bill. Meanwhile, is there any Member who would like to discuss the issue? Representative Piel, you wish to discuss the issue? Proceed, Representative Piel."

Piel: "Yes, Ma'am. Thank you. Thank you, Madam Speaker. Will the Gentleman yield for a question?"

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Speaker Breslin: "He'll yield for a question."

Piel: "By... Representative Bullock, by your explanation of the Bill, I sort of gathered that it was a merely type of legislation. And if it's merely type of legislation and affecting the State Fire Marshal, could you explain to us why the State Fire Marshal's Office is opposed to this legislation?"

Bullock: "Well, Representative Piel, I've seen no definitive indication that that is, in fact, the position of the State Fire Marshal, either in writing and they certainly have not verbally communicated that to me. And if they've communicated to you, it's the first time I've heard it."

Piel: "I'm sorry. What was your answer to that? I'm sorry. I didn't catch it."

Bullock: "If, in fact, what you say is correct, this would be the first time that I have heard it verbally. I have certainly not received anything officially in writing from the State Fire Marshal. They did not appear before the Committee in opposition to the Bill. And if what you say is, in fact, correct, this is the first time that it has been brought to my attention. That does not mitigate against the fact, however, that I think the legislation is necessary, and it's a good Bill."

Piel: "How many firefighting enterprises are there in the state... will this be affecting?"

Bullock: "Well, I don't think, at this point, we have a definitive number, and certainly in the future there may be many others arise. At this moment, I can't think of more than a handful."

Piel: "A handful. The only one I can think of is one in Elk Grove Village. That's what our staff tells us. And my question would be, isn't this sort of special interest legislation? Unless you've got... Maybe I haven't checked

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the legislative map recently, but I didn't even know that Elk Grove Village was in your district."

Bullock: "Well, Representative Piel, as I've said so many times before, that's one of the primary distinctions between myself and other Members of this Assembly. I consider myself a state official representing the whole state. Some of us just represent individual districts."

Piel: "Had you covered this with the Representative that covers Elk Grove Village?"

Bullock: "We had the Bill before Committee. It had a thorough hearing, and it's now on Third Reading. We amended it twice; and, if at that time any Representative had questions or comments, I certainly was prepared and am prepared to respond to them. The Amendments were adopted..."

Piel: "So what you're basically saying is that you have not talked to the Representative from Elk Grove Village. Thank you."

Bullock: "That's not unusual. I don't talk to..."

Piel: "No further questions, Madam Speaker. I have no further questions. I..."

Speaker Breslin: "Representative Piel, we have looked at the Bill and the... as amended, and it is the ruling of the Chair that this Bill requires 60 votes for passage because it still allows for concurrent jurisdiction. And under the Constitution, that requires 60 votes for passage. Representative Piel, for what reason to you rise?"

Piel: "I'm looking... Madam Speaker, I'm looking at line 5, 6 and 7 and basically it says, 'This Section specifically denies and limits', and I'm reading the Amendment verbatim, 'the exercise of a home rule unit of government of any power that is inconsistent with this Section'. Now..."

Speaker Breslin: "Representative, we have the enrolled copy here.

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So we don't have the Amendment."

Piel: "I'm just reading... reading from the Amendment. This is verbatim from the Amendment, Madam Speaker."

Speaker Breslin: "Yes, Sir. Representative Bullock, for what reason do you rise?"

Bullock: "Well, Mr. (sic - Madam) Speaker, while the Parliamentarian researches it, I think Representative Piel neglected to read on Amendment #2, commencing at line 9, last sentence reads and as follows: 'This Section does not preempt the concurrent exercise by home rule units of powers consistent with this Section'. As I indicated earlier, this, in fact, and the Chair is correct, is not an extraordinary vote required and 60 votes suffice."

Speaker Breslin: "Representative Bullock is correct, Representative Piel. As you see the whole Amendment... when you read the whole Amendment, it specifically says that it allows for concurrent jurisdiction. Under the Constitution, if you still allow for concurrent jurisdiction, the Bill requires only 60 votes for passage. Is there any further discussion? The Gentleman from Adams, Representative Mays."

Mays: "Will the Gentleman yield, please?"

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

Mays: "When this Bill came up in Executive, one of the first questions that was asked was how many private firefighting organizations do you know of in the State of Illinois? And at that time you begged off. You did not provide us an answer to that. How many are you absolutely aware of in Illinois right now? If there's zero, this Bill doesn't mean anything. It shouldn't be passed."

Bullock: "Well, Representative Piel has indicated one. So at least we know it's not zero."

Mays: "Okay. So, you're willing to give on one private

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firefighting organization in Illinois. Is that not correct?"

Bullock: "No, I'm willing to say that perhaps there may be a maximum of a handful but not less than one. But notwithstanding that fact, we are preparing for a problem in our state. In the event that there are private enterprise contractual firefighting corporations functioning in our state, it is the belief of this Representative and should be the belief of all Members of the Assembly that the public must be protected and by protecting the public the State Fire Marshal..."

Mays: "Thank you."

Bullock: "... should establish rules and regulations as it relates to the equipment and its use."

Mays: "I have a further question."

Speaker Breslin: "Representative..."

Mays: "I have a further question when he's done. Let's say there's one. How many villages does that one private firefighting organization contract out with?"

Bullock: "I'm not certain about the one. I am trying to clarify for you, Representative Mays, and I'm sure you didn't want to hear it, but I'm going to repeat it again. If it is only one, and I'm not convinced that it is only one, if it is only one corporation, that corporation must have standards in which to operate by in the State of Illinois. People who live in Elk Grove Village or Chicago or people who live in Quincy or Rock Island-Moline deserve to be protected by whatever corporation is holding themselves out as a responsible fire system. They must have standards. They must have procedures, not unlike the same standards and procedures for units of local government."

Mays: "So, let's say then there's only one community that that one private firefighting organization goes to. How long is

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their contract valid for? Because, in reading your Bill, that municipality is going to have to nullify that contract on June 30, 1986 regardless of its contract applications. Is that not correct?"

Bullock: "That is correct."

Mays: "So you don't care what negotiations or what privately negotiated contracts have been reached. You want to... go ahead. Okay. Let's go to these standards that you want to implement upon this one private firefighting organization. You want to get into certification and regulation of this enterprise. Do you require the same standards of our public firefighting groups?"

Bullock: "They operate under the standards that are enacted by local ordinance and through the collective bargaining process."

Mays: "Minimum levels of equipment, personnel and training required for certification and things like that, you do have that? That is consistent with what the public sector has?"

Bullock: "I mean, Representative Mays, and I don't want to belabor the point, but you, in fact, know and everyone in this Assembly knows that those firefighters are trained by someone. And the entity that trains them has standards, and we are certain that those standards are being met before individuals come onto the fire department."

Mays: "To the Bill..."

Speaker Breslin: "Representative Mays. Speak to the Bill, please and bring your remarks to a close."

Mays: "Thank you very much. Obviously, this is a very interesting discussion between the Sponsor and himself on a topic that is not of much interest to anybody else in this state, because it obviously has very narrow applications. I would just point out the fact that the standards that

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they would hold this private organization to are not replicated in the State Fire Marshal's Office for public firefighting municipalities' firefighting organizations. Indeed, those local firefighting organizations are able to determine those standards and requirements in shop no different than what they could require in a contract negotiated with this one private firefighting organization that is currently contracting in at least one village in this state. For that reason and many others, I would urge a 'no' vote."

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

Vitek: "Madam Speaker, 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 main question is put. Representative Bullock, to close."

Bullock: "Thank you, Madam Speaker and Ladies of the Assembly. Amendment #2 clearly indicates that the rules and standards that I enunciate and then I should quote, 'Such rules may include but not limited to minimum standards for equipment and minimal levels of training required for certification'. So we, in fact, lay out a very general, minimum requirement for this private enterprise firefighting corporation. Local firefighters, as you know, are trained and the State Fire Marshal, in fact, sets standards for those local municipal firefighters. I don't think any of the Members of this Assembly would like to have on their hands or their conscience or their responsibility the fact that the public would be exposed to unscrupulous and less than qualified firefighting enterprises. This Bill will protect the public wherever it may be, and I urge an 'aye' vote."

Speaker Breslin: "The question is, 'Shall House Bill 724 pass?'

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All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 62 voting 'aye', 45 voting 'no' and 4 voting 'present'. Representative Mays."

Mays: "Verification, please."

Speaker Breslin: "The Gentleman requests a verification. Representative Bullock asks for a Poll of the Absentees. Representative McAuliffe asks to be voted 'aye'. Representative Van Duyne."

Van Duyne: "Change me to 'aye', please."

Speaker Breslin: "Representative Van Duyne goes from 'present' to 'aye'. Representative Braun."

Braun: "'Aye'."

Speaker Breslin: "Representative Braun goes from 'present' to 'aye'. Representative Mays, there are now 65 voting 'aye'. Representative Alexander wishes to be recorded as voting 'aye'. There are now 66 voting 'aye'. Do you persist in your request for a verification?"

Mays: "I will withdraw it. Somebody else might."

Speaker Breslin: "Representative Mays withdraws his request for a verification. There are, therefore, 66 voting 'aye', 45 voting 'no' and 4 voting 'present'. Representative... Representative Goforth. And the Bill passes. Having received the necessary Constitutional Majority, House Bill 724 passes. House Bill 791, Representative Saltsman. Clerk, read the Bill."

Clerk Leone: "House Bill 791, a Bill for an Act regulating wages. Third Reading of the Bill."

Speaker Breslin: "Representative Saltsman."

Saltsman: "Thank you, Madam Speaker and Members of the House. House Bill 791 amends the prevailing wage law. It extends

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the application of this law to private construction projects financed in whole or in part by revenue bonds issued under the Industrial Project Revenue Act of the Illinois Municipal Code and the Industrial Building Revenue Bond Act. The prevailing wage law requires that local prevailing union rates be paid to construction workers engaged in public works projects and this Bill puts the law also in the private sector. These bonds are made available by municipalities that have good bond ratings. The employees that work in that area that purchase and maintain property in a respectable manner are the ones that end up losing employment when people are not involved with this prevailing wage act. As they give their dedication and skilled work to their contractors and their contractor employee bids on the construction jobs to keep Illinois workers out of the unemployment lines, this will help stop right to work companies from coming in here from Kansas and Iowa and states that will under bid our contractors because they have not negotiated wages in a fair manner like we have in Illinois. This is an excellent piece of legislation that will protect your contractors, that will protect the workers of your area and will stop some of the wars that we have had in central Illinois and put our people to work. I ask for your vote to pass House Bill..."

Speaker Breslin: "The Gentleman... the Gentleman has moved for passage of House Bill 791, and on that question, the Gentleman from Peoria, Representative Tuerk."

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

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

Tuerk: "What's... What's the genesis for this Bill?"

Saltsman: "Well, this Bill was here the last Session and passed, Representative Tuerk, and I think you are very familiar with it."

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Tuerk: "I can't hear you. I got Van Duyne right in front of me here and you can't hear anybody."

Saltsman: "This Bill was in the House of Representatives during the last Session, so I think you are very familiar with it, and it's to try to keep the wars down that we had in our area in Peoria where we don't have to bring armored buses and work our police officers over time to stop the war and the 35 people that were arrested in our area."

Tuerk: "Does Peoria really want this Bill?"

Saltsman: "I had about 50 people down here from Peoria today that told me they did."

Tuerk: "Well, who did they represent?"

Saltsman: "They expect... They represented the workers that were standing on the outside of the gates."

Tuerk: "Well, we have a new Mayor in Peoria now, as you know."

Saltsman: "Yes."

Tuerk: "What's his position on this Bill? Have you any idea?"

Saltsman: "I don't think he's interested. He hasn't called me."

Tuerk: "He doesn't know that the Bill is on the Calendar. Is that what you are saying?"

Saltsman: "I don't know. He was... He was backed by a contractor who goes by these prevailing wage rates."

Tuerk: "Well, you realize that passage of the Bill is going to increase the cost for Peoria as well as any other city?"

Saltsman: "No, I don't."

Tuerk: "Well, it will."

Saltsman: "Why?"

Tuerk: "By about 20 percent."

Saltsman: "I don't think so."

Tuerk: "To the Bill, Madam Speaker."

Speaker Breslin: "Proceed."

Tuerk: "With that in mind, the fact that it is going to increase the costs for any city that would use industrial revenue

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bonds or the Prevailing Wage Act would prevail in this case, it would increase the costs by about 20 percent without any question on this matter. I would urge a 'no' vote on the Bill and ask the Assembly to so vote on the Bill."

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

Dunn: "Thank you, Madam Speaker, Members of the House. I rise in support of this legislation. This legislation provides a tax incentive to those who would take advantage of these bonds and that tax incentive is paid for with all our tax dollars. And we should see to it that when tax dollars are used, those who are put to work with that money are paid a decent wage. That's the goal of this Bill to see to it that when tax dollars are spent, those who actually do the work are able to earn a decent wage which is the wage which prevails in their community. There is nothing wrong with this Bill. We have union contracts in all of our municipalities now. We have collective bargaining. Many of our communities had collective bargaining long before the collective bargaining Bill we passed last Session. This is a peoples Bill, a workers Bill and let's not kid ourselves, when those who do the work are paid a decent wage, they spend money. They go to the grocery store. They buy shoes. They buy television sets. They go to the hardware stores. They buy... They buy tools. They buy... they improve their lawn. They buy yard tools. They take vacations. They buy boats. They buy cars. It's good for all of us when the workers are paid a decent wage. I urge an 'aye' vote for this good Bill."

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

Kulas: "I move the previous question."

Speaker Breslin: "Representative Kulas moves the previous question. The question is, 'Shall the main question be

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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 Saltsman, to close."

Saltsman: "Yes, I just would like to have your support on this legislation. As one of the previous speakers says, when these wages are negotiated, there is no way there could be a 20 percent increase. They are going to work for the scales that were negotiated in that area between the contractor and between the employer. They will go in and they will put no more money up for any type of construction work than you or I doing it now or in the future. I don't think that you people went through what we did in Peoria with a contractor down there that came in with right to work people, like I said, and brought armored buses in because our contractors in Peoria went and bid through the good American process of negotiating with the people of that area and when they put their bids in with this company, the company refused their bids and brought people in from Kansas, from 'Fredonia', Kansas, I'll name you the city they came from. They brought them in there because they got them for \$3.00 an hour less. But then what happens? They beg our steamfitters, 'Will you please come back? We'll pay you because we don't have anybody that can weld stainless steel, that can put a bead on it. But we'll take those people back. We'll take your skilled trades back. We want to freeload off you. We want to learn because we brought uneducated, unskilled people in here.' And this is just what happened and if it ever happened in your area, you would never turn down a vote on a program like this."

Speaker Breslin: "The question is, 'Shall House Bill 791 pass?' All those in favor vote 'aye', all those opposed vote 'no'.

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Voting is open. Representative Mays, one minute to explain your vote."

Mays: "Thank you very much, Madam Speaker. I'm going to vote 'no' on this proposal for many, many reasons, some of which were elucidated in our debate over an Amendment on this Bill just last week. The bottom line is that right now municipal bonds are given to a given company for industrial expansion, jobs expansion. It's the company's duty and obligation to pay those bonds back. The state nor the city is liable for those bonds. There is no connection in regard to those bonds and the company can also negotiate with whomever or who... or whatever he wants in terms of building the facility at costs he deems reasonable. What we are doing, and this Bill not only effects municipal bonds, as I understand it, but also effects Illinois Development Finance Authority Bonds, what we are doing is taking away whatever spread that we are providing as an incentive to an employer in a local community to provide jobs for our unemployed. We are taking that spread and nullifying it through the application of this Bill. For that reason and many others, I vote 'no'."

Speaker Breslin: "Representative Mays, bring... Have all voted who wish? The Clerk will take the record. On this question there are 67 voting 'aye', 45 voting 'no' and none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1033, Representative Homer. Clerk, read the Bill."

Clerk Leone: "House Bill 1033, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. House Bill 1033 is a very simple and short Bill. It very briefly and simply requires whenever a school

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district is advertising to hire employess during a strike, it requires that school district, in any advertisements, to set forth the fact that, in fact, there is a strike in progress. I would ask for your support for the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1033, and on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 1033 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 80 voting 'aye', 32 voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill... Ladies and Gentlemen, going to the Order of Second Reading, Environmental Protection, page 35 on the Calendar. House Bills Second Reading, Non-Appropriations, appears House Bill 1848, Representative Currie. Representative Currie. Out of the record. House Bill 1922, Representative Vinson. Representative Vinson. Clerk, read the Bill."

Clerk Leone: "House Bill 1922, a Bill for an Act to amend the Illinois Environmental Facilities Financing Act. Second Reading of the Bill. No Committee Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Kulas - Vinson, amends House Bill 1922 on page 3 and so forth."

Speaker Breslin: "Representative Vinson or Kulas."

Vinson: "I can handle it. I think we both agree on it. It's a fine idea. It's an Amendment that would restrict the Illinois Development Finance Authority..."

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

Cullerton: "Yes, I believe the Gentleman wants to withdraw #1 and

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go with #2."

Vinson: "Sure, let's do that."

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

Clerk Leone: "Floor Amendment #2, Kulas - Vinson, amends House Bill 1922."

Speaker Breslin: "Representative Vinson."

Vinson: "I don't think it's been printed and distributed. I got it here now. This would... This Amendment is a good Amendment. It would restrict the funding under this program for businesses which employ fewer than 750 employees, have revenues of less than \$50,000,000 in the most recent fiscal year. The Authority will not allocate more than \$50,000,000 for any business or issuer per year and not more than \$200,000,000 for any business or issuer. Financing for environmental facilities of businesses made on or before May 1st shall be deemed commitments made by the Authority. Shall not be cancelled by reason of this Amendment, so that we won't effect financing and contracts in progress. I would move for adoption of this good Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 1922, and on that question, the Gentleman from Cook, Representative O'Connell."

O'Connell: "Question of the Speaker... the Sponsor."

Speaker Breslin: "Proceed."

O'Connell: "Does this effect..."

Vinson: "Should be properly directed to the Speaker."

O'Connell: "Does this effect issuers other than the Illinois Finance Development Authority?"

Vinson: "No."

O'Connell: "Thank you."

Speaker Breslin: "There being no further discussion, the question

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is, 'Shall Amendment #2 to House Bill 1922 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 Vinson, for what
reason do you rise?"

Vinson: "Madam Speaker, I casually answered a question just a
second ago from Representative O'Connell. I hope he's
listening because I want to correct precisely what I said.
And if he wishes, I will be glad to make a Motion to
reconsider the Amendment so that we can vote on it after he
has this information. He asked me if it effected issuers
other than a specific authority. The issuers are not the
authorities in these instances. The issuers are the
businesses. They are the issuers of the... of the bonds.
The authority... the authority is just that authority, only
the Illinois Development Finance Authority."

Speaker Breslin: "Representative O'Connell."

O'Connell: "Just to... for purposes of clarification. Isn't the
issuer the Illinois Finance Development Authority and the
user... the user is the businesses that we are concerned
with?"

Vinson: "I believe under the language of this Act, the issuer is
the business in question and the Illinois Development
Finance Authority facilitates the issuance by providing the
tax exempt authority. It does not effect authorities or
municipalities other than the Illinois Development Finance
Authority, but it does effect a wide range of issuers who
are the specific businesses coming to that specific
authority."

Speaker Breslin: "Ladies and Gentlemen, we are on the Order of
House Bills Second Reading, Environmental Protection, House

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Bill 2036, Representative Hallock. Clerk, read the Bill."

Clerk Leone: "House Bill 2036... House Bill 2036, a Bill for an Act to amend the Environmental Protection Act. Second Reading of the Bill. Bill has been read a second time previously. Amendment #1 was ruled out of order. Floor Amendment #2, Daniels - Hallock - Churchill - et al, amends House Bill 2036."

Speaker Breslin: "Are there any... Amendment #2 is filed? Representative Hallock. Representative Cullerton, for what reason do you rise?"

Cullerton: "Well, I just wanted to point out that the Bill has been read a second time and that it's a controversial Bill that might take a long time and I think we can do it tomorrow. So I would ask the Sponsor if he would take it out of the record."

Speaker Breslin: "It's up to the Sponsor. Representative Hallock."

Hallock: "No, I would prefer to do it tonight."

Speaker Breslin: "Proceed, Representative Hallock."

Hallock: "Thank you, Madam Speaker and Members of the House. This Bill is the Public Awareness and Response Act. Amendment #2, in essence, enumerates the provisions which we believe should be in a community right to know provision. We began, first of all, by providing that all employers of five or more employees who manufacture, use, store or sell hazardous substances will be covered by this Act. Secondly, we say that those employers then must file with the Illinois EPA a form which we include in this Bill. That form must include the pertinent information we think is essential for community right to know in this state. First of all, the names of the chemicals themselves must be in that Bill. Secondly, average annual quantity on hand must be in that Bill as well. And thirdly, the potential

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for release must also be enumerated. The next step that we require is that the ESDA and the Illinois EPA be notified of this and also that an emergency response plan be on file and be developed. We utilize the worker right to know list which includes about 700 chemicals because we believe that is a very exhaustive list which really would truly provide a community right to know as to what chemicals are being utilized within the community. I believe this is a very essential Bill. It's pertinent we pass it this Session. I would ask for your support for this Amendment. Thank you."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 2036 and on that question, the Gentleman from Cook, Representative Bowman."

Bowman: "How does this look in the transcripts? Thank you, Madam Speaker, Ladies and Gentlemen of the House. Will the Sponsor yield for a question?"

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

Bowman: "As I look over this Amendment, it seems to me that you build on the worker right to know law and the only thing that this Amendment does that the worker right to know law doesn't do is to provide for the emergency response plan and to provide us with some information based on... of storage and potential for release. Is that correct?"

Hallock: "Well, no, that's not correct and I would really disagree with your premise. To elaborate, we only build upon the worker right to know law in the extent that we use that chemical list. That list is consisting of 700 chemicals and building all the time. We believe that's a very exhaustive list. We take that for our initial chemical list and work from there."

Bowman: "Well, what information are you requiring to be provided that the worker right to law... know law doesn't require?"

Hallock: "First of all, we require the MSDS sheets be sent down

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to the... from the Department of Labor down to the local ESDS or the local sheriff, as the case may be. Secondly, we require that the annual quantity of these chemicals on hand must be written down in a form and sent to the EPA. And then thirdly, we have that emergency response plan which we talked about a few minutes ago."

Bowman: "Well, Representative Hallock, that's precisely what I said. The... You are starting with the worker right to know law which establishes these MSDS sheets and you are giving them a somewhat different distribution, but basically the only additional information that you are requiring about these chemical substances is the amount stored on the site in excess of 2000 pounds, I might add, because you do have a limitation in your Bill, and the potential for release. Now, I have seen the... I mean your Amendment contains the form that is... which people have to report, is that not correct?"

Hallock: "Yes, the purpose of the form, Representative Bowman, was to make it very clear just what information we require. So oftentimes this General Assembly passes statutes and the bureaucrats then pass... enact a ten page form to interpret the statute. The purpose of the form is to make it very clear that this is the information we need, the state needs, the community needs for the right to know purposes and that's it."

Bowman: "Well, Ladies and Gentlemen, to the... to the Amendment. Just very briefly, I think the Sponsor himself indicated really how little this Amendment does, so it probably doesn't make any difference whether it goes on or not."

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

Hallock: "I would just ask for a favorable vote."

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Speaker Breslin: "The question is, 'Shall Amendment #2 to House Bill 2036 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "Floor Amendment #3, offered by Representative Daniels - Hallock - Churchill."

Speaker Breslin: "Representative Hallock."

Hallock: "Withdraw #3, please?"

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

Clerk O'Brien: "Floor Amendment #4, offered by Representative Daniels - Hallock and Churchill."

Speaker Breslin: "Representative Hallock."

Hallock: "I withdraw 4, please."

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

Clerk O'Brien: "No further Amendments."

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

Cullerton: "Yes, pursuant to Rule 36(d), I would ask that this Bill be returned to the Order of Second Reading, First Legislative Day."

Speaker Breslin: "The Gentleman has requested that this Bill return to the Order of Second Reading, First Legislative Day. And that will be done, Sir, at your request. On page 39, Ladies and Gentlemen, appears a Second Reading, House Bills Second Reading dealing with counties. House Bill 879, Representative McGann. Clerk, read the Bill."

Clerk O'Brien: "House Bill 879, a Bill for an Act to amend the Revenue Act. 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 Mautino..."

Speaker Breslin: "Representative Mautino. Excuse me."

Clerk O'Brien: "I'm sorry. Amendment #2 to House Bill 879, offered by Representative Davis."

Speaker Breslin: "Representative Davis, on Amendment #2. Representative Davis. The Gentleman is not in the chamber, Representative McGann. What is your pleasure?"

McGann: "I rise in opposition to this Amendment and I would move to table this Amendment #2 to House Bill 879."

Speaker Breslin: "Okay, the Gentle... The Gentleman moves to table Amendment #2 to House Bill 879, and on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, I just wanted to point out that this Amendment was already incorporated in another Bill which passed the House today."

Speaker Breslin: "Okay, the question is, 'Shall Amendment #2 to House Bill 879 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is tabled. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. House Bill 1900, Representative Keane. Out of the record. House Bill 2399, Representative Barnes. Representative McCracken, for what reason do you rise?"

McCracken: "Leave to proceed on Amendment #1."

Speaker Breslin: "The Sponsor is not in the chamber, Representative McCracken."

McCracken: "I'm asking for leave, Madam Chairman."

Clerk O'Brien: "House Bill 2399, a Bill for an Act to amend the

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Illinois Highway Code. Second Reading of the Bill. No
Committee Amendments."

Speaker Breslin: "Proceed, Representative McCracken."

McCracken: "Thank you. Floor Amendment... or Amendment #1
abolishes the six year term of office for any DuPage County
superintendent appointed after the effective date of this
Bill and instead the DuPage County Superintendent of
Highways would serve at the pleasure of the county board.
I move its adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of the
Amendment #1 to House Bill 2399, and on that question, the
Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, Representative McCracken, I would suggest that
since the Bill has been read a second time that you just
leave it on Second Reading and try to adopt this Amendment
tomorrow because I think the Amendment has some technical
problems with it, plus the Sponsor is not here."

McCracken: "What is the technical problem?"

Cullerton: "I don't think you instruct the... Well, apparently,
DuPage would have a superintendent and a director of the
Department of Transportation. You should have struck one or
the other."

McCracken: "No, I think we wanted both."

Cullerton: "Oh, you wanted both. Okay, fine."

Speaker Breslin: "The question is, 'Shall... The Gentleman from
Cook, Representative Terzich."

Terzich: "Yes, can I ask the Sponsor a question?"

Speaker Breslin: "Proceed."

Terzich: "Why?"

McCracken: "Beats me. I'm not the Sponsor of the Amendment."

Terzich: "Yeah, well, why do you want to change it from six years
to appointed?"

McCracken: "Because we want..."

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Terzich: "Is there something fishy going on in DuPage County that we don't know about?"

McCracken: "It's important that instead of a six year term with no provision for recall or impeachment we have the opportunity for instant recall at the whim... not at the whim, at the... at the call of the chair."

Terzich: "Well have they had some problems with the current practice of having it for six years? Are they having any scandal or anything going on there that you want you want the... at the call of the..."

McCracken: "No, Sir. No scandal. We are interested in good government and and six year terms do not serve that purpose in that office. It's important they be responsive to the county board."

Terzich: "How long has it been a six year term?"

McCracken: "I don't know."

Terzich: "Well, then why change it? I mean its..."

McCracken: "Because the practice hasn't..."

Terzich: "... If it's been good government before, why wouldn't it be now? Unless there's some bad government out there."

McCracken: "No, no. The practice has not been a good practice, but I don't know how long it's been in effect."

Terzich: "Alright, could I ask you whose whim it was to have this introduced in this manner?"

McCracken: "Pardon me?"

Terzich: "Whose whim it was to have this Amendment introduced?"

McCracken: "Whose whim? You caught me, Representative Terzich. I don't know that."

Terzich: "Well, at least you know more than I know, which is nothing."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Amendment #1 to House Bill 2399 be adopted?' All those in favor say 'aye', all those opposed say 'nay'."

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

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Ladies and Gentlemen, on page
40 on your Calendar is House Bills Second Reading -
Governmental Reorganization, House Bill 2009,
Representative Parcells. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2009, 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 O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Van Duyne."

Van Duyne: "I'd like to have leave to withdraw Amendment #2,
please."

Speaker Breslin: "The Gentleman withdraws Amendment 1.
Representative Parcells, for what reason do you rise?"

Parcells: "Yes, I wanted to have... I wanted to move to table
Amendment #1 put on in Committee."

Speaker Breslin: "Excuse me. Representative Van Duyne has
withdrawn Amendment #2 and now the Lady from Cook,
Representative Parcells, makes a Motion to table Amendment
#1 to House Bill 2009. And on that question, is there any
discussion? There being no discussion, the question is...
The Gentleman from Cook, Representative Cullerton."

Cullerton: "Why would she want to table the Amendment?"

Parcells: "I have Amendment #3, which I think if you read it, you

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will see that it's superior to Amendment #1."

Cullerton: "Okay, fine. Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #1 to House Bill 2009 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and Amendment #1 to House Bill 2009 is tabled. Are there any further Amendments?"

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

Speaker Breslin: "Representative Parcels."

Parcels: "Yes, as originally drafted, House Bill 2009 provided that the regional board of school trustees would be compelled to make a school district boundary change if two thirds of the registered voters of the affected area signed a petition requesting the change and the petition was in compliance with Section 7-4 of the School Code. This Amendment #3 states that the regional board should hold a hearing to make a decision on the petition after... and after holding the hearing or while holding the hearing they should do this on consecutive days until that decision is reached. The Amendment further deals with which school district a student may attend if litigation follows the decision of the board. And I would move for its acceptance."

Speaker Breslin: "The Gentleman... the Lady has moved for the adoption of Amendment #3 to House Bill 2009, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #3 to House Bill 2009 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 #4, Van Duyne, amends House

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Bill..."

Speaker Breslin: "Representative Van Duyne."

Van Duyne: "Thank you, Madam Speaker. I'd like to withdraw #4."

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

Clerk Leone: "Amendment #5, Van Duyne, amends House Bill 2009 as amended."

Speaker Breslin: "Amendment #5 is sponsored by who, Mr. Clerk? Representative Van Duyne."

Van Duyne: "Yes, thank you, Madam Speaker. Amendment #5 simply states that regardless of when the petition is filed for boundary changes that the petition will be judged by the language of Senate Bill 513 passed in 1983, which was passed to clarify the language having to do with all these and move for adoption of Amendment #5."

Speaker Breslin: "The Gentleman has moved for the passage of Amendment #5 to House Bill 2009, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #5 to House Bill 2009 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 #6, Parcels."

Speaker Breslin: "Representative Parcels."

Parcels: "Yes, Floor Amendment #6 deals with the effective date of the Bill and was necessary because the Section 2 of the Bill would become effective January 1st of '86 while the other Sections would affect any applications or petitions that are pending at this time by the regional board."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #6 to House Bill 2009, and on that question, is there any discussion? There being no discussion, the

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question is, 'Shall Amendment #6 to House Bill 2009 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 #6, Parcels."

Speaker Breslin: "Number 6 or #7?"

Clerk Leone: "Number 7, Parcels."

Speaker Breslin: "Representative Parcels."

Parcels: "I would moved to withdraw this, Madam Speaker."

Speaker Breslin: "The Gentleman withdraws Amendment... The Lady... The Lady withdraws Amendment #7. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "There are no further Amendments, but there is a fiscal note request filed, Representative Parcels, so the Bill remains on the Order of Second Reading. Ladies and Gentlemen, going back to... Representative Bullock, for what reason do you rise?"

Bullock: "Well, Madam Speaker, I'd like to move to table a Bill."

Speaker Breslin: "Not right now, Representative. We are going back to House Bills Second Reading on Counties for a Bill that was taken out of the record, House Bill 1900, Representative Keane. Clerk, read the Bill."

Clerk Leone: "House Bill 1900, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill."

Speaker Breslin: "Representative, we can't find the Bill. Representative Keane, for what reason do you rise?"

Keane: "It's my Bill."

Speaker Breslin: "Yes, I know, but we have to read it a second time and we have not located the Bill."

Clerk Leone: "House Bill 1900, a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. No Committee

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Amendments."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Keane, amends House Bill 1900 on page 1."

Speaker Breslin: "Representative Keane."

Keane: "Thank you, Madam Speaker. Amendment #1 to House Bill 1900 makes a series of revisions in the Bill regarding the certificate of error procedures. Amendment 1 deletes from the Bill the provision prohibiting Cook County assessor from presenting a certificate of error as objection to those proceedings dealing with sales of tax delinquent property unless it is clear the certificate would result in satisfaction of the lien of taxes. I'd ask for a favorable..."

Speaker Breslin: "The Gentleman has moved for the passage of Amendment #1 to House Bill 1900, and on that question is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 to House Bill 1900 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. Ladies and Gentlemen, going back for one more Bill on the Order of Special Order of Business, House Bills Third Reading - Labor, appears House Bill 1177. Representative Ronan. Clerk, read the Bill."

Clerk Leone: "House Bill 1177, a Bill for an Act to amend the Baccalaureate Assistant Law for Registered Nurses. Third Reading of the Bill."

Speaker Breslin: "Representative Ronan."

Ronan: "Thank you, Madam Speaker and Members of the House. House Bill 1177 involves a slight rewrite of the Nurse

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Baccalaureate Law. We have made some changes to update the legislation. We have worked with the Department of Public Health. I'll be glad to answer any questions concerning the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1177, and on that question, the Gentleman from Jersey, Representative Ryder."

Ryder: "Thank you, Madam Chairman, I wish to stand in support of this. There is an Amendment that has been adopted which incorporates legislation which I asked and the Sponsor has worked with me and with others. I appreciate an 'aye' vote."

Speaker Breslin: "The question is, 'Shall House Bill 1177 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will... Have all voted who wish? The Clerk will take the record. On this question, there are 114 voting 'aye', none voting 'no' and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative Cullerton is recognized for a Motion."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I would move that we continue the Special Order - State and Local Government Administration, State Regulation, Revenue, Education Reform and Labor until tomorrow at the call of the Chair."

Speaker Breslin: "The Gentleman has moved that this Body continue until the call of the Chair those Special Order of Businesses named. Is there any objection? Hearing no objection, the Motion carries. Representative Preston, for what reason do you rise? Representative Dunn, for what reason do you rise?"

Dunn: "Thank you, Mr. Speaker... or Madam Speaker, Ladies and

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Gentlemen of the House. Just to state for the record that I was unavoidably away from my desk when House Bill 18 was called today. It was my intention and if I were permitted under House rules, I would vote for House Bill 18 and I wish to make that a matter of record."

Speaker Breslin: "Representative Bullock."

Bullock: "Well, thank you, Madam Speaker and Ladies and Gentlemen of the Assembly. This Motion will make Representative Vinson and others happy. I'd like to request leave of the Body to table House Bill 869, which amends an Act in relationship to video lottery games, the Bill..."

Speaker Breslin: "What is the number again, Sir?"

Bullock: "House Bill 869."

Speaker Breslin: "869. Are you the Chief Sponsor of this Bill."

Bullock: "Yes, Ma'am."

Speaker Breslin: "The Gentleman has moved to table House Bill 869. All those in... On that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 869 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 Bill is tabled. Representative Preston."

Preston: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. On House Bill 18, when it was called, I had pushed my green button, but through some electrical malfunction, it was recorded as a 'present' vote and it should properly have been recorded as an 'aye' vote."

Speaker Breslin: "Representative Cullerton, on the Adjournment Resolution. Representative Cullerton, on the Adjournment Resolution. Representative Vinson, for what... excuse me. Representative Vinson, for what reason do you rise?"

Vinson: "I believe that the Body, in this case, should honor Representative Preston's request, because it's clear from

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his voting record that his switch almost always malfunctions."

Speaker Breslin: "Representative Cullerton."

Cullerton: "I move the House stand adjourned until tomorrow at the hour of 9:00a.m."

Speaker Breslin: "Does the Clerk need any time? Allowing time for the Clerk to finish up his business, this House... the Gentleman has moved this House stand adjourned until 9:00 a.m. tomorrow morning. All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and this House stands adjourned until 9:00 a.m. tomorrow morning."

Clerk Leone: "Messages from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives the Senate has passed Bills of the following titles and passage of which I am instructed to ask concurrence of the House of Representatives, to wit: Senate Bills 119, 120, 128, 131, 138, 140, 158, 179 and 192 passed the Senate May 21st, 1985. Kenneth Wright, Secretary.' Further Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representative the Senate has passed Bills of the following titles and the passage of which I am instructed to ask concurrence of the House of Representatives, to wit: Senate Bills 201, 202, 204, 207, 208, 209, 216, 235, 237 and 242 passed the Senate May 21st, 1985. Kenneth Wright, Secretary.' A further Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bill of the following titles and the passage of which I am to ask concurrence of the House of Representatives, to wit: Senate Bills 249, 253, 258, 260, 269, 288, 298 and 300 passed the Senate May 21st, 1985.

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Kenneth Wright, Secretary.' Further Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives the Senate has passed Bills of the following title, the passage of which I am instructed to ask concurrence of the House of Representatives, to wit: Senate Bill 1264 passed the Senate May 16th, 1985. Kenneth Wright, Secretary.' Committee Report. Representative Keane, Chairman from the Committee on Revenue to which the following Bills were referred, action taken May 21st, 1985, and reported the same back with the following recommendations: 'Do pass' Senate Bill 667. Reading of Constitutional Amendments. House Joint Resolution Constitutional Amendment #1, resolved by the House of Representatives of the 84th General Assembly, State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of this state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution a proposition to amend Section 9 of Article IV of the Constitution to read as follows: Article IV, Section 9, Veto Procedure. Every Bill passed by the General Assembly shall be presented to the Governor within 30 calendar days after its passage. The foregoing requirement shall be judicially enforced. If the Governor approves the Bill, he shall sign it and it shall become law. If the Governor does not approve the Bill, he shall veto it by returning it with his objections to the House in which it originated. Any Bill not so returned by the Governor within 60 days after it is presented to him, shall become law. If recess or adjournment of the General Assembly prevents the return of the Bill, the Bill and the Governor's objections shall be filed with the Secretary of State within such 60 calendar days. The Secretary of State

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shall return the Bill and objections to the originating House promptly upon the next meeting of the same General Assembly at which the Bill can be considered. The House to which the Bill is returned shall immediately enter the Governor's objections upon its Journal. If, within 15 calendar days after such entry, that House, by a record vote of three-fifths of the Members elected passes the Bill, it shall be delivered immediately to the second House. If, within 15 calendar days after such delivery, the second House, by a record vote of three-fifths of the Members elected, passes the Bill, it shall become law. The Governor may reduce the Bill at any time of appropriations in a Bill presented to him. Portions of a Bill not reduced or vetoed shall become law. An item veto shall be returned to the House in which it originated and may become law in the same manner as a vetoed Bill. The item reduced in amount shall be returned to the House in which it originated and may be restored to its original amount in the same manner as a vetoed Bill except that the required record vote shall be a Majority of the Members elected to each House. If a reduced item is not so restored, it shall become law in a reduced amount. The Governor may return a Bill together with his specific recommendations for change to the House in which it originated. The Bill shall be considered in the same manner as the vetoed Bill. The specific recommendations may be rejected or accepted as follows: (1) Specific recommendations may be rejected and the Bill become law in the form in which it was originated passed and presented to the Governor under Subsection (a) by a record vote of a Majority of the Members elected to each House or (2) the specific recommendations may be accepted by a record vote of the Majority of the Members elected to each House. Such Bill shall be presented again

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to the Governor and if he certifies that such acceptance conforms with his specific recommendations, the Bill shall become law. If he does not so certify, he shall return it as a vetoed Bill to the House in which it originated. This Subsection (e) does not reduce the number of votes required for any Bill to become law if such Bill is subject to an extraordinary vote requirement of any other provision of this Constitution. Schedule: This Amendment to Section 9 of Article IV of the Illinois Constitution takes effect upon the approval by the electors of this state. Third Reading of this Constitutional Amendment on Third Reading."

Clerk O'Brien: "House Joint Resolution Constitutional Amendment #3. Resolved by the House of Representatives of the 84th General Assembly of the State of Illinois, the Senate concurring herein, that there shall be submitted to the electors of the state for adoption or rejection at the general election next occurring at least six months after the adoption of this Resolution proposition to amend Section 2 and 5 of Article IV of the Constitution to read as follows: Article IV, the Legislature, Section 2, Legislative Composition. (a) One Senator shall be elected from each Legislative District. Immediately following each dissennial redistricting, the General Assembly, by law, shall divide the Legislative Districts as equally as possible into two groups beginning with the 1992 general election. Senators from the first group shall be elected for terms of four years and six years and Senators from the second group shall be elected for terms of six years and four years. The Legislative Districts in each group shall be distributed substantially equal over the state. (b) Each Legislative District shall be divided into two Representative Districts. One Representative shall be elected from each Representative District. Immediately

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following each dissennial redistricting, the General Assembly, by law, shall divide the Representative Districts as equally as possible into three groups beginning with the 1992 general election. Representatives from the first group shall be elected for terms of four years, four years and two years. Representatives from the second group shall be elected for terms of four years, two years and four years. Representatives from the third group shall be elected for terms of two years, four years and four years. The Representative Districts in each group shall be distributed substantially equal over the state. However, in no case will a Legislative District that's assigned to the first group of Legislative Districts contain a Representative District assigned to the third group of Representative Districts. Nor shall Legislative District assigned to the second group of Legislative Districts contain a Representative District assigned to the first group of Representative Districts. (c) To be eligible to serve as a Member of the General Assembly, a person must be a United States citizen, at least 21 years old and for two years preceding his election or appointment, a resident of the district to which he is to represent. In the general election following the redistricting, the candidate for the General Assembly may be elected from any district which contains a part of the district in which he resided at the time of the redistricting and reelected if resident of the new district he represents for 18 months prior to reelection. (d) Within 30 days after a vacancy occurs, it shall be filled by appointment as provided by law. If the vacancy is in the Senatorial or Representative office with more than 28 months remaining in the term, the appointed Senator or Representative shall serve until the next general election, at which time a Senator or Representative

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shall be elected to serve for the remainder of the term. If the vacancy in any other Representative or Senatorial office, the appointment shall be for the remainder of the term. An appointee to fill a vacancy shall be a Member of the same political party as the person he succeeds.

Section (e): No Member of the General Assembly shall received compensation as a public officer or employee of any other governmental entity for time during which he is in attendance as a Member of the General Assembly. No Member of the General Assembly during the term for which he was elected or appointed shall be appointed to a public office which shall have been created or the compensation for which shall have been increased by the General Assembly during that term.

Section 5, Sessions: The General Assembly shall convene each year on the second Wednesday of January. The General Assembly shall be a continuous Body from the second Wednesday of January of one odd... of one odd number year until the second Wednesday of January of the next odd number year. (b) The Governor may convene the General Assembly or the Senate alone in Special Session by Proclamation stating the purpose of the Session and only business compressed by such purpose together with any impeachments or confirmation of appointments shall be transacted. Special Sessions of the General Assembly may also be convened by Joint Proclamation of the presiding officers of both Houses issued as provided by law. (c) Sessions of each House of the General Assembly and meetings of Committees, Joint Committees and Legislative Commissions shall be open to the public. Sessions and Committee meetings of the House may be closed to the public if two-thirds of the Members elected to that House determine that the public interest so requires. And meetings of Joint Committees and Legislative Commissions may be so

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closed if two-thirds of the Members elected to each House so determine. Schedule: This Amendment takes effect upon its adoption by the electors of this state with application to the terms of General Assembly Members elected to the 1992 and subsequent general elections. Third Reading of the Constitutional Amendment and the Constitutional Amendment will be held on Third Reading."

Clerk Leone: "Introduction and First Reading of Senate Bills. Senate Bill 49, Hawkinson, a Bill for an Act to amend the Code of Criminal Procedure. First Reading of the Bill. Senate Bill 87, Hartke, a Bill for an Act to amend township law. First Reading of the Bill. Senate Bill 92, Hastert - Deuchler - Cowlshaw, a Bill for an Act providing for the establishment of the Illinois Mathematics and Science Academy. First Reading of the Bill. Senate Bill 96, Ropp, a Bill for an Act to amend the Psychologist Registration Act. First Reading of the Bill. Senate Bill 113, Phelps, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 159, Pullen, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 161, Steczo, a Bill for an Act to amend the Emergency Services and Disaster Agency Act. First Reading of the Bill. Senate Bill 206, Cullerton, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 212, Hannig, a Bill for an Act to amend the Retailers Occupation Tax Act. First Reading of the Bill. Senate Bill 241, Cullerton, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 251, Flinn, a Bill for an Act to amend the Illinois Savings Association Banking Act. First Reading of the Bill. Senate Bill 365, Woodyard - Keane, a Bill for an Act to amend the Public Community College Act. First Reading of the Bill. Senate Bill 492, Wolf, a Bill

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for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 504, McNamara, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 569, Ewing - Ronan, a Bill for an Act to amend the Trust and Trustees Act. First Reading of the Bill. Senate Bill 570, Ewing - Ronan, a Bill for an Act to amend the Trust and Trustees Act. First Reading of the Bill. Senate Bill 571... correction, Senate Bill 571 does not have a Sponsor. Senate Bill 615, Soliz, a Bill for an Act to amend the Illinois Domestic Violence Act. First Reading of the Bill. Now, Senate Bill 571, Ewing - Ronan, a Bill for an Act to provide for the... and regulate the administration of trusts by trust companies. First Reading of the Bill. Senate Bill 623, William Peterson, a Bill for an Act to amend the Revenue Act. First Reading of the Bill. Senate Bill 672, Slater, a Bill for an Act to amend the Social Workers Registration Act. First Reading of the Bill. Senate Bill 696, Kulas, a Bill for an Act to amend the Civil Administrative Code of Illinois. First Reading of the Bill. Senate Bill 754, Nash - DeLeo, a Bill for an Act to amend the Election Code. Senate Bill 782, McCracken, a Bill for an Act to amend the township law. First Reading of the Bill. Senate Bill 872, Phelps, a Bill for an Act in relationship to funds derived from the sale of migratory waterfowl stamps and gifts, donations, grants and bequests of money. First Reading of the Bill. Senate Bill 903, Cowlshaw, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 907, DeLeo, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. Senate Bill 1065, Homer, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 1080, Oblinger, a Bill for an Act to amend an Act relating to pension and

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disability benefits. First Reading of the Bill. Senate Bill 1084, Levin, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 1093, Pullen, a Bill for an Act to amend the Election Code. Senate Bill 1096, Pullen, a Bill for an Act to amend the Election Code. Senate Bill 1159, Keane, a Bill for an Act relating to the duty of public institutions of higher education. First Reading of the Bill. Senate Bill 1166, Phelps, a Bill for an Act to amend the Illinois Emergency Services and Disaster Agency Act. First Reading of the Bill. Senate Bill 1206, Bernard Pedersen, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 1283, Anthony Young, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 1307, Virginia Frederick, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 1322, Dunn, a Bill for an Act to amend an Act relating to the Board of Higher Education. First Reading of the Bill. Senate Bill 1345, Curran, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 1351, Olson, a Bill for an Act to amend the Environmental Protection Act. First Reading of the Bill. Senate Bill 1370, Phelps, a Bill for an Act in relationship to regional correctional facilities. First Reading of the Bill. Senate Bill 1432, Tate - Cullerton, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 1433, Mautino, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. And Senate Bill 1456, Greiman, a Bill for an Act to amend the Election Code."

Clerk O'Brien: "No further business, the House now stands adjourned."

5/29/85
5:00

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