121st Legislative Day

May 22. 1986

Speaker McPike: "The House will come to order. Members will be in their seats. The Chaplain for today will be the Reverend Howard Milkman, Pastor of First Presbyterian Church of Springfield. Reverend Milkman is a guest of Representative Mike Curran. Will the guests in the balcony please rise and join us in the invocation?"

Reverend Milkman: "Let us pray. If we were to take the wings the morning and dwell in the uttermost parts of the sea, even there Your hand would hold us. If we were to take the wings of the morning. in Your Spirit we would be lifted and refreshed, inspired and exhilarated. Let us this day the wings of the morning, be lifted above everything that is small, petty, all that is cynical and not time. and all within us that is anxious and fretful. were to take the wings of the morning, we would see the earth very far beneath us and gain new perspective for our Grant us to transcend ourselves and be born aloft living. by Your peace and grace. Refresh us with the wings of when we are tired and exhausted by our work and morning help us to particularly transcend ourselves by when we are tempted to forget that life is important to be taken always so seriously. And thank You those who give themselves in public service. For this day, for this Assembly, grant to them Your Spirit and Your Wisdom this day and grant them joy and support in their lives away from this place. Bless their families and those they love. Bless us when decisions are difficult and the contending force is strong. Bless us when there is no right answer and simply shades of gray. Bless us when everyone will oppose the decisions we make because of their own points of view. Bless us and refresh us with Your Spirit that there will be times throughout this day when we

121st Legislative Day

May 22. 1986

- will, in faith, be born again constantly by the wings of the morning, when in discussion and contemplation we are suddenly lifted so that we proceed each day as seeing before us that which is eternal. We give You thanks particularly for life together on May 22nd, for all of its hours, for the gladness of its promise. Amen."
- Speaker McPike: "Be led in the Pledge of Allegiance by Representative Ropp."
- Ropp et al: "I pledge allegiance to the Flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."
- Speaker McPike: "Roll Call for Attendance. Representative Rea."
- Rea: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. If it was not against the rules of the House, I would at this time introduce a school group from my area, Ewing Northern, up here and would ask all of you to welcome them to Springfield."
- Speaker McPike: "Take the record. Representative Matijevich, do you have any excused absences?"
- Matijevich: "Yes, Representative Nelson Rice, due to illness."
- Speaker McPike: "And there's none on the Republican side. 116

 Members answering the Roll Call, a quorum is present.

 Agreed Resolutions."
- Clerk O'Brien: "Senate Joint Resolution 160, offered by Representative Ropp. House Joint Resolution 201, by McAuliffe; 202, Ryder et al; 203, Madigan and Daniels. House Resolutions 1346, Madigan; 1347, Williamson; 1349, Giorgi and Hallock."
- Speaker McPike: "Representative Matijevich."
- Matijevich: "Speaker, Ladies and Gentlemen of the House, these

 Resolutions are congratulatory. I move the adoption of the

 Agreed Resolutions."

121st Legislative Day

May 22, 1986

- Speaker McPike: "The 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 Resolutions."
- Clerk O'Orien: "House Resolution 1338, offered by Representative Wyvetter Younge, with respect to the memory of Theodore Christian, Sr. House Resolution 1341, offered by Representative Kubik, with respect to the memory of Doctor William J. H. Sisson. House Resolution 1350, offered by Representative Levin Cullerton and Sutker, with respect to the memory of Cantor Moses J. Silverman."
- Speaker McPike: "Gentleman moves for the adoption of the Death Resolutions. All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it, and the Death Resolutions are adopted. General Resolutions."
- Clerk O'Brien: "House Resolution 1348, offered by Representative Saltsman."
- Speaker McPike: "Committee on Assignment. Page 21 of the Calendar, House Sills Third Reading, Short Debate, appears
 House Bill 2626, Representative Stange. Gentleman in the chamber? Representative Stange. Representative Panayotovich. Out of the record. House Bill 3078, Representative Hawkinson. Mr. Clerk."
- Clerk O'Brien: "House Bill 3078, a Bill for an Act to amend Sections of the Metropolitan Civic Center Support Act. Third Reading of the Bill."
- Speaker McPike: "The Gentleman asks leave to return the Bill to Second Reading for purposes of an Amendment. Does the Gentleman have leave? Leave is granted. Second Reading."
- Clerk O'Brien: "Floor Amendment 31, offered by Representative
- Speaker McPike: "Representative Rea, Amendment #1."
- Rea: "I withdraw Amendment l."

121st Legislative Day

- May 22, 1986
- Speaker McPike: "Gentleman withdraws Amendment #1. Further

 Amendments?"
- Clerk O'Brien: "Floor Amendment #2, offered by Representative
 Pangle Hawkinson."
- Speaker McPike: "Representative Pan... Representative Pangle,
 Amendment #2."
- Pangle: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment \$\varrhi 2\$ just gives the right and authority for the Manteno... the versified tech campus and the Galesburg I don't know the name of it to invest the checks they receive from the state for development without... with the opportunity to collect interest."
- Speaker McPike: "The Gentleman moves for the adoption of Amendment #2. Is there any discussion? There being none, the question is, "Shall Amendment #2 be adopted?" All those in favor signify by saying "aye", opposed "no". The "ayes" have it, and the Amendment's adopted. Further Amendments?"
- Clerk O'Brien: "Floor Amendment #3, offered by Representative

 Hawkinson and Pangle."
- Speaker McPike: "Representative Hawkinson, Amendment #3."
- Hawkinson: "Withdraw Amendment #3."
- Speaker McPike: "Gentleman withdraws Amendment #3. Further
 Amendments?"
- Clerk O'Brien: "Floor Amendment 34, offered by Representative
 Rea."
- Speaker McPike: "Representative Rea."
- Rea: "Withdraw..."
- Speaker McPike: "Gentleman withdraws Amendment #4. Further

 Amendments?"
- Clerk O'Brien: "Floor Amendment 05, offered by Representative Rea."
- Speaker McPike: "Representative Rea, Amendment #5."

121st Legislative Day

May 22, 1986

- Rea: "Thank you, Mr. Speaker, Members of the House. Amendment #5
 takes some corrective action in terms of earlier
 legislation that we had passed authorizing two of our civic
 centers, one in Mount Vernon and one in Herrin, to issue
 revenue bonds at the local level. And the second thing it
 does is to add West Frankfurt to the list of... that can
 develop civic center authorities. Ask for adoption."
- Speaker McPike: "Gentleman moves for the adoption of Amendment #5. Is there any discussion? There being none, the question is, 'Shall Amendment #5 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it. The Amendment is adopted. Further Amendments?"

 Clerk O'Brien: "No further Amendments."
- Speaker McPike: "Third Reading. The Gentleman from Knox asks

 leave to waive the appropriate rule so that the Bill can be

 heard on Third Reading at this time. Are there any

 objections? Hearing none, leave is granted. The rules are

 waived. Third Reading. Read the Bill. Mr. Clerk."
- Clerk O'Brien: "House Bill 3078, a Bill for an Act to amend Sections of the Metropolitan Civic Center Support Act. Third Reading of the Bill."
- Speaker McPike: "The Gentleman from Knox, Representative Hawkinson, on the Bill."
- Hawkinson: "Thank you. Ar. Speaker. The Bill prior Amendments was a Bill I introduced on behalf of the civic center authority in Knox County which it had an agreement with DCCA providing that the grant that would be obtained, that they would be able to retain the interest on it to pay for the construction projects. The program was year because of the delay in the bonding and then DCCA felt that because of the technical provisions the Recovery Act, that they could not abide by their Grant It was suggested that I offer a Bill to agreement.

121st Legislative Day

May 22, 1986

that provision, and I have done so. The Amendments have been explained by Representatives Pangle and Rea, and they became part of the Bill. But the original Bill has been retained, and I would ask for your support.

- Speaker McPike: "The Gentleman moves for the passage ٥f House Rill 3078-Is there any discussion? There being none. the question is, 'Shall House Bill 3078 pass?' All favor signify by voting "aye", opposed vote "no". all voted? Have all voted who wish? Clerk will take the On this Bill there are 105 *ayes*, 6 *nos*, 1 record. voting 'present'. House Bill 3078, having received the Constitutional Majority, is hereby declared passed. Bill 3418, Representative Cullerton. Out of the record. Bill 3576. Representative Mautino. or Representative Either of the Gentlemen in the chamber? Out of the record. House Bill 3588. Representative O'Connell. Representative Keane. Either of the Gentlemen in the chamber? Out of the record. Message from the Senate."
- Clerk O'Brien: "Message from the Senate. by Mr. Secretary. * Mr . Speaker: 1 am directed to inform the House of Representatives the Senate has passed Bills of the following title and the passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bills #1519. 1520, 1522 and 1552, passed by the Senate May 21, 1986. Kenneth Wright, Secretary."
- Speaker McPike: "Representative Keane, we just took 3588 out the record. Do you want the Bill called? Out of the record. Page three of the Calendar, Special Order of School Programs. Business appears House Bi 11 1459, Representative Countryman. Īs the Gentleman here? Representative Hallock, would you handle that? Bill. Mr. Clerk."
- Clerk O'Brien: "Senate (sic House) Bill 1459, a Bill for an Act

- l21st Legislative Day Hay 22, 1986

 to amend the Regency Universities Act. Third Reading of the Bill."
- Speaker McPike: "Gentleman from Winnebago, Representative
- Hallock: "Thank you, Mr. Speaker and Members of the House. I do believe Representative Countryman is here. He was here about two minutes ago, and I think he might want to present this Bill himself."
- Speaker McPike: "Do you wish the Bill taken out of the record?

 You know, we might not get back to some of these Bills."
- Hallock: "Well, I appreciate that, Mr. Speaker, but he was here.

 I saw him thirty seconds ago. I believe he had to step out
 for a minute and he'll be right back."
- Speaker McPike: "Okay. House Bill 2587, Representative Greiman.

 Read the Bill, Mr. Clerk."
- Clerk O'Brien: "House Bill 2587, a Bill for an Act to amend the School Code. Third Reading of the Bill."
- Speaker McPike: "Gentleman from Cook, Representative Greiman."
- Greiman: "Thank you, Ar. Speaker. This Bill merely says that gifted programs should be based on a youngster's ability and entry to gifted programs should not be preconditioned or should not... or no one should be left out of a program because of their race, or their religion, their handicap they might have physically and that's all the Bill does."
- Speaker McPike: "Gentleman moves for the passage of House Bill 2587. Īs there any discussion? There being none, the question is, 'Shall House Bill 2587 pass?' A11 favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the On this Bill there are 109 'aves'. 3 'nos'. record. votina 'present'. House Bill 2587, having received the Constitutional Majority, is hereby declared passed. Bill 2828. Representative Ewing. Read the Mr.

121st Legislative Day

May 22, 1986

Clerk."

Clerk O'Brien: "House Bill 2828, a Bill for an Act to amend

Sections of the School Code. Third Reading of the Bill."

Speaker McPike: "Gentleman from Livingston, Representative

Fwing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, this 3111 a little unique. It deals with school reorganization and it deals with the specific problem in my area of state where we have a number of small schools 1 n particular, one of these small schools, which is a small unit district. has only two viable options for consolidation. Both of those viable options are with districts. There isnot any procedure set up in our statute which will allow a unit district to consolidate their high pardon me. school with a unit... a unit district consolidate their high school with a dual district or an individual high school district. That's what this statute sets up. It also... we've provided in here a self-destruct clause so that the statute won't stay on the books forever. will provide a window for the consolidation of this small high school which has about 70 students and then will destruct in four years. And I'd be glad to ask (sic) It's... we've worked out. I think. questions. all of the details on the Bill and including how the staff **₩111** he assigned to the different districts, to the consolidated district and to the remaining grade school district."

Speaker McPike: "The Gentleman moves for the passage of House
Bill 2828. Is there any discussion? Gentleman from Cook,
Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker McPike: "He will."

Cullerton: "Could you describe the effect of Amendment #3 with regard to teachers who are tenured?"

121st Legislative Day

May 22, 1986

Ewing: "Amendment #3 is then also amended by Amendment #4. Representative Cullerton, and what you... what it actually provides is that you take a five year average where the teacher's been assigned. The staff in a small like this many times they teach not only in the high school but maybe in the grade school. If most of their time has been in the high school, they would go with the high school staff and would be in a pool with the consolidated high and their selection would be based on their seniority. If most of their time is in the grade school. they would stay with the grade school unit that will result after the consolidation. If the... yes. And those that went both ways, if they've taught..."

Cullerton: "Those that go..."

Ewing: "... haven't taught completely in each of the district, they have their choice."

Cullerton: "Those that go both ways get their choice?"

Ewing: "You know, that's pro choice."

Cullerton: "They get to choose which district..."

Ewing: "Which... If they've taught in both the high school and the grade school, then they get their choice. I want to correct that. If they've taught all the time in the high school, they go with the high school. If they've taught all the time in the grade school, they stay with the grade school. If they've taught in both, then they have their choice."

Cullerton: "This only applies in this context of this Bill which is limited to probably one school district in the state?"

Ewing: "Well, it's limited to high school districts that are under 200 students."

Cullerton: "Under this Bill, how many districts would qualify?"

Ewing: "I couldn't tell you."

Cullerton: "You can only..."

121st Legislative Day

May 22. 1986

Ewing: "But many of our... many small high school districts are not adjacent to a... pardon me. Nany small unit districts are not adjacent to a high school district. There aren't very many high school districts left in the state."

Cullerton: "That's what I mean. That's why I want to know how many..."

Ewing: "Very few, but I couldn't tell you how many."

Cullerton: "You have one in mind though, don't you?"

Ewing: "Oh, I do, yes."

Cullerton: "Yeah. where is that?"

Ewing: "And I thought I made that point."

Cullerton: "Where is that located?"

Ewing: "That's in Livingston County, the heart of Illinois."

Cullerton: "I see. Okav. thank you."

Speaker McPike: "Representative Hallock. Further discussion? There being none, the question is, 'Shall House Bill 2828 pass? All those in favor signify by voting 'aye', opposed Have all voted? vote 'no'-Have all voted who wish? Clerk will take the record. On this Bill there are 113 *ayes*, no *nays*, none voting *present*. House Bill 2828, the Constitutional having received Majority. is hereby declared passed. House Bill 2864. Representative Read the Bill. Ar. Clerk."

Clerk O'Brien: "House Bill 2864, a Bill for an Act to amend

Sections of the School Code. Third Reading of the Bill."

Speaker McPike: "Gentleman from McLean, Representative Ropp."

"Thank you, Mr. Speaker, Members of the House. House Bill Ropp: 2864 increases the number of categories of individuals that can participate in extra vocational educational training Currently the law says that only during the summer months. vocational teachers can participate in the vocational instructional program. This Bill adds vocational counselors, as well as vocational administrators, in an

121st Legislative Day

May 22, 1986

ever increasing attempt to make available the very best possible teachers for young people in the State of Illinois. Currently, under the school reform package of Senate Bill 730, 1.5 million was offered for this program this year. Under the proposed budget I think for this coming year, it's 1.7. Each one of those teachers receive a grant up to 2000 dollars to participate in that program. I'll be happy to answer any questions and welcome your support."

Speaker McPike: "The Gentleman has moved for the passage of House Bill 2864. And on that, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker McPike: "Yes."

Cullerton: "Representative Ropp, this program that we passed last year was part of the reform package. Basically, would you say that it involves taking teachers in the summer months and having them be employed by private industry?"

Ropp: "That's correct, with an attempt, not necessarily totally employed, but giving them an opportunity to be brought up to date on current kinds of public employment."

Cullerton: "And why do these private industry people want to hire these teachers?"

Ropp: "Well, they don't... I don't know whether they necessarily want to hire them, but it is an attempt to give the teacher..."

Cullerton: "Hell does the... Let me ask you a question about the payment. Do the private industries, these private companies that hire these teachers, do they pay their salary?"

Ropp: "I think they can pay up to 300 dollars, if I'm not mistaken."

Cullerton: "From whom?"

Ropp: "Thirty percent. So, it would be 700 dollars."

121st Legislative Day May 22, 1986

Cullerton: "From whom? Who do they get paid from?"

Ropp: "The company will pay up to 30 percent, if they choose to do so."

Cullerton: "Up to 30 percent of their salary?"

Ropp: "Up to 30 percent of the 2000."

Cullerton: "Which means the ... who pays the difference?"

Ropp: "The state in the grant that we have appropriated the State

Board of Education."

Cullerton: "So, we give money to private companies so that they'll hire teachers in the summer?"

Ropp: "No, we don't... we don't give them to the company. We give them to the individuals. If the company would give 700 dollars then the state..."

Cullerton: "Oh, so, we hire teachers to work for private companies in the summer? And you want to expand that program with this Bill."

Ropp: "Absolutely, so that not only the teachers, but those people who are counselors and vocational administrators are truly, equally acquainted with the new, innovative vocational programs that the young students will be going into as soon as they graduate from the programs they are either counseling or administrating for."

Cullerton: "Well, how did the State Board of Education, what did they say the results of the first year were?"

Ropp: "The first year is in progress."

Cullerton: "Oh, it hasn't started yet."

Ropp: "The applications went out, I think, April. And so, the first actual summer program will begin June, July and August of this year."

Cullerton: "Do you know whether or not the issue of whether we should include public school counselors and administrators was taken up last year when we passed the reform package?"

Ropp: "I don't believe it was. I wasn't aware of it and that's

121st Legislative Day

May 22, 1986

why it is felt that this should be added at this time. Let me also add for the record anyway that teachers will be given first priority anyway, and if there is insufficient number of teachers to participate, then counselors and vocational administrators would be the next on the list to participate."

Cullerton: "Okay. Thank you."

- There being Speaker McPike: "Further discussion? none, the question is, "Shall House Bill 2864 pass?" 411 favor signify by voting 'ave', opposed vote 'no'. Have all Have all voted who wish? voted? Clerk will take the On this Bill there are 97 'aves'. 15 'nos'. record. voting *present*. House Bill 2864, having received the Constitutional Majority, is hereby declared Returning to a Bill that was taken out of the record. House Bill 1459, Representative Countryman. Read the Bill, Mr. Clerk."
- Clerk O'Brien: "House Bill 1459, a Bill for an Act to amend the Regency Universities Act. Third Reading of the Bill."
- Speaker McPike: "The Gentleman from DeKalb, Representative Countryman."
- Countryman: "Ask... Thank you, Mr... Thank you, Mr. Speaker. I

 ask leave of the Body to move this Bill back to Second for
 purposes of amendment."
- Speaker McPike: "Gentleman asks leave to return the Bill to Second Reading for purposes of amendment. Hearing no objections, leave is granted. Second Reading. Mr. Clerk."
- Clerk O'Brien: "House Amendment @3, offered by Representative

 Countryman and Ryder."
- Speaker McPike: "The Gentleman from DeKalb, Representative Countryman, Amendment #3."
- Countryman: "Thank you, Mr. Speaker. Amendment #3 amends the Regency Universities Act to provide that no president of a

121st Legislative Day

May 22, 1986

regency university appointed on or after the effective date of this amendatory Act of 1986 shall be granted tenure as a faculty member at such university."

- Speaker McPike: "The Gentleman moves for the adoption of Amendment #3. And on that, the Gentleman from Cook, Representative Cullerton."
- Cullerton: "Yes, I think if you want to be on public radio tomorrow, you'd better be a little more specific as to what this is really doing here."
- Countryman: "Well, I don't think it can be any clearer,

 Representative Cullerton."

Cullerton: "Who are we doing this to and why?"

Countryman: "Well. if you're aware of the situation with Northern University right now. the Board of Illinois employed a gentleman from out of state to come in become president of Northern Illinois University. And they re in the midst of a real donnybrook with him and I think things are going on this morning. But they granted him tenure as president of the University. It's my feeling as president of the University, he should work at the Board and not as a tenured faculty member who has established rights when he hasn't earned tenure in the in which the rest of the faculty has earned tenure, to come the University and work within a department and be judged upon his credentials and judged by his peers and then granted the tenure by his peers. It just is in contravention to the university tenure system."

Cullerton: "You mean, when they hired this guy, they gave him tenure, even though he had never taught at the University?"

Countryman: "That's correct."

Cullerton: "Had he ever taught anywhere?"

Countryman: "Yes, he had taught at various universities before going into administration."

121st Legislative Day May 22, 1986

Cullerton: "Northern Illinois had to go and find a president from outside of our state?"

Countryman: "They did, yes."

Cullerton: "And how long has he been at this job?"

Countryman: "I believe since July 1st of last year."

Cullerton: "What, ten months?"

Countryman: "Be about right."

Cullerton: "And now they're about ready to consider whether he should remain?"

Countryman: "I'm sorry, I didn't hear you."

Cullerton: "The issue now is whether he should remain or the

Board of Regents is determining whether or not he should
remain?"

Countryman: "That's correct."

- Cullerton: "And one of the problems is that he's got tenure; and,
 as a result, they have to... He does or does not have
 tenure?"
- Countryman: "He does have tenure. And I wouldn't want to see
 them do that again, and for that reason, I feel it's
 appropriate to... to make it in the statutes to tell them
 that they can't do it again."
- Cullerton: "Okay. So, the purpose of this Amendment is to make sure that in the future, when they hire a president who perhaps is not a tenured president... a tenured teacher, that they're not going to automatically give him this perk of being a tenured teacher, because when they want to fire him ten months later, they don't have to worry about how to buy him off."
- Countryman: "That's... Hopefully, they won't run into the situation of somebody only being a president for ten months. But I think that the president should work at the will of the Board and at the direction of the Board and under their offices. And that's why I feel that this is an

121st Legislative Day

May 22. 1986

- appropriate Amendment."
- Speaker McPike: "Representative Hoffman."
- Hoffman: "Thank you, Mr. Speaker. Will the Gentleman yield to a question? Is this an uncommon..."
- Speaker McPike: "Excuse me, Representative Hoffman. Has the
 Amendment been distributed? Yes, it has, Representative
 Satterthwaite. Proceed. Sir."
- Hoffman: "Is this an uncommon practice to grant... for universities to grant tenure to people when they become president?"
- Countryman: "Well, Representative Hoffman, I'm not in the business of hiring university presidents. I think that it may happen in many instances, and I feel it's inappropriate and shouldn't happen."
- Hoffman: "Would you believe that it happens 90 percent of the time around the country?"
- Countryman: "Hell, you know more about it than I do probably, in that sense, it probably does."
- Hoffman: "If that... If the 90 percent factor is true, how do you this from a prerogative, think eliminating from prerogative that the Board of Regents has, how do you think affect their ability to recruit in presidents who are are positions in other universities where they have been granted this? Recause. most of the time, a university the size of Northern is able to recruit presidents or people who have been presidents at other universities. How do you think that would affect their ability to recruit?"
- Countryman: "I think the way to solve the problem is to put it in the statutes, and then the Board of Regents can say it's something that they don't even have in the negotiating ability..."
- Hoffman: "Do you think that would have any impact on the... on

121st Legislative Day

May 22, 1986

the pool from which you could draw?"

Countryman: "No, I don't."

Hoffman: "Thank you very much. I disagree with the Sponsor of this Amendment. I think it would have a dilatorious effect on the pool from which the people could draw. I don't... I also don't believe that we should make general palicy basis of ... of one set of circumstances. I think this a rush to judgement. T have... generally confidences in regencies. Ţ don't think the Board of Regents or any other board of trustees or the Board Governors batting average is any worse than our batting average here in the General Assembly. Ыe ask people serve on these boards and to use their good judgement and they obviously are going to... sometimes makes merely because they don't run the race quite as fast as we think they ought to, I don't think we ought to one of their legs. And for that reason and with all due respect to what the Sponsor is trying to do, I rise in opposition to this Amendment."

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

Keane: "Thank Mr. Speaker. I also rise in opposition to vou. this Amendment. The Board does, in fact, have the right to yank someone when he's a president, and they can yank them president. What I think the previous speaker indicated, that one of the things that happens in the recruiting process for a president is because the president is serving at the pleasure of the Board, he usually won't leave his previous employment and I think in the case of president at Northern, he was a tenured faculty member at the previous university at which he served. One of get people to go from faculty into administration MAUS We is to let them continue to keep their tenure faculty. And they do return to the faculty if they don't

121st Legislative Day

May 22. 1986

work out in the administration. I think that the Amendment is bad because we're taking one situation which we a11 a very bad situation, and we're passing a law which is going to affect, seriously affect the state universities to... to go out and compete for the best presidents or the best possible presidents they can. T think it's a kind of... Tenure for a president high level administrator is a kind of a safety net. And he's got to have that. He's still removable as president. can act with a lot more authority and a lot more hut ha ability if he's got the safety net of tenure. And for that reason, I oppose the Amendment."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House. I too rise opposition to the Amendment. It is not one that was considered in Committee and I think would have rejected in the Higher Education Committee. I think it is a mistake for us to be getting into the details αf the operations of our university systems. I think that this would withdraw from the university the they need in offering positions to the that people that they feel are most qualified. And I would suggest a 'no' vote."

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

Friedrich: "Would the Sponsor yield?"

Speaker McPike: "He indicates he will."

Friedrich: "Do you see any parallel in this case between the

State Board of Education repeatedly going out of state to

hire the top man? It seems like we get in trouble when we
go out of state. We..."

Countryman: "No, Representative, I don't. I don't think going out of state is the real fault here. I think the problem

121st Legislative Day

May 22. 1986

is that people who are in administrative levels, are making administrative decisions and working for a board, they should work at the will of the board and at their sole discretion and not as somebody who's been granted a lifetime appointment."

Friedrich: "Well, I'm going to support your Amendment. But I had hoped that sometime we'd get enough educated people in Illinois that we could control or supervise education with Illinois graduates."

Speaker McPike: "Representative Levin."

Levin: "Would the Gentleman yield?"

Speaker McPike: "He will."

Levin: "Couple of questions. First of all, is it correct that he... if this Amendment is not adopted and he were fired as president, he would be able to remain as a professor? Hould the salary be less or would he get the same salary?"

Countryman: "I can't tell you that. If he has tenure, I think
they can reduce their salary in accordance with their
proportionate duties in some way and they probably have
some ranking for the departments and what have you. I'm
certain he'd be a top professor, so he'd pull the greatest

Levin: "I'm very sympathetic to your Amendment, but let me ask one further question. Are there any standards for firing a tenured professor for... where they have acted improperly? You know, it seems to me that some of those standards may be applicable in this situation. The misappropriation of public money for private purposes. So, is there a way without this Amendment to get rid of him as a tenured professor?"

Countryman: "Well, I think the distinctions that would have to be made are kind of a difference between some sort of an outright act of, you know, some wrongdoing, as opposed to

121st Legislative Day

May 22, 1986

some person who is working as a president who is not carrying out the intentions of the will or the board that's governing him. And for that reason, I think there are those who wouldn't be carrying out the will of that's governing and might not be doing something wrong. And I don't really want to draw light to the specific situations there, but if in fact that's the case, I feel they should... the president of the university should carry out the will of the board that governs and that administrator and not a faculty professor and that the reasons for tenure are to give the academic freedom to the faculty and not to the administration. I think there's a clear distinction."

Levin: "Thank you."

Speaker McPike: "Gentleman from Morgan, Representative Ryder,"

Speaker. I stand in support of this Ryder: "Thank you, Ar. Amendment. What is happening is that we are preparing what's known in the business trade as a golden parachute, an opportunity for this man to have perks when they do not deserve that which they are receiving. There are plenty of qualified people in the State of Illinois. In this particular situation. the number two person is the selection process was a qualified, long-term employee o f the very institution that we're now speaking. There's lots at home that have that same situation and folks here what better than to pick someone that's come up through the system? This is a good Amendment. It does not affect person that we're talking about today because it is prospective only, but it's a good policy, a good precedent, and a good opportunity for us to tell the folks that we the people of Illinois to Ьe part institutions. I support the Amendment."

Speaker McPike: "No further discussion, Representative

121st Legislative Day

May 22 1986

Countryman, to close."

- Countryman: "Thank you. Mr. Speaker. We've debated the issue pretty well here. It is obviously a policy decision. point out to you that it is not a specific situation that we're dealing with. Those of you who are aware of the situation at Sangamon State, they ve had several problems with presidents at Sangamon State University. It seems to me that the question is if you believe that administrator is a person who should not have tenure, then should vote for the Amendment. Ιf vou believe otherwise, you should vote against the Amendment. And I ask for a favorable vote on the Amendment. Thank you."
- Speaker McPike: "Gentleman moves for the adoption of Amendment #3. 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 Amendment there are 60 'ayes', 53 'nos'. The Amendment is adopted. Further Amendments?"
- Clerk Leone: "Floor Amendment 84, offered by Representative

 Countryman and Ryder."

Speaker McPike: "Representative Countryman, Amendment #4."

Countryman: "Hithdraw Amendment #4."

Speaker McPike: "Gentleman withdraws Amendment #4. Further

Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker McPike: "Third Reading. Representative Countryman."

Countryman: "To ask leave to hear the Bill on Third Reading. Or do I need leave?"

Speaker McPike: "The Gentleman asks leave to waive Rule 37(c) so that the Bill can be heard on Third Reading at this time.

Are there any objections? Hearing objections. The Gentleman... Do you wish to make a Motion to that effect?"

Countryman: "Yes."

121st Legislative Day Aay 22, 1986

Speaker McPike: "The Gentleman moves to waive Rule 37(c) so that House Bill 1459 can be heard on Third Reading at this time. Motion requires 71 votes. And... Īs there heard the Gentleman's Motion. discussion? You*ve A11 in favor of the Motion signify by voting *ave*. opposed vote 'no'. Representative Keane, to explain your vote."

- Keane: "No, if the... reaches 71, I'm going to verify. If it gets 92, I'm going to verify."
- Speaker McPike: "Have all voted? Have all voted who wish? Clerk
 will take the record. On this Motion there are 89 'ayes',
 20 'nos'. And the Gentleman from Cook, Representative
 Keane."
- Keane: "89 is enough. I withdraw my request for a verification."

 Speaker McPike: "And the Motion carries. Third Reading. Mr.

 Clerk, read the Bill."
- Clerk Leone: "House Bill 1459, a Bill for an Act to amend the Regency University Act. Third Reading of the Bill."
- Speaker McPike: "Representative Countryman."
- Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of The underlying Bill brings to the House. regency universities what exists now for the University of Illinois and Southern Illinois University, and what it allows is the creation of a... of research technological parks by way of land or portions of the university to private leasing And with regard to this, the research parks, facilities. high technology type... sorts of parks are things that were adopted for the University of Illinois and Southern Illinois Universities a couple of years ago. This brings in line with what is granted to the University of i t Illinois and to Southern Illinois University. In essence. it would do is if one of the universities in the system found someone who was interested in

121st Legislative Day

May 22, 1986

portion of a building or leasing land to construct a building on the university campus so that they could engage in joint research or technological type development people on the campus, they could lease that space and that that space would then... the income from that space go back to the income fund of the university involved. And the buildings. if in essence. the building were constructed, it could ultimately revert back tο the university. I believe it's a good Bill. I believe it's an economic development Bill. You've heard the Amendment that just adopted to the Bill. So. the Amendment concerning the employment of president of regency would come in from with... university who outside the university could not be granted tenure by the I believe both of those are good concepts, and I'd ask for a favorable vote."

Speaker McPike: "The Gentleman moves for the passage of House
Bill 1459. And on that, the Lady from Champaign,
Representative Satterthwaite."

Satterthwaite: "Will the Sponsor vield for a question?"

Speaker McPike: "He indicates he will."

Satterthwaite: "Representative Countryman, the Amendment that was

just adopted applied only to one system. Is that true?

Speaker McPike: "Representative Countryman."

Countryman: "That is true."

Satterthwaite: "In regard to the Bill then, Ar. Speaker and of the House, the Bill, as it Members came out Committee, Was one that gave consistency and would allow the Board of Governors and the Board of Regents the same kind of opportunity to develor high tech parks and research centers that had already been available to Southern Illinois University and the University of Illinois. In that form, I believe the Bill

121st Legislative Day

May 22, 1986

was good and gave equity. I think with the Amendment that recently been adopted to the legislation. setting a precedent that I would certainly not want to have extended to the other systems. And so, it seems to me that the people who objected to the Amendment that just went 3i11 would probably be wise voting either 'no' or to show their objection to that Amendment. *present* because I fear that just as these two systems are seeking equity with legislation that was provided to two earlier, that we will have the risk of coming back at some future time and extending this other provision into I think that that would be an extremely bad other systems. And for that reason, I will vote 'present' move. the Bill."

- Speaker McPike: "Further discussion? Being none, Representative

 Countryman, do you wish to close? Proceed."
- Countryman: "Briefly. Thank you, Mr. Speaker. We've debated a lot of this, but let me say that if you're a tenured faculty member within the system, this Amendment would not apply. If, in fact, you come in from somewhere else, the Amendment would apply. I think it's a question of your philosophy, whether or not an administrator works at the will of the board or he works as a tenured faculty member. And I think it's a good Amendment. I think it's a good Bill, and I'd ask for your favorable vote. Thank you."
- Speaker McPike: "The Gentleman moves for the passage of House
 Bill 1459. The question is, 'Shall House Bill 1459 pass?'

 All those in favor signify by voting 'aye', opposed vote
 'no'. Representative Bowman, to explain his vote."
- Bowman: "Hell, I'm in favor of the Bill, but I strongly oppose the Amendment that's on the Bill. So, I vote 'present'."

 Speaker McPike: "Have all voted? Have all voted who wish? Clerk
- Speaker McPike: "Have all voted? Have all voted who wish? Clerk
 will take the record. On this Bill there are 84 "aves". 8

121st Legislative Day

May 22, 1986

nos, 23 voting *present*, and House Bill 1459, having received the Constitutional Majority, is hereby declared passed. House Bill 3089, Representative Greiman. Read the Bill, Mr. Clerk."

Clerk Leone: "House 3ill 3089, a Bill for an Act to amend an Act in relationship to vocational education. Third Reading of the Bill."

Speaker McPike: "Representative Greiman."

Greiman: "Thank you, Speaker. This Bill amends the School to provide an expansion of the math and science loan equipment program which would now include instructional materials and also deletes some of the requirements as to matching programs in order to get a grant, as well as nonpublic schools eligible for the voc. ed. programs grant. problem with it is that we have last year appropriated a great deal of money for programs for voc. ed.. but without this Bill no money was actually given out. So. it's important that we begin to really provide funds for programs that we have voted substantive programs on previously. This Bill will allow those funds to flow and hopefully we will provide a better vocational education program for the young people of Illinois."

Speaker McPike: "Representative Greiman moves for the passage of House Bill 3089. And on that, the Gentleman from DuPage, Representative McCracken."

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

Speaker McPike: "Yes, he will."

McCracken: "Al, when we passed this Bill last year, you were referring to, given its provisions, was it possible for public... or private schools to participate in this program?"

Greiman: "Yes, that's correct."

McCracken: "And if this Amendment were passed, would that no

121st Legislative Day

May 22, 1986

longer be possible as a practical matter?"

Greiman: "It's a mixed bag. They would be Involved in the math/science program still, but not the voc. ed. program."

McCracken: "Okay. And what's the purpose for that?"

Greiman: "I'm told it's a matter that they did not... we're not interested in being in the voc. ed. program; that they... that that was not something that was important and they're not objecting to that. That's what I'm told."

McCracken: "Okay. To the Bill. I... I don't see why we should cut out what was previously included in this type of program by not allowing private schools to participate. I don't know whether they're interested or not, but what is the point of dropping them out? So, I think that because it cuts that out and there's no, apparently, good reason for doing that, I should oppose the Bill."

Speaker McPike: "The Lady from DuPage, Representative Cowlishaw."

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

Speaker McPike: "He will."

Cowlishaw: "Thank you. Just a couple of questions so that we all understand the provisions of this measure are."

Greiman: "Including the Sponsor."

Cowlishaw: "First, the original provisions said that these pieces of equipment and now instructional materials were to go to students. This changes that. They no longer go to students. They go to vocational education programs, school shops and laboratories. Is that correct?"

Greiman: "That's correct."

Cowlishaw: "Alright. As originally provided, math and science equipment could go to students in either public or private schools."

Greiman: "That's correct."

Cowlishaw: "Now, math and science equipment can still go to laboratories and so forth in private schools, but the new

121st Legislative Day

May 22, 1986

provisions can only go public schools. Is that correct?"

Greiman: "No, the math/science goes to both."

Cowlishaw: "Right."

Greiman: "Math/science goes to both."

Cowlishaw: "Right."

Greiman: "So, there's no... there's no distinction as to where that goes. That goes to both."

Cowlishaw: "Alright. What is it that only goes to public schools?"

Greiman: "The voc. ed. materials."

Cowlishaw: "Alright. Also, as originally established, this program was to encourage donations by the private math and science equipment and other useful materials for our schools. There was a matching grant provision that had been established. Now, that matching grant provision let us be absolutely sure this Bill is abolished. But. does not prohibit the private sector from donating equipment or other materials for the program."

Greiman: "No, absolutely does not prohibit. It makes no such prohibition."

Cowlishaw: "Very ... "

Greiman: "Absolutely makes no such prohibition."

Cowlishaw: "Very good. That's important to understand the legislative intent. I thank you very much."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Mr. Speaker. Question of the Sponsor, please?"

Greiman: "Yes, of course."

Ropp: "Representative, does this mean that the equipment physically must follow either the school, or the student or is it possible, under this provision, for students to go to the, let's say, place of business and use that equipment to which that private entity would have received some funds for the rental of the equipment?"

121st Legislative Day

May 22, 1986

Greiman: "Well, the Bill is not... it doesn't exactly address in the Bill, but I suspect that it could do either."

Ropp: "Okay."

Greiman: "There's no prohibition. Either would be appropriate."

Ropp: "Alrighty. And so, in fact, according to our analysis, it said, and I'd like for you just to re-explain it just briefly, that it does or does not exclude private schools from this particular program."

Greiman: "That's right."

Ropp: "Well, I said, does or does not. I used two..."

Greiman: "It does not."

Ropp: "Does not. Okay, very good. Thank you."

Greiman: "Yes, it does not."

Speaker McPike: "Representative Satterthwaite."

Satterthwaite: "... Yield for a question?"

Speaker McPike: "Yes, he will."

Greiman: "Yes."

Satterthwaite: "Representative Greiman, these funds that were made available through appropriations last year are bond monies. Is that correct? Bond monies?"

Greiman: "Yes, that's correct."

Satterthwaite: "Isn't it true that bond monies have traditionally been used for things of lasting quality, such as equipment or construction?"

Greiman: "Well, I think the answer to that is that... that's generally been a philosophy of government, but Build Illinois changed a whole lot of things. It made some... some philosophic changes. So, I suspect that while generally that's true — we generally use bonding funds for bricks and mortar, I 'think that Build Illinois has certainly made some changes in that and possibly for the better. I think that this General Assembly has spoken on that philosophic direction."

121st Legislative Day

May 22, 1986

but, equipment I see as something that Satterthwaite: "Well, might qualify for funding under a bond program, introduces instructional materials as part of what would be available with these bond monies. And that's point where I think that I would depart from the rationale of using bond monies, because instructional materials not things that are considered to be long lasting and we would, in fact, be using bonded indebtedness, obligation future taxpayers, to pay for materials that would be And I think that that is the wrong way very fleeting. for going when we are talking about bonded indebtedness that future taxpayers will have to pav "Well. I like to assume, since you asked the quastion, Greiman: that... that most of the equip... most of it will most of it will go for the kind of things that you wanted for bond... that we use bonded indebtedness for, so that the fact that we're adding to that equipment instructional materials merely means that we can use the equipment in a sensible way. You know, in a district next to mine. they built a community college and they had all the funds set aside. It's the most beautiful college, but they neglected to provide for any furniture in that particular college. So that this General Assembly had in a moment of crisis and hysteria, provide some furniture because they had forgotten it. Now, the junior college... community college wasn't worth a hell of a lot without furniture. And I think that's true equipment. Unless we have some instructional materials to go with a microscope, to go with a computer, to go with the kind of things that we intend to fund this, what's it for?

Satterthwaite: "Is it your intent then that the instructional materials that you're talking about in your Bill would be

What's it all about, Helen?"

121st Legislative Day

May 22, 1986

limited to instructional materials relating to the use of equipment that was funded under the Eill? Part of the problem is instructional material is not qualified in your Bill as being something related to the capital expenditures for equipment."

- Greiman: "I don't know that the Bill makes that prohibition, but
 my guess would be that's generally what it would be. It
 would be textbooks that would go along with the kind of...
 with... integrated into the program of equipment."
- Satterthwaite: "You know, I think I could accept that you may need an instructional manual to go along with a piece of computer hardware, for instance, but the language of the Bill really does not limit it in any way to these instructional materials being related to the equipment.

 And that's where I have a problem with the Bill."

Speaker McPike: "Further discussion? Representative Hoffman."

Hoffman: "Thank you, Ar. Speaker. Question of the Sponsor. Is it safe to say that your intent is to deal with what would be classified as durable instructional materials, as opposed to nondurable?"

Greiman: "I think that's correct."

Hoffman: "Alright. I think then from an intent point of view that this clarifies the issue brought up by the previous speaker. We're talking about durable goods, as opposed to nondurable goods. I think on that basis, if that's the intent of the Sponsor, I think that clarifies... should clarify the intent for the rest of the folks on the floor."

Greiman: "Thank you."

Speaker McPike: "Representative Greiman, to close."

Greiman: "Thank you, Mr. Speaker. I'm advised, firstly, that
with respect to the parts of the Bill which affect public
and nonpublic, it is my understanding from the staff, that
the Catholic Conference of Illinois has no objection to

121st Legislative Day

May 22, 1986

this Bill, for those people who are interested in that aspect of ita The Bill deals with getting vocational aid dollars into doing the job that we perceived them to decided that... vear. we this General Assembly had determined that our school system had mission in young people's talents in vocational education. developina We provided an ambitious program, but nobody took... nobody was able to get any funds out of that ambitious program. Bill will open that spigot to allow young people to get funds and get the kind of equipment they need in science and math in voc. ed. It is... It makes no great systemic change from last year's decision on this and it ought to be passed. And I thank you and solicit vour vote."

- Speaker McPike: "The Gentleman moves for the passage of Bill 3089. The question is. *Shall House Bill 3089 pass?* All those in favor signify by voting 'aye', opposed vote Have all voted? Have all voted who wish? Clerk *00** On this Bill there are 95 'ave'... will take the record. Zeke Giorgi 'aye'. On this Bill there are 96 *ayes*, 18 'nos', none voting 'present'. House 3111 3089. received a Constitutional Hajority, is hereby declared , passed. House Bill 3182. Mr. Clerk."
- Clerk Leone: "House 3ill 3182, a Bill for an Act to amend the School Code. Third Reading of the Bill."
- Speaker McPike: "The Lady from DuPage, Representative Cowlishaw." Cowlishaw: "Thank you, Ar. Speaker, Ladies and Gentlemen of the House Bill 3182 is a cleanup as a result inadvertent omission in the education reform package that we enacted approximately one year ago. In that package staff development programs for local school provided for districts. ₩e overlooked the fact that most of the vocational special education teachers in the state do and

121st Legislative Day

May 22. 1986

not work for a school district, but rather for a regional or cooperative. Consequently, what this Bill does is to include vocational and special education teachers in those staff development programs. I move for its adoption.

Speaker McPike: "The Ladv moves for the passage of House Bill Is there any discussion? 3182. There beina none. the House Bill 3182 pass?* All those in guestion is. *Shall favor signify by voting 'aye', opposed vote Have all voted? Have all voted who wish? The Clerk will take On this Bill there are 113 'aves', no 'navs', the record. 1 voting 'present'. And House Bill 3182. having received the Constitutional Majority, is hereby declared passed. House Bill 3200. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3200, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker McPike: "Gentleman from McLean. Representative Ropp."

Thank you. Mr. Speaker, Hembers of the House. For many of Ropp: I'm sure you all know, agriculture is one of our vou. as most basic industries in the State of Illinois. Tradically enough, it is going through some rocky times. A number both bovs and girls. are choosing other vocations because of the economic situation that ourselves in that particular profession. number of people have made up a group called the Illinois Leadership Council for Agriculture Education and have expressed strong that we need to update, modernize and actually concerns enforce a stronger vocational agricultural program in the State of Illinois. all the way from early adulthood. This particular group is strongly recommending establish a particular program in our statute through the Board of Education that would establish an individual whose primary responsibility would to implement programs that they so desire dealing with

121st Legislative Day

May 22. 1986

agriculture education and the improvement and modifying it It also establishes that one of those individuals would be strongly involved with the FFA program associations that thev are associated with. This Bill. also sets up a 13 member Board or a Council that would actually be a tenured Board, serving three years to a term, appointed by the Governor, which would make recommendations to the State Board of Education. To those schools that would choose to have agriculture, the recommendations from State Board would have to be implemented. It is not mandating that every school in the State of Illinois have agricultural program. But, through this Board and the recommendations thereof, the strong enforcement this particular important industry, not only with agriculture, but agribusiness, would be stronalv Ladies and Gentlemen. I urge your support of enforced. this particular provision, allowing for a greater emphasis being placed on agriculture education in our state. I'd he happy to answer any questions, and I welcome your support of this particular Bill, House Bill 3200."

Speaker McPike: "Gentleman moves for the passage of Is there any discussion? Being none, the guestion is. 'Shall House Bill 3200 pass?* A11 those in favor voting 'aye', signify bv opposed vote *80*-Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 113 'ayes', 1 'no', 1 voting 'present'. House Bill 3200, having received the Constitutional Majority, is hereby declared passed. House Bill 3422. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3422, a Bill for an Act to amend the School Code. Third Reading of the 3ill."

Speaker McPike: "Gentleman from Sangamon, Representative Curran."

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

121st Legislative Day

Hay 22, 1986

Houses House 3ill 3422 as amended will give local school an additional option to use when it comes to life. boards safety and energy bond funds. These are bonds school board can use without voter approval. The origin of this authores authority for local school boards was the tragedy of Our Lady of Angels School in Chicago about 25 vears ago. These bonds were originally for fire safety, but their use has since been expanded to include life. safety and energy. With this Bill, local school board, as long as it has the approval of the Regional Superintendent of Schools and the State Board of Education, can use the money it would have used to improve one building and use it instead to make additions to another building or buildings, plural, or to use or to purchase or to rent temporary classrooms. This Bill is permissive, not mandatory. The only mandate is that the requirement is by exercising this option of the... using life, safety and energy bonds, in a slightly different way, the school board has to do 5.0 for less money. Therefore, what this... essentially this Bill does is allow school boards greater flexibility. have to spend less money when they do so. It has a sunset date of January 1, 1988 and a provision that this be used only once per district. I ask for your vote."

Speaker McPike: "The Gentleman moves for the passage of House Bill 3422. And on that, Representative Cowlishaw."

Cowlishaw: "Will the Sponsor yield?"

Speaker McPike: "Yes."

Cowlishaw: "Just one question if I may, please. The Amendment that was adopted to this 3ill..."

Curran: "Yesterday."

Cowlishaw: "Did that Amendment, in fact, I understand what the

Amendment did — did it remove from the Bill those

provisions that were in the Bill when it was heard before

121st Legislative Day

May 22. 1986

the Education Committee?"

Curran: "Yes, it did, Representative. And those provisions I recall that were not particularly favorable to you. Yes, it did remove those provisions."

Cowlishaw: "Dear me. You removed them just because I objected?

Thank you very much."

Speaker McPike: "Representative Ropp."

Ropp: "Thank you, Ar. Speaker. Will the Sponsor yield?

Representative, can you give us a rough estimate as to what this might cost?"

Curran: "The State Board of Education believes the Amendment will cost nothing."

Ropp: "Well, that's cheap enough. Thank you."

Curran: "The exact quote is, 'The State Board of Education believes that this Amendment will not have a cost impact upon the state."

Ropp: "Very good. Thank you."

Speaker McPike: "Representative Curran, to close."

Curran: "I ask a favorable Roll Call."

Speaker McPike: "The Gentleman moves for the passage of House Bill 3422. The question is, "Shall House Bill 3422 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 100 "ayes", 14 "nos", none voting "present", and House Bill 3422, having received the Constitutional Majority, is hereby declared passed. House Bill 3550. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 3550, a Bill for an Act in relationship to the Illinois Summer School for the Arts. Third Reading of the Bill."

Speaker McPike: "Representative Matijevich."

Matijevich: "Mr. Speaker and Ladies and Gentlemen of the House.

121st Legislative Day

Hay 22, 1986

House Bill 3550 would create an Illinois Summer School for Arts. The Bill passed favorably from the Elementary and Secondary Education Committee by a 16 to nothing Bill would establish a four to five week summer school to nourish the creativity of Illinois youth who DOSSESS outstanding talent in various arts areas. is Τt estimated... or anticipatd that enrollment would be between 300 to 400 students. Students who distinguish themselves in dance, theater, visual arts, music, literature and media will bе eligible for the school. Artistically arts talented students who have completed the ninth. tenth eleventh grades from the state will be selected from a a scholarship talent search and provided to tuition plus room and board. The school would be contributions funded by a state appropriate, private and the endowments. A state operated institution, probably a state university or a community college located centrally easilv available by transportation systems would host and The school would the summer school. be unlike the instruction typically available in local schools. The students would benefit by the instruction of outstanding and professional artists. It would provide opportunities to test new approaches in teaching οf the arts and serve as a model for school programming which can be carried out in the community schools statewide. Hhen we enrich our culture, we enrich the quality of life and that enhances our economic vitality. Just as academically talented students benefit society so, too, do students possess artistic talent. I would appreciate if you would support this program that has so much of a challenge will provide such opportunities for students in Illinois. Appreciate your support."

Speaker McPike: "The Gentleman moves for the passage of House

121st Legislative Day

May 22, 1986

Bill 3550. And on that, the Lady from DuPage, Representative Cowlishaw."

Cowlishaw: "Thank you, Ar. Speaker. I want to congratulate the Sponsor for his proposal which recognizes something that we perfectly well know and that is that the arts are an essential part of our culture; that, in fact, that aп element of our culture that has been neglected somewhat of late. It also recognizes something that I believe ŧο particularly important and that is that right now there are in existence a good many summer programs which gifted young people can attend, but they are all very expensive. National Music Camp at Interlocken, Michigan, for example. understand the tuition there for one summer is now somewhere around 2500 dollars. Now, the average can't afford that. This program would be provided for the students who are gifted and it would have nothing whatever to do with whether they can afford a really quality program which is what we have in mind here. This is an excellent It helps, I think, to balance some of our other idea. programs for math and science and fields of that kind. urge its support, and thank you very much."

Speaker McPike: "The Lady from Cook, Representative Didrickson." Didrickson: "Thank you, Mr. Speaker. Members of the House. I, too, wish to lend my support to this wonderful arts program. Illinois is increasingly becoming a state with regards to economic development that attracts professionals from the arts, in specific, becoming a key factor in the film industry. What we are doing for young people that many of our local schools cannot provide is a summer school program where they will be able to expand their talents and then go back to their local schools and share those experiences they have had. not a residential setting. It is a summer school program.

121st Legislative Day

May 22, 1986

and I think the very fine point of this is that they are very aggressively going out to get commitments from the private sector for the funding. I also urge your adoption."

Speaker McPike: "Representative Matijevich, to close."

- Matijevich: "Speaker, Ladies and Gentlemen, I appreciate those comments and ask for your favorable support."
- Speaker McPike: "The Gentleman moves for passage of Mouse Bill 3550. Question is, 'Shall House Bill 3550 pass?' All those in favor signify by voting 'aye', opposed vote 'no'.

 Have all voted? Representative Bowman, to explain your votes"
- Bowman: "The reason I'm voting 'present' on this fine piece legislation is simply that until we get a better handle on the programs for gifted and talented students. I think i t a premature expansion. We have seen not only this proposal. but a proposal for agricultural residential for foreign language academies. We have the new programs. Math-Science Academy. We have the gifted... regular gifted programs, and we do not have yet a coherent policy gifted and talented pupils. And I think that should be our next priority as a Legislature. Until He. get such a policy, I'm going to be... I will not be supporting further expansion of gifted programs."
- Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 107 'ayes', 5 'nos', 3 voting 'present'. House Bill 3550, having received the Constitutional Majority, is hereby declared passed. House Bill 3619. Read the Bill, Ar. Clerk."
- Clerk Leone: "House Bill 3619, a Bill for an Act to amend the General Obligation Bond Act. Third Reading of the Bill."
- Speaker McPike: "The Gentleman from Saline, Representative
 Phelps."

121st Legislative Day

May 22. 1986

Ladies and Phelps: "Thank vou. Mr. Speaker. Gentlemen of the House. House Bill 3619 amends the General Obligation Bond Act for 60 million dollars. Ladies and Gentlemen of the the school reform Bill, I think we all last vear oversights. recognize, had some one verv serious There were not a whole lot of incentives when we were talking about consolidation, reorganization of school districts. This Bill would provide not only incentives and some capital assistance, for those reorganization plans go before that are now being planned to the neonle referendum this fall or next spring, now they will have a chance. i f the decision is made to reorganize districts, they now would have some money for consolidate capital assistance either for new buildings, and this would also go for those who chose not to consolidate, but need to have some repairs... rehabilitate the old buildings. that. I believe this is a great cause and I so. for appreciate support for those who see the school programs This does not designate a particular throughout the state. amount for any place in the state. It just merely puts money available in a program that hopefully will grow and meet the needs according to the demands. I appreciate your support."

Speaker McPike: "Gentleman moves for the passage of House Bill 3619. And on that, the Gentleman from Lake, Representative Churchill."

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

Speaker McPike: "He will."

Churchill: "Representative, can you tell me what the impact on the state's debt would be if this Cill were passed?"

Phelps: "Yes, Yes, Representative, 60 million is the right up front amount, but of course, we have the debt of...by the interest and so forth would be 107 million according to the

121st Legislative Day

May 22. 1986

fiscal note that was filed and I have in my hand."

Churchill: "Okay, fine. And so, what you're basically doing is authorizing the State of Illinois to go back into the bond market and increase its bonding by 60 million dollars, but that has a potential general obligation debt of 107 million dollars."

Phelps: "Yes, Sir, that's right."

Churchill: "Okay. Mr. Speaker, to the 3ill. rise opposition to this Bill. I don't think that this the the year or the year that we should be increasing the debt and obligation of the State of Illinois. This has a tremendous impact of 60 million dollars with a potential liablity of 107 million dollars. Every time that we go ahead and authorize more bonding. MP weaken the state's ability to go into the marketplace and borrow. And think that's exactly what this Bill would do. And I'd rise in opposition and ask people to vote *no* on this Bill."

Speaker McPike: "Lady from DuPage, Representative Cowlishaw."

Cowlishaw: "Thank you, Mr. Speaker, Ladies and Gentlemen of the I understand the problem that the Sponsor to address. There are some small school districts in his area that would like to consolidate. course. WP all like to encourage that. None of these districts. however, has a high school that is in aood enough condition or sufficient size to serve of the students that would needed to be served be i f this consolidation were to occur. Therefore, the Sponsor looks help from the State of Illinois for authority for school construction. My question, which has been, I think, a very serious question for all the time that this Bill has been in existence, throughout is that this Bill calls for a 60 million dollar figure.

121st Legislative Day

May 22. 1986

Now, I know what it has cost to build some pretty nice high schools in Illinois and 60 million dollars, I have to ask if whether, in fact, what they intend to build is the Taj

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

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

guestion?"

Speaker McPike: "He will."

Peterson: "Representative, Metropolis is in Massac County, is that correct?"

Speaker McPike: "Would you repeat the question. Sir?"

Peterson: "The City of Metropolis is in Massac County, is that correct?"

Phelps: "Yes, Representative,"

Peterson: "And didn't they build a new high school not too long ago and consolidated some districts and built a new high school?"

Phelps: "I believe that... that county did, yes."

Peterson: "How many high school students outside of the

Metropolis Unit District are there in Massac County?"

Phelps: "I'm not sure."

Peterson: "And 60 million dollars would be to build one high school, several schools? Exactly what did you have in mind?"

Phelps: "No, I think there's a misunderstanding here and possibly I didn't explain it well enough. The 60 million is for statewide concerns that might come before the State Board of Education or the General Assembly for assistance. If they would reorganize through the referendum of the people and decide to consolidate, then it would be money for wherever. I have nothing designated, nor do I know there's going to be an approval for consolidation in any of these referendums throughout the State, let alone in my own

121st Legislative Day

May 22, 1986

district. Metropolis (sic - Massac) is just one county of eleven that I represent. So, I have no idea what will be approved for assistance even if this was approved legislation."

Peterson: "Well, I... to the Bill, Mr. Speaker."

Speaker McPike: "Proceed."

Peterson: "I think that we really have a request for 60 million dollars in obligation bonds. We don't know where the money's going to go. We don't even know if it's going to go down to those districts. We don't know what districts are going to consolidate. I think we should vote this particular Bill down, wait to see what kind of initiatives go on it at the local level. And if the funding is needed, we can always come back in the fall or the Veto Session and pass funding for those districts that consolidate and need the money for new facilities. Thank you."

Speaker McPike: "Representative Homer."

Homer: "Thank you. Thank you, Mr. Speaker, Ladies and Gentlemen. support the Gentleman's bill, and I think that rise to all the Members should be aware that it actually contains One of them has to do with the 50,000,000 provisions. dollar authorization for construction or renovation buildings in newly consolidated school districts. And it's important to point out that that money is to serve as a match, not as a total subsidization for the building The match, by the locals, would range from 30 percent to 70 percent of the state grant depending upon the EAV of the district. In addition, the Bi 11 also has 10.000.000 for school districts that dollars ďο not consolidate that also need renovation, add-ons, remodeling new construction. it So. i t reallv... really is something that is applicable statewide to schools a variety of situations. It very well compliments

121st Legislative Day

May 22, 1986

that portion of Senate Bill 730, as later amended, urging promoting. encouraging consolidation of the smaller, inefficient school districts around the state. I efforts of the Sponsor of the Bill. I think it is something that's not only affordable, but something that will save the taxpayers of Illinois money for generations to come, in more efficient schools and furthering the purposes of consolidation to avoid waste and inefficiency. And I would hope that we would overwhelmingly support this Bill."

- Speaker McPike: "The Gentleman from Saline to close, Representative Phelps."
- Phelps: "Thank you, Ar. Speaker, Ladies and Gentlemen o f the House. The General Assembly in its wisdom in 1973 approved the School Construction Bond Act to assist school districts for capital construction and rehabilitation projects. This merely is important that we look at reactivating this type of assistance - capital projects for schools, because we cannot surely claim to have school reform. in sincerity. unless we provide the quality buildings that would have along with those people who decide to consolidate it. whether it be a county unit or otherwise. And for that. plea for your help. because this is not targeting a It's not just for school reorganization particular area. or consolidation. It's also for improvement of buildings. I urge your support."
- Speaker McPike: "The Gentleman moves for passage of House Bill 3619. The question is, 'Shall House Bill 3619 pass?' All those in favor signify by voting 'aye', opposed vote 'no'.

 Have all voted? Representative Phelps, to explain your vote."
- Phelps: "Thank you, Mr. Speaker. I just want to reemphasize, in case there's a misunderstanding, this does not designate,

121st Legislative Day

May 22, 1986

target one particular area in the state. This will be a fund that hopefully will grow or dwindle, depending on what feedback or reaction we have from school districts that may vote to reorganize or not. And if they do not, if we have a reaction throughout the state that they do not want consolidate because of various referendums that will go on. then this money will not be needed other than for repairs that will be appealed to the State Board of Education. Surely. we can come to the rescue of our students throughout this state when they... the people o f that district will 'Well, sav. yes, we can consolidate and hopefully improve the quality of education. • Please reconsider your vote. This is very important for the children of the state."

Speaker McPike: "Representative Rea."

Rea: "Thank you, Mr. Speaker, Members of the House. I would like to point out that in some areas of the state, that there is an urgency to have this type of provision, because there are some schools that are ready and needing the type of assistance that this would provide for. And if we can move it during this Legislative Session, the timing would be excellent to assist those throughout the State of Illinois. I would like to see more green votes up there — 71 — to make that available throughout the State of Illinois. And any... I think it's a good Bill. I think it's needed, and it's one that we should certainly get behind and support."

Speaker McPike: "Representative McCracken, one minute to explain your vote."

McCracken: "Mr. Speaker, parliamentary inquiry. Does this take 71 votes to pass?"

Speaker McPike: "Yes, it does."

McCracken: "And if it appears to get the requisite number, I'm asking for a verification."

121st Legislative Day

May 22, 1986

Speaker McPike: "Fine. Have all voted? Have all voted who wish?

The Clerk will take the record. On this Bill, there are 69

'ayes', 46 'nos'. The Gentleman has asked for a Poll of the Absentees. Hr. Clerk."

Clerk Leone: "There are no Hembers who are not voting."

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

Breslin: "Mr. Speaker, how am I recorded?"

Speaker McPike: "The Lady is recorded as voting 'aye'."

Breslin: "Thank vou."

Speaker McPike: "On this Bill, there are 69 'ayes', 46 'nos', 1
voting 'present'. And the Gentleman asked for Postponed
Consideration. The Bill will be placed on Postponed.
Representative Greiman in the Chair."

Speaker Greiman: "Page four of the Calendar, Special Order —

Transportation, appears House Bill 3261. Kr. Clerk, read

the Bill."

Clerk Leone: "House Bill 3261, a Bill for an Act in relationship to mass transit. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Madison, Ar. McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the RTA vehicle 3ill that Representative Davis and I have sponsored. I believe, four years in a row. It's a vehicle and we will have a Conference Committee, and at this point, we've had no meetings and perhaps there will be no Bill this year. But we are providing it for that purpose and nothing else, as a vehicle Bill. So, I would ask for your support to put it in the Senate."

Speaker Greiman: "The Gentleman from Madison, Mr. McPike, moves for the passage of House Bill 3261. And on that, the Gentleman from DeWitt, Mr. Vinson."

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

Would the Gentleman yield for a question?"

121st Legislative Day May 22, 1986

Speaker Greiman: "Indicates he will."

Vinson: "Representative, you stated that this was the traditional RTA vehicle Bill, and it's my understanding that this would only be used for agreed reforms of the process or cleanups."

McPike: "That's correct."

Vinson: "Thank you, Mr. McPike. And Ladies and Gentlemen of the House, I would urge that the Legislature do adopt... do pass this Bill. It may be necessary to make technical cleanups or reforms and this process has worked very well for several years now. The Gentleman is to be commended on it, and we should pass it."

Speaker Greiman: "The question is, 'Shall this Bill pass? A11 those in favor signify by voting 'aye', those opposed vote Voting is now open and this is final action. all voted who wish? Have all voted who wish? Ar. Clerk. take the record. On this question, there are 107 voting *aye*, 2 voting *no*. Mulcahey votes *aye*. On this Bill, there are 108 voting 'aye', 2 voting 'no', 3 voting This Bill, having received the Constitutional 'nresent'. Majority, is hereby declared passed. On the Order of House Third Reading, Special Order - Transportation, appears House Bill 3574. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3574, a Bill for an Act to amend

Sections of the Intergovernmental Cooperation Act. Third

Reading of the Bill."

Speaker Greiman: "The Lady from Lake, Miss Stern."

Stern: "Mr. Speaker and Members of the House, this is a Bill that
we amended yesterday. It simply permits municipalities,
townships and counties, in any combination, to establish an
intergovernmental highway transportation district upon
approval by an ordinance within each, and that district
will be able to plan and put together solutions hopefully

121st Legislative Day

May 22, 1986

for traffic, highway and design and coordination problems that they have in common. I ask your 'aye' vote."

- Speaker Greiman: "The Lady from Lake moves that the... moves for the passage of House Bill 3574. And on that, is there any discussion? The Gentleman from Knox, Hr. Hawkinson."
- Hawkinson: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"
- Speaker Greiman: "Indicates she will."
- Hawkinson: "Representative, prior to the Amendment, it was my understanding that bonds could only be issued by referendum. Has that in any way been changed?"
- Stern: "The bonds have been... The bond... bonding power has been removed altogether. Representative."
- Hawkinson: "Alright. Thank you."
- Speaker Greiman: "Further discussion? 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 113 voting 'aye'... 114 'aye', none voting 'no', none voting 'present'. This Bill. having received the Constitutional Majority, declared passed. On the Order of House Bills Second Reading, Transportation - Special Order, appears 3189. Mr. Clerk."
- Clerk O'Brien: "House Bill 3189, a Bill for an Act to amend Sections of the Illinois Vehicle Code. Second Reading of the Bill. Amendments #1 and 2 were adopted in Committee."

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

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Yes, Mr. Giorgi."

Giorgi: "Mr. Speaker, I request leave of the House to place this Bill, House Bill 3189, on the Interim Study Committee."

121st Legislative Day

May 22, 1986

Speaker Greiman: "The Gentleman asks leave of the House to place
House Bill 3189 on the Interim Study Calendar of the
Committee on Transportation. The Gentleman has leave.
You have leave, Mr. Giorgi."

Giorgi: "I beg your pardon. Sir? What was that? Hould you repeat... for my delicate ears?"

Speaker Greiman: "You have leave."

Giorgi: "Thank you."

Speaker Greiman: "Yes. Page four of the Calendar on the Order of
Third Reading, Local Administration — Special Order,
appears House 3ill 3025. Mr. Clerk. Mr. Clerk, read the
Bill."

Clerk O'Brien: "House Bill 3025, a Bill for an Act to amend Sections of the Illinois Public Library District Act. Third Reading of the Bill."

Speaker Greiman: "The Lady from Cook, Miss Wojcik."

Wojcik: "Yes, Mr. Speaker and Members of the House, this Bill has come to me due to the fact that Schaumburg Township and the Schaumburg Township Library no longer wish to remain together. And as... the fact that Schaumburg Township is the corporate authority, they are now going to give the township library, by Resolution, the right to converse to a local library into a public library district. I move for its favorable passage."

Speaker Greiman: "The Lady from Cook, Miss Wojcik, moves for the passage of House Bill 3025. Is there any discussion? There being none, the question is, *Shall this Bill pass?* All those in favor signify by voting 'ave', those opposed vote *no*. This is final action. The Lady from Cook, Miss Flowers. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this voting 'aye', none voting... Ar. Ryder. 111 Alright. There are 111 voting 'aye', none voting 'no',

121st Legislative Day

Kay 22, 1986

voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The Gentleman from Morgan, Mr. Ryder, for what purpose do you seek recognition?

Ryder: "Mr. Speaker, thank... Thank you. I have the pleasure to be accompanied today by Charles Schone. Mr. Schone is the President of the Illinois FFA. I am joined in a Resolution by Representative Hartke and Representative Slater, who also had those positions to honor Mr. Schone. He is here in preparation for their annual convention, which will be held in a couple of weeks hence. It's my pleasure to introduce to the House, Charles Schone, President of the Illinois FFA."

Schone: "Thank you very much."

Speaker Greiman: "Thank you. Nice having you with us. On the Order of House Bills Third Reading Local Administration — Special Order, appears House Bill 3072. Ar. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3072, a Bill for an Act to legalize and validate appropriation Bills and tax levy ordinances of certain counties and forest preserve districts. Third Reading of the Bill."

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

Berrios: "This is the Cook County validating Bill that we keep bringing up in this Session. The reason we do this in Cook County is because of the fact that this validates all the small things that the county does. And DuPage County's Forest Preserve District this year, for the first time, is also coming in with one of these. So, let's vote for it and get it out of here."

Speaker Greiman: "The Gentleman from Cook, Mr. Berrios, moves for the passage of House Bill 3072. And on that, is there any discussion? The Lady from Cook, Miss Pullen."

121st Legislative Day

May 22, 1986

Pullen: "Hell, thank you, Ar. Speaker. I wonder whether the Gentleman will yield to a few questions."

Speaker Greiman: "Indicates he will."

Pullen: "You said something about DuPage County. I wonder whether you could clarify that. DuPage County is not in this Bill, is it?"

Berrios: "There's another Bill."

Pullen: "3ut it's not in this 3ill, is it?"

Berrios: "No."

Pullen: "So this Bill affects only Cook County, is that right?"

Berrios: "Correct."

Pullen: "It affects the Cook County Board and the Cook County Forest Preserve District."

Berrios: "Yes."

Pullen: "And this 3ill validates appropriation and tax levy ordinances that are... were adopted by the them for what fiscal year?"

Berrios: "*84."

Pullen: "From 1984. What was wrong with the Cook County appropriations and tax lavy ordinance in 1984 that it would need to be validated?"

Berrios: "Nothing. Just that it would... if they... from what I've been told... that if they... the reason they do this, is because of the fact that there are so many small levies that, you know, it would end up in volume and this is a easier way to do it."

Pullen: "I heard you say small and I didn't hear the word after that. Small what?"

Berrios: "Small levies. Small levies."

Pullen: "Small levies of the Cook County Board?"

Berrios: "Appropriation. Small appropriations."

Pullen: "You mean like line items?"

Berrios: "Yes."

121st Legislative Day

May 22, 1986

Pullen: "Doesn't state law require the Cook County Board to set forth its appropriations and line items just as we do in our appropriations?"

Berrios: "I have no idea. That's..."

Pullen: "What is the effect of validating these ordinances?"

Berrios: "State law does require it."

Pullen: "Okay. State law does require that. So, if they're doing that, then there wouldn't be any reason to validate what they're doing. What is the effect of validating the ordinances?"

Berrios: "It just makes legal the way they set up the budget."

Pullen: "It makes what?"

Berrios: "It doesn't approve the budget."

Pullen: "It makes it legal? Makes the way they set up the budget legal?"

Berrios: "Okay. If they line itemed every pill or whatever at Cook County Hospital..., it'd be a 20 volume budget."

Pullen: "Mr. Speaker, I would like to speak to the Bill please."

Speaker Greiman: "Proceed, Ma'am."

Pullen: "Thank you. What the Gentleman is indicating to us. Ladies and Gentlemen. is that it is... that there is something about the Cook County Board and Cook County Preserve District appropriations and tax levv ordinances that makes them need to have a validation which in essence says, despite the defects and flaws in these ordinances, the Legislature approves them anyway, after the fact. And the legal effect of this is to any property tax protests that have been made on a basis of the defects in the appropriations and tax levy Now, the Gentleman is correct that state law requires Cook County and every other county, and the Cook County Forest Preserve District and every other forest preserve district, to line item their appropriations and

121st Legislative Day

May 22, 1986

levv ordinances, just line item the as WP appropriations for State Government. But there can validate our refusal to line appropriations. Cook County comes to this Legislature "We're something special. He should not have to put up with people protesting their property taxes. We should not have to put up with following state law that every other county has to follow in this state. You should come through after the fact and approve what we have done even though we've done it wrong and against the law." It's true that this is brought in every year, and each year' another invalid Cook County tax levy ordinance is added to validate these acts of the Cook County Board. But the fact that every year we do this, and some years we haven't not make it right. I urge the defeat of this dnes Bill, yet again. Thank you."

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

Berrios: "I ask for favorable a Roll Call."

Speaker Greiman: "The question is, 'Shall this Bill pass?' A11 those in favor signify by voting 'aye', those opposed Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Have all who wish? Mr. Clerk. take the record. On this question, there are 61 voting 'aye', 53 voting 'no', voting 'present'. The Gentleman from DuPage. Mr. McCracken, for what purpose do you seek recognition?"

McCracken: "Seek a verification."

Speaker Greiman: "The Gentleman from DuPage, Mr. McCracken, asks for a verification. The Gentleman from Cook, Mr. Berrios, asks for a Poll of the Absentees."

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

Speaker Greiman: "Ar. Capparelli votes 'aye'. Yes, Ar. Clerk...

121st Legislative Day

May 22, 1986

Mr. McCracken withdraws the request verification. Accordingly, there are 62 voting 'ave'. 53 votina *no* • l voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared On the Order of House Bills Third Reading Local passed. Administration - Special Order, appears House Bill Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3109, a Bill for an Act to amend

Sections of the Township Law. Third Reading of the Bill."

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

Giglio: "Thank Speaker, Ladies and Gentlemen of the vou. Mr. House. House Bill 3109 is a Bill that township officials Illinois asked me to sponsor. ₩hat it does. i t increases the ceiling for the townships authority to levv for the general assistance program only from .10 percent of value of assessed evaluation on your property to •20. And the increase can only take place after 10 percent of the people, who are registered voters in the township. signs a petition and an annual town meeting is called. Sa. it's not something that can be snuck through or take place without a number... sufficient number of people what's going on. Many of the townships have exhausted their money for these people that need general assistance and with the unemployment situation, in many township, we need this Bill. So, I'd ask for your favorable support."

Speaker Greiman: "The Gentleman from Cook, Mr. Giglio, moves for the passage of House Bill 3109. And on that, the Gentleman from Knox, Mr. McMaster."

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

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

McMaster: "You know, Frank, I think I have usually supported all requests of the township officials. Could you tell me what the effect of this legislation would be? Isn't it true

121st Legislative Day

May 22, 1986

that at the present time, if the township exceeds the money they raise by their 10 cent levy, then the state takes over the cost of general assistance in that township, if requested?"

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- Giglio: "I believe that's true, Representative. What we're trying to do is keep it at the local level and that's where we're at, Tom."
- McMaster: "Would then, if the township exceeded 20... the 20 cents, would the state take over then?"
- Giglio: "Truthfully, that I don't know. The Bill... The Bill only goes from 10 to 20."
- McMaster: "I know what it does, Frank. And I think this the first time we have considered legislation such as this. guess what concerns me, the effect of ... it would have the effect of doubling the amount of money that the taxpayers within that township would be providing for general assistance. And I just cannot understand why reasonable people want to double the amount of cost to their local taxpayers, when, in effect, the state could take over that difference above 10 percent. I find it difficult to support and difficult to understand something such as this. Thank you, Ar. Speaker."

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

- Piel: "Thank you... Excuse me, I'm sorry, Ar. Speaker. I'm going through the change of voice there. Will the Gentleman yield, please?"
- Speaker Greiman: "Indicates he'll yield for questions."
- Piel: "Frank, we went through this about a year ago where there were problems as far as the low numbers of people turning out lots of times at the town meetings. What does the Bill have in it basically to... to sort of safeguard for the taxpayers as far as, let's say, if only 10 15 people showed up at a town meeting?"

121st Legislative Day

May 22, 1986

Giglio: "Well, the requirement is 10 percent of the total registered voters have to sign the petition. So, in our township, that's well over 14,000 signatures that would have to be collected before the town meeting is even called."

Piel: "So, in other words, it can be brought by a town meeting only when 10 percent of the total registered voters in that township authorize this type of a thing to be brought up."

Gialio: "Right."

Piel: "Fine. Thank you very much."

Speaker Greiman: "The Lady from LaSalle, Miss Breslin."

Breslin: "Thank you, Mr. Speaker. Will the Gentleman yield for a question?"

Speaker Greiman: "Indicates he will."

"Representative Giglio. I have a letter here from George Breslin: Miller, the Executive Director of the Township Officials of Illinois. In the second paragraph, he specifically says, that... and I quote, 'This legislation provides for an increase in the township's general assistance tax rate, i f approved by the electors in a front door referendum. • From what you have stated, I believe that Mr. Miller's in this letter is incorrect. Is that true? statement There is no front door referendum required in vour Is that true?" proposal.

Giglio: "No, it's... I believe that... that would be incorrect.

Dave... Dave 'Regner' is the one that I've been working with and maybe it's just a miscommunication."

Breslin: "Thank you."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn. Yes, Mr.... The Gentleman from St. Clair, Mr. Flinn, moves the previous question be put. All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The previous question is put.

121st Legislative Day

May 22. 1986

The Gentleman from Cook, Mr. Giglio, to close."

Giglio: "I would just ask for your favorable support."

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. The Lady

from Cook, Miss Parcells, to explain her vote, one minute."

- Parcells: "Thank you, Mr. Chairman (sic Kr. Speakerl. previous township supervisor, I know the horrors of being a receiving unit, but I think this is an inappropriate way to raised from 10 to 20 because I think it det that rate should be a front door referendum. Those town meetings are very sparsely attended. and i f you need the... signatures, it would be just as easy to put this up to referendum and let all of the township vote at the referendum. Thank vou."
- Speaker Greiman: "The Gentleman from Lake, Mr. Peterson, one minute to explain your vote."
- Peterson: "Thank you, Mr. Speaker. I would like to point out township doesn't necessarily have to raise its tax the full 10 cents. It could raise it two - three, whatever it feels it needs. And I think that the standard of that Public Aid uses is lower than what townships are giving in grants to people in our area. If people read the Chicago papers, they'd know that people are going from Rogers Park into Evanston for general assistance because that township had a better grant for people who and most townships do. And I think this is a good piece of legislation-Ten percent of the people have to sign the petition. In most of the townships around the Chicago that means thousands of people. It has published in the paper, and I think it's a pood Bill. I urge your support. Thank you."

Speaker Greiman: "The Gentleman from Fulton, one minute to

121st Legislative Day

May 22, 1986

explain your vote, Mr. Homer."

- Homer: #Thank you, Ar. Speaker, Ladies and Gentlemen. Īη explanation of my *no* vote. I think a lot of Hembers had a misunderstanding of the terminology *front referendum. Certainly, the requirement here is requisite number of voters in the district to sign a petition, but instead of putting the matter on a ballot a general election or a special election, which is what we normally think of for a referendum, the matter b Luow at the town meeting. In the townships that I'm accustomed with, the notice goes out in the paper informing everyone that there will be a town meeting on such a such a date, at such and such a place, at such time. Veru FPW people ever attend that town meeting. And consequence, the practical effect is. is that no safeguard in the traditional sense of a front door referendum that we normally consider. And if it a true front door referendum, I would support the Bill. think it perhaps may be needed, but I cannot support it under the town meeting concept."
- Speaker Greiman: "The Gentleman from St. Clair: Ar. Stephens: one minute to explain your vote."
- Speaker. first of all. I wish we would ve Stephens: Mr. had more debate on the issue. I did have some questions of the Sponsor. But that notwithstanding, I think that we are beginning to change the meaning of the front door referendum, and I object to the fact that only 10 percent, no matter how many thousands of people we're talking signing that petition, it's still only one out of ten. points are well taken that in most districts, even if you had 15,000 people show up for a meeting. there's na i f nowhere that they could meet. And I think that... we're going to talk about raising taxes,

121st Legislative Day

May 22, 1986

should be raised by people voting directly to raise those taxes. And so, I stand in opposition."

Speaker Greiman: "The Gentleman from Rock Island, Mr. DeJaegher, one minute to explain your vote."

DeJaegher: "Thank you, Ar. Chairman (sic - Ar. Speaker). I tnink what the problem is, when we're talking about tax rates. what this basically does, it's permissive to take it from 10 to 20. There is no reason that any township supervisor would ask for a rate of 20, when 20 is not necessary. Township government is a proud unit of government. Most people that serve in township government are individuals that basically like to take care of their own problems. They don't want to become a receiver of the state. Thev problems in their own particular to address their manner. Many of you people say that people will out for a town meeting. You are wrong for this particular reason. If people know what the issues are and this is going to affect their pocketbook, they will turn out. in point, just a few years ago, when my township, which was Township. wanted to implement the IMRF. People knew that this was going to affect their tax structure. Over 300 people turned out at this particular town meeting. once people know that there is an interest, or if they're knowledgeable of how it's going to affect them. believe me they will turn out. And I think that township officials throughout the State of Illinois, run on their record, knowing that people are looking at their tax bill, and if that individual supervisor should ask for a levy that's unreasonable, of course that person would no longer stand for election. So. let those townships be receptive to taking care of their particular needs. I think that you have to realize that there are places in the State of Illinois

121st Legislative Day

May 22, 1986

longer can provide the need for the people at the present tax levy that's being imposed. Hopefully that you will Hany of you came from the consider township government. ranks of township officials and you hold the position that vou do You know what township government Township government is receptive government. Township government should be retained, and for that particular reason, I ask you to vote green."

- Speaker Greiman: "The Gentleman from McLean, Mr. Ropp, one minute to explain your vote."
- Ropp: "Thank you, Mr. Speaker. I just want to briefly reiterate what the previous speaker said. I can assure you that most town meetings there may not be a lot of people in attendance, but you talk about your pocketbook and to have an outstanding attendance. The fact is you may even have more than when you put it up for nublic election or a front door referendum. This is certainly a close-to-the-belt issue, a local governmental kind of think you're going to find most kinds of program. and I efficiency in terms of interest. concern and desire good piece of legislation and ought to be supported."
- Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 40 voting 'aye', 71 voting 'no', 1 voting 'present', and the Bill fails. On the Order of House Bills Third Reading, Local Administration Special Order, appears House Bill 3162. Mr. Clerk, read the Bill."
- Clerk O'Brien: "House Bill 3162, a Bill for an Act relating to
- Speaker Greiman: "The Gentleman from Winnebago, Mr. Giorgi.

 Well... We'll just pass over that Bill and we'll come right

 back to it. On the Order of House Bills Third Reading -

- 121st Legislative Day
- May 22, 1986
- Local Administration, appears House 3ill 3229. Mr. Clerk, would you read the Bill. $^{\circ}$
- Clerk O'Brien: "House Bill 3229, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."
- Speaker Greiman: "The Gentleman from Cook. Ar. Keane."
- Keane: "Thank you, Mr. Speaker. This Bill, as most of you will remember, was amended the other day to put increase in the homestead exemption. It increased it from 2,000 to 2,500, and there was a good bit of dehate The underlying Bill applies only to that at the time. Cook County and what it does there is that it penalty on tax delinquent property back from 12 percent to 18 percent and keeps farmland at 12 percent. VAL remember, when we dropped the level on farmland, we ended up dropping it all and this has affected the county's.... Cook County's ability to sell or to collect money so that they can fund local government. So. those are the two portions of the Bill that remain at this time. again, want to emphasize the fact that people who... was a great deal of debate on this, in terms of that senior citizen exemption, and be happy to answer any questions. ask for a favorable Roll Call."
- Speaker Greiman: "The Gentleman from Cook, Mr. Keane, moves for the passage of House Bill 3229. And on that, the Gentleman from Cook, Mr. Shaw."
- Shaw: "Thank you, Mr. Speaker. Yes, Representative Keane, what is the... you're raising the... the tax from 12 to 18 percent of the... Is that right?"
- Keane: "That's correct. The tax had been... or not the tax.

 It's not a tax. It's the interest penalty on back... on
 property with back taxes due."
- Shaw: "What is the... What is the penalty now for residential property?"

121st Legislative Day

May 22, 1986

Keane: "Twelve... Twelve percent. Twelve percent."

Shaw: "On all residential properties. So, what you..."

Keane: "On all property, farmland and improved. On everything."

Shaw: "What..."

Keane: "It's presently for the first pick up... it's 18, but this is for once the property is sold, the second and third and subsequent payments."

Shaw: "Alright. So, it's 18 percent right now."

Keane: "Yes, at the start."

Shaw: "Right. So... But..."

Keane: "This kicks the subsequent taxes up to 18 percent after the sale."

Shaw: "Okay, and you're bringing the farmland in line with this..."

Keane: "Farmland always was a 12."

Shaw: "But you're bringing that up by 18..."

Keane: "No. No. not the farmland."

Shaw: "What's the reason for raising the penalty?"

Keane: aIn the past, bankers and lawyers and invest... shouldn't say bankers. I should just say people who investors often times found it was a lot better not to pay their back taxes because they couldn't borrow 12 percent. And what happened is, is that when people did that, when it was a good business decision for them not to pay their back taxes, we... the taxing bodies in Cook County and in any county do not receive funds to run government. They have to go out on the bond market and then borrow that money and it costs a lot more money for them to get that kind of money in to run government. And we felt that this would encourage people to pay their back taxes."

Shaw: "Okay, one other question. How does this penalty work?

Does this... is this every six months?"

121st Legislative Day

May 22. 1986

Keane: "The first penalty is set up on... at 18 and then it's six months later, it's my understanding, it kicks in again at 18."

Shaw: "Would you... Would you... I know you mumble that.

Representative but..."

Keane: "Well, no, I didn't try to mumble it. I agreed with you.

It's six months and then it kicks in again at six months."

Shaw: "Right. So, actually you would be paying 36 percent a year. Is that right?"

Keane: "Right. Right."

Speaker Greiman: "Proceed, Mr. Shaw. You're still on."

Shaw: "Yes, what affect would that have on the little old lady that owned a home who forgot to pay her taxes?"

Keane: "A little old lady that hasn't the money to pay her taxes can use another Bill that we had, and that is implemented by the Cook County Collector, which allows the little old lady to use the equity in her home to pay her taxes without penalty."

Shaw: "To the Bill. The ... I know Representative Keane have good intentions with this and... but I can see nothing but adverse effect on a lot of people, an awful lot in Cook County, especially senior people citizens they ... some of these people from time to time don't live in Chicago and they don't get the notice of And we have those speculators up there who have a paid staff of... working the County Treasurer's various County Assessor's Office and the Recorder of Deeds to pick up properties for delinquent taxes. And what you're talking about here, you're increasing the taxes from 12 percent to 36 percent by 1889 (sic - 1989), and this could do nothing but serve as a hardship on many of the people that we are trying to help. On one hand about senior citizens and on the other hand we're

121st Legislative Day

May 22, 1986

virtually snatching their property right out from under them with this penalty."

Speaker Greiman: "The Gentleman from DeWitt, Ar. Vinson."

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

House. I was just getting information from staff. And in

any event, I rise in support..."

Speaker Greiman: "Can you control your staff, Hr. Vinson?"

Vinson: "None of us do that, Mr. Speaker. I rise in support of the Gentleman's Bill particularly because of the homestead exemption Amendment on the Bill. I think it is a vital Bill for the taxpayer, and I think it that occasionally in this institution we ought to give some consideration to the taxpayer, as well as to the units of government that use their taxes. I think we ought to pass this thing. I can't understand why any Member of the General Assembly would yote 'no' on this. I would urge an 'aye' yote."

Speaker Greiman: "Lady from Champaign, Miss Satterthwaite."

Satterthwaite: "Will the Sponsor yield for a question?

Representative Keane, the original Bill applied only to

Cook County, is that right?"

Keane: "That's correct."

Satterthwaite: "But Amendment &2 applies statewide."

Keane: "That's correct."

Satterthwaite: "In Amendment #2, in order to qualify for the homestead exemption, is there any provision related to financial need or financial condition of the homesteader?"

Keane: "No."

Satterthwaite: "Is there any provision made for reimbursing local governmental units for the loss of tax dollars that would occur to them by the additional exemption?"

Keane: "No."

Satterthwaite: "Well, Mr. Speaker and Members of the House, of course, it is always nice to give tax relief, but one of

121st Legislative Day

May 22. 1986

the problems that we create for local taxing districts when for tax relief without reimbursing provide districts for their loss is that we put them in the bind of either having to raise their rate or otherwise provide for the lost revenue. Ιn a time when we are having a great deal of difficulty in the local units of government because of the resentment of property taxes, it is not feasible for them to raise rates and, yet, the state comes in and denies them their revenue. It is a very difficult situation to put local governments in these days, particularly аt time when federal revenue sharing and other kinds of funds will not be available to them. And while it is desirable to give some relief to taxpayers, we have to look from the angle of the local governmental units and their efforts to provide services as well. And so. I think we should weigh those two things very carefully before decide how to vote."

Speaker Greiman: "The Gentleman from Cole, Mr. Weaver. Mr. Weaver."

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

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

Weaver: "Representative, there's been so much movement with

Amendments back forth on this, if you could clear up a

little confusion. After January of 1989, will farmland be

subject to the 18 percent?"

Keane: "It's my understanding that the present law sets it up that way. We have..."

Weaver: "Is that ... Is that a yes?"

Keane: "Yes, this Bill does not affect that. This Bill does not address that. This Bill leaves farmland exactly the way it is."

Weaver: "At 12 percent?"

Keane: "Yes."

121st Legislative Day Hay 22, 1936

Weaver: "Even after 1989."

Keane: "No. it does not... The Bill... when we wrote the Bill. we did not get into the 12 percent farmland assessment. nothing in the present law. pertaining to assessment, has been changed. It's exactly as it was before now. All this affected was nonfarmland in Cook County."

Weaver: "Until 1989."

Keane: "My Bill did not... This Bill does not in any way address that. The sunset on farmland was in previous legislation. that was passed out of here last year. So, it is not in this Bill."

Weaver: "So, irregardless, the farmland assessment is going to go
up to 18 percent in 1989."

Keane: "Without... Yes. Without legislative action it will."

Weaver: "Dkay."

Keane: "It was brought down... we brought it down a couple of what... a year or two ago to help the farmers in their crisis, and we brought it down not permanently, but to a time certain when it would go back up, and we'll look at it again at that time."

Weaver: "Are you aware of any position the Farm Bureau might have on this Bill the way it stands now as amended?"

Keane: "It doesn't affect them. It leaves the farmland exactly
the way it was before this Bill came along. It doesn't
affect farmland assessment."

Weaver: "Okay. Thank you."

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

Flinn: "Ar. Speaker, in the interest of moving right along, I move the previous question."

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn, moves
the previous question be put. All in favor say 'aye',
opposed 'no'. In the opinion of the Chair, the 'ayes' have

121st Legislative Day

May 22, 1986

it. The previous question will be put. The Gentleman from Cook, Mr. Keane to close."

Keane: "I ask for a favorable Roll Call."

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. The Gentleman from Fulton, Mr. Homer, one minute to explain your vote."

Homer: "Thank you, Ar. Speaker. I was trying to an opportunity to ask the Sponsor questions to understand exactly what his Bill is doing. There's a lot of confusion about that. But, so, the Members are absolutely clear about the principle that's involved, I think that we need to shed some light on the situation that exists counties with regard to the tax buvers, and that's what we're talking about in this Bill. He're talking about people who show up at the annual tax sale, when the County Treasurer sells at public auction those taxes on properties that people have not been able to pay their taxes on. And the current law, and this Bill would strengthen the current law and send those rates to 18 percent. to the maximum penalty that those people can bid. You might say, wrong with 18 percent annual interest?* That is not an annual interest. This money, which does not tο the Ø0 public | bodies but goes in the pockets of these tax buyers... just to give you an example, one month after individual would have purchased at 18 penalty points a property that had a tax of 1,000 dollars, his annualized return would be something like 216 percent profit, 216 percent annualized return. If he kept it for a year and it was redeemed, it would go to 54 percent annualized return. It's a small wonder that we're seeing more and more of these tax buyers up at these show tax sales to take 121st Legislative Day

May 22. 1986

advantage of distraught property owners who have been unable to pay their property taxes because of unfortunate economic circumstances. And I would think that we would be very reluctant to put "yes" votes on any Bill which would strengthen the tax buyers" position at those annual tax sales at the disadvantage of the poor, strapped property taxpayer who has been unable to pay his property taxes. I would urge "no" votes on this Bill. And I would hope that we would drive these maximum penalties down to a reasonable level, where they were in 1981 of 12 percent before the interest rates went higher."

- Speaker Greiman: "The Gentleman from Cook, Mr. Daley, one minute to explain your vote. The Gentleman from Cook, Mr. Huff, one minute to explain your vote."
- Huff: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. couldn't agree with the previous speaker more. right on target. In Chicago, we call thic process scavenger sales. I also like to think it absolutely locks out the hapless homeowner who's lost his house due to property payments. I think we should... That's why the Sponsor mumbled the explanation as to the reason for Bill. This is going to be a windfall for the scavenger sale buyer who buys these taxes. And if the property it's going to be redeemed at 18 percent, rather than 12 percent. I think this is a bad Bill, and I think we should back away from this Bill the way Dracula backs away from the crucifix."
- Speaker Greiman: "Ar. Churchill, one minute to explain your vote."
- Churchill: "Thank you, Mr. Speaker. I, too, had my light on to ask questions of the Sponsor during the debate. Perhaps if the Sponsor could just nod his head, if he is somewhere to be found. Where is the Sponsor? I guess then I'll just

121st Legislative Day

May 22, 1986

turn my attention to the Bill. This Bill... I believe it still has an Amendment on it that increases the homestead exemption for senior citizens by 500 dollars. Hhat it mandates to local units of government that they're going to have to lose dollars. I believe that that means that this Bill should be a State Mandates Act Bill. and in our Calendar then, we should've had some reference that this is a State Mandates Act Bill. And I think from what I just read in the Illingis Municipal League Magazine that, the Speaker of the House talked about how he was trying to help the local units of government on state mandates, and yet, here is a Bill on our Calendar that should ve been indicated as a State Mandates Act Bill, And so, I don't think that we should support such a Bill until it's clearly marked on the Calendar."

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

Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. as I too would like to see the homestead exemption Much. increased for senior citizens, the overwhelming piece of legislation is the impact consideration in this upon those who are property taxpayers in Cook County, and I have sympathy for them. If they run into a situation where they get behind in their tax payment and are a little hit as an earlier speaker indicated, they should not be late. forced to pay outrageous penalties to add to their miserv to recover their house and then prevent the loss of their So, we should turn this legislation down consider homestead exemptions for senior citizens in a separate Bill or an Amendment to a different Bill. T and would urge an 'aye' ... a 'no' vote on this Bill."

Speaker Greiman: "The Lady from Cook, Miss Parcells, one minute to explain your vote."

121st Legislative Day

May 22 • 1986

- Parcells: "Thank you, Mr. Speaker. I, too, wanted to ask a question. It seems to me that if we were trying to aid the farmer, that we would've just said farmland will be at 12 percent and all other will be at 18 percent, but we're just banging away at Cook County again here, and for that reason, I'm going to vote 'no'."
- Speaker Greiman: "The Gentleman from Will, Ar. Van Duyne, one minute to explain your vote."
- Van Duyne: "Thank you, Mr. Speaker. just want to T add mν to the comments made by Representative Homer and support Representative Dunn, that rather than having a positive effect on the counties, I think that this Bill would really reverse effect. Alluding and reiterating what Representative Dunn has said, that you would create aura of dispair, rather than of help. If the people can't pay their taxes now and then can't pay the existing penalties put on them by the county, how in the world are they ever going to redeem their property with these esculating penalties? And I think it's a bad Bill. I, also, too, support the raising of the senior citizens* homestead exemption, but I think this is a bad place to put that, and it really kind of clouds the whole issue. just reiterate what Representative Dunn has said. should address that separately, and I think this Bill should be defeated."
- Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 55... 55 voting 'aye', 45 voting 'no', 14 voting 'present', and the Bill fails. The Chair notes that it, in error, missed the previous Bill. So, on the Order of House Bills Third Reading Local Administration, appears House Bill 3222. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3222, a Bill for an Act in relation to

121st Legislative Day

May 22. 1986

sales. Third Reading of the Bill."

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

Kulas: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House Bill 3222 would allow the local units of government to increase license fees for a certain special from 25 dollars to a maximum of 75 dollars. calec Amendment #2, also, at the request of the Secretary State's Office would permit the Secretary of State for reciprocal... and a reciprocal agreement with the State Missouri on supeona powers. and I would move for the passage of House Bill 3222."

Speaker Greiman: "The Gentleman from Cook, moves for the passage of House Bill 3222. And on that, is there any discussion?

The Gentleman from Cook, Mr. Young."

Young: "Thank you, Mr. Chairman. Would the Sponsor yield?"

Speaker Greiman: "Indicates he will."

Young: "Representative, does this Bill affect what is known in Chicago as peddlers* license for people who sell goods on street corners and such?"

Kulas: "No, this will be only on special sales, such as salvage sales, going-out-of-business sales, insurance ordered sales, creditor sales, sales of damaged goods. Those kinds

Young: "Thank you."

Speaker Greiman: "Further discussion? There being none, the question is. 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. 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 98 voting 'aye', 7 *no*, 2 voting 'present'. votina This Bill, having received the Constitutional Majority. is hereby On the Order of House Bills Third Reading - Local

121st Legislative Day

May 22, 1986

Administration, appears House Bill 3290. Ar. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3290, a Bill for an Act concerning fines and costs issued in relation to various offenses and disbursements of such fines and cost levying. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, ∺r. Steczo."

Steczo: "Thank you, Mr. Speaker, Members of the House. House 3290 is the exact same Bill that this House passed last year as House Bill 1567. What this Bill does is tries to take care of some of the problems that are currently experienced by Clerks of the Circuit Court, when dealing with fine surcharges. This Bill deals with the Traffic and Criminal Convictions Surcharge Fund, the Violent Fund and the State Driver Education Assistance Fund, in one Section, that... to make it easier for Circuit Court Clerk to try to determine where thase assessments should go. Up to now. it has been difficult for them to do so. Much of the money that could have been collected, they feel, has fallen through the cracks because of difficulties. Ιt provides increase in fines. It just provides for a better method of In addition to that, the Bill also relates drug related offenses and... the present law says that everytime a person is convicted of possession or delivery of cannibas or controlled substance the court must levy a fine equal to the street value of those narcotics involved. Twelve and one-half percent of the money is transferred the Department of Alcoholism and Substance Abuse - Juvenile Drug Abuse Fund, and the remaining 87.5 percent is transferred to the various law enforcement agencies that partook. This Bill just simply allows the Judge to be able to, in their discretion, better allocate those monies.

121st Legislative Day

- May 22. 1986
- This Bill passed the House last year by a vote of 110 to 2, and I would at this time, Mr. Speaker, move for passage of House Bill $3290 \cdot "$
- Speaker Greiman: "The Gentleman from Cook, Ar. Steczo, moves for the passage of House Bill 3290. And on that, is there any discussion? The Gentleman from Livingston, Mr. Ewing."
- Ewing: "Mr. Speaker and Ladies and Sentlemen of the House, the Sponsor of this Bill has gone the extra mile to work with me and others in arranging... helping arrange for the distribution of fine money. The provisions of this Bill have, I think, been approved by representatives of all areas of the state. We've tried to work it out so that it's the best for our county governments, and I would certainly encourage a 'yes' vote on this Bill."
- Speaker Greiman: "The Lady from Cook, Miss Didrickson."
- Didrickson: "Thank you, Ar. Speaker. Hould the Sponsor yield for a question, please?"
- Speaker Greiman: "Indicates he'll yield for questions."
- Didrickson: "Terry, I see here in my analysis that it says it reduces the Driver Education Fund surcharge on traffic fines from five dollars to four dollars for each 40 dollars fined, and I'm just wondering what that does to the funding of the driver education program in our schools, presently."
- Bill Steczo: "Representative Didrickson, when this the Secretary of State's Office called me and introduced. asked me for the justification. Then they read and they said, 'No, it's not a reduction. It's just a wash.* And the whole Bill does not increases or decreases in rates. It just simply provides same amount of fines but just differs for the the allow the Circuit Court allocation to Clerks hetter accounting."
- Didrickson: "It will not harm the funding mechanism through this

121st Legislative Day

Hay 22, 1986

for driver's education in our high schools?"

Steczo: "No, it does not."

Didrickson: "Even though it reduces it by a dollar."

Steczo: "It doesn't reduce the fine for drivers education. If
you read the... If you read the Bill closely, it's an
acception."

Didrickson: "As I said, I'm just reading these synopsis. That's
why I wanted to understand more clearly. It said it
reduced it a dollar, according to our analysis."

Steczo: "The Secretary of State's Office, Representative, when they read the Bill, called me and said, 'We were going to oppose it because we thought it reduced that charge by a dollar. It does not so we are supportive of the Bill."

Didrickson: "So our analysis is incorrect then."

Steczo: "That's correct."

Didrickson: "Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, *Shall this Bill pass?* All in favor signify by voting 'aye', those opposed vote 'no'. Voting 15 now This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? take the record. On this question, there are 114 voting 'aye', none voting 'no', I voting 'present'. 3111, having received the Constitutional Hajority. is hereby declared passed. On the Order of House Bills Reading, Local Administration - Special Call, appears House Bill 3431. Mr. Clerk, read the Bill.

Clerk O'Brien: "House Bill 3431, a Bill for an Act to add

Sections to an Act to revise the law in relation to county

treasurers. Third Reading of the Bill."

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

Flinn: "Thank you, Mr. Speaker. Mr. Speaker and Ladies and Gentlemen of the House, House Bill 3431 provides a stipend

121st Legislative Day

May 22, 1986

for county treasurers in the amount of 3,500 dollars a year as a result of additional legislative mandates duties caused by Public Act 84-396, Public Act 84-235, Public Act 84-163 and Public Act 84-449. I... This puts them in the same category as a County Clerk, and I would ask for adoption of the 3ill."

Speaker Greiman: "The Gentleman from St. Clair moves for the passage of House Bill 3431. And on that, is there any discussion? There... The Gentleman from McLean, Mr. Ropp."

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

Speaker Greiman: "Indicates he will for questions."

Ropp: "Representative, when this Body, a couple of years ago, made this same provision for county clerks, many counties did not move with the intention that the Legislature had intended. When, in fact, just reduced their contribution for those salaries in like amount. So that, in fact, the county clerks in a lot of areas did not make anymore, even though we statutorily said that our intent was that that was to be. Does this Bill adjust that situation so that you can, in fact, guarantee treasurers to receive this stipend or has that been left out?"

Flinn: "Yes, he will. The treasurer will indeed receive it,

Ropp: "And that the county board cannot, in fact, reduce, by like amount, that contribution from the state, and so that the treasurer will not make anymore, or will the treasurer now make more?"

Flinn: "No, this does not deal with whether or not the county board will reduce their pay or raise their pay. The county board has full authority within the limits of the state minimum and maximum of their salaries. It does not have anything to do with that. It doesn't prevent it or cause it."

121st Legislative Day

Hav 22. 1986

- Speaker Greiman: "The Gentleman from DeKalb, Mr. Countryman."
- Countryman: "Thank you, Ar. Speaker. I rise in opposition to this Bill. When I was on the State Board of Elections, the first one came through with these stipends, and I feel it's inappropriate and that the state has really no business subsidizing county treasurers. And with all due respect to the Sponsor, I stand in opposition."
- Speaker Greiman: "There being no further discussion the Gentleman from St. Clair, Mr. Flinn, to close."
- Flinn: "Well very simply, Mr. Speaker and Ladies and Gentlemen of the House, the Bill addresses the Handates Act in the sense that there are four Public Acts, which have created a special... extra special duties on the treasurers and all this is intended to do is to in some way, somehow compensate them for it, and I ask for the adoption of the Bill."
- Speaker Greiman: "The question is, *Shall this Bill pass?* in favor signify by voting 'aye', those opposed vote Voting is now open, and this is final action, Have all voted who wish? Have all voted who wish? Have all voted Mr. Clerk, take the record. On this question, wish? there are 82... 83 voting 'aye', 31 voting 'no', This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Local Administration, appears House Bill 3480. Mr. Clerk, call the Bill."
- Clerk O'Brien: "House Bill 3480, a Bill for an Act in relation to the transfer of various property rights by the state. Third Reading of the Bill."
- Speaker Greiman: "The Lady from Cook, Miss Barnes,"
- Barnes: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 3480 authorizes the Department of Transportation to convey certain access lands in Clark,

121st Legislative Day

- May 22 1986
- Cook, and Cumberland Counties for consideration. I would ask for an 'aye' vote."
- "The Lady from Cook moves for Speaker Greiman: the passage Bill 3480. And on that, is there any discussion? There being none, the question is, *Shall this Bill in favor signify by voting 'aye', those opposed 'no'. A11 In the opinion... This is final action. Have all voted who wish? Have all voted who wish? Ar. Clerk. On this question, there are 115 voting none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared On the Order of House Bills Third Reading, Local Administration, appears House Bill 3512. Mr. Clerk, the Bill."
- Clerk O'Brien: "House Bill 3512, a Bill for an Act to create and define the powers and duties of the Prairie Trail

 Authority. Third Reading of the Bill."
- Speaker Greiman: "The Gentleman from Lake, Mr. Churchill."
- Churchill: "Thank you, Mr. Speaker. House Bill 3512 creates
 what's called the Prairie Trail Authority. This is an
 authority for counties in the metropolitan area. The
 collar counties to be eligible to join an authority to
 create a system of pathways and bicycle trails within those
 boundaries of those member units."
- Speaker Greiman: "The Gentleman from Lake, Mr. Churchill, moves for the passage of House Bill 3512. And on that, is there any discussion? The Gentleman from Cook, Mr. Leverenz."
- Leverenz: "Question of the Sponsor."
- Speaker Greiman: "Indicates he'll yield for questions."
- Leverenz: "This sets up a trail... happy trails group association, what is..."
- Churchill: "I think for those who will be on the trails, they will be very happy. You know, it's...."

121st Legislative Day May 22, 1986

Leverenz: "On abandoned... On abandoned trails?"

Churchill: "No, this would be..."

Leverenz: "A Prairie Trail Authority."

Churchill: "... trails that would be filled with bicyclers and walkers and ioggers."

Leverenz: "Does this statewide?"

Churchill: "No, this is in the collar county area."

Leverenz: "The collar county area only?"

Churchill: "We would be happy to expand it beyond that, if we can get the trails together there."

Leverenz: "But you criticized the Lady from East St. Louis area for something kind of parochial to her... you didn't do that. Someone else did that."

Churchill: "I think it was."

Leverenz: "This would be the 'Happy Trails Authority'."

Churchill: "Let me explain this to you, Representative Leverenz.

I think last year you had a Bill in that you wanted joggers to wear brightly colored clothes because you were afraid that if they were jogging along side a road that they might get hit. We have a better idea this year. What we're going to do is allow them to jog along, you know, pathways that'll be connected so that they don't have to be out on the highway and get killed. This is really something you should be supporting."

Leverenz: "Who would... How much money would this Authority then be allowed to spend or raise?"

Churchill: "We have enough nothing in the Bill that allows them to spend or raise money. We're hoping, of course, that..."

Leverenz: "There's no companion Bill?"

Churchill: "I have no companion Bill at this time."

Leverenz: "Staff wants to whisper something in your ear."

Churchill: "I'm sorry."

Leverenz: "Have you checked with damage control on this?"

121st Legislative Day May 22, 1986

Churchill: "This is... the funding will come from the counties, not from the state."

Leverenz: "The funding would come from the counties."

Churchill: "If a county wishes to be a member of the Authority for making..."

Leverenz: "I would be permissive."

Churchill: "Absolutely."

Leverenz: "Would they turn around then and raise some tax to pay
for this?"

Churchill: "There's no taxing power in the 3ill. If they wish
to... maybe they have land that they have in some forest
preserve that they can connect up to the trail, and so
there might not be any additional cost."

Leverenz: "Let me check the Roll Call on how you voted on the one
I had about vests on joggers."

Churchill: "Well, because I knew this was going to be such a..."

Leverenz: "And let me ask you."

Churchill: "... superior Bill, I knew that there was no way we could support that."

Leverenz: "One more question. How many flags would I get from the Environmental Council, if I vote for this Bill?"

Churchill: "I think probably a lot."

Leverenz: "AFL goes up to four flags. I just wanted to know how many this had."

Churchill: "We'll put a flag on the front of you and a flag on
the back of you so that everybody can see you coming and
see where you went."

Leverenz: "Now, that's unfair. Thank you."

Speaker Greiman: "The Gentleman from Lake, Ar. Peterson."

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

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

Peterson: "Representative, are motor vehicles prohibited from using these trails?"

121st Legislative Day

May 22, 1986

Churchill: "The Authority is for the purpose of pathways and bicycle trails, and does not permit motorized vehicles on the trails."

Peterson: "Thank you."

- question is. *Shall this Bill pass?* Speaker Greiman: "The **A11** those in favor signify by voting 'aye', those opposed vote Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? take the record. On this question, there are 108 voting *ave*, 5 voting *no*, none voting *present*. This 3111. having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Local Administration, appears House Bill 3551. Mr. Clerk, read the Bill."
- Clerk Leone: "House Bill 3551, a 3ill for an Act in relationship
 to forest preserve districts. Third Reading of the Bill."

 Speaker Greiman: "The Gentleman from Cook. Hr. Steczo."
- Steczo: "Thank you, Mr. Speaker, Members of the House. House Bill 3551 legalizes and validates the appropriation and tax ordinances for the fiscal years of 1982, 1983, *84 and *85 for DuPage and Kane County Forest Preserve Districts. I think that this question had been debated at length during Representative 3errios* discussion on House Bill 3072, and I would move for the passage and perhaps the same Roll Call, Mr. Speaker."
- Speaker Greiman: "The Gentleman from Cook, Mr. Steczo, moves for the passage of House Bill 3551. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 73 voting 'aye', 37 voting 'no', 2

121st Legislative Day

May 22, 1986

voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Local Administration, appears House Bill 3552. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 3552, a Bill for an Act relating to forest preserve districts. Third Reading of the Bill."

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

- Steczo: "Thank you. Mr. Speaker, Hembers of the House. House Bill 3552 affects forest preserve districts under 3,000 Those districts currently have from July 1 population. approximately October 1 every year, about 90 days, to close fiscal books and prepare budgets, appropriation ordinances, levies, etcetera. What the Bill does, is to provide one extra month for that, to allow that work to be done. Yesterday. the House adonted Amendment £2. and Amendment &2 deals with sanitary landfills or regional pollution control facilities on those It allows forest preserve properties. those forest to negotiate with those preserves who operate those landfills, and to negotiate for royalties to try to set a fund to take care of any problems that may occur down the A court case has limited the amount of money that can be raised to 400.000 dollars. This provides that there would be a time limit of 40 years, a dollar limit 50.000.000. 1 F those funds are not used, they would go back into the County General Revenue Fund. And I would move for the passage, Mr. Speaker, of House Bill 3552."
- Speaker Greiman: "The Gentleman from Cook, Mr. Steczo, has moved for the passage of House Bill 3552. And on that, is there any discussion? The Gentleman from DuPage, Mr. Hensel."
- Hensel: "Thank you, Mr. Speaker, Members of the House. If I heard Representative Steczo right, he said 3,000 population in the counties. I believe it should be counties under

121st Legislative Day

May 22, 1986

3,000,000 population. Just for the record to correct it.

I move for a favorable vote."

- "The question is, 'Shall this Bill Speaker Greimaň: pass? All in favor signify by voting *aye*, those opposed *no*. This action. Voting is now open. Have all voted who wish? Have all voted who wish? Nr. Clerk. take the On this question, there are 99 voting 'aye', 16 record. voting 'no', none voting 'present'. This Bill. received the Constitutional Majority, is hereby declared On the Order of House Bills Third Reading. Administration. appears House Bill 3555. Mr. Clerk. read the Bill."
- Clerk Leone: "House Bill 3555, a Bill for an Act relating to forest preserve districts. Third Reading of the Bill."

Speaker Greiman: "Ar. Steczo, the Gentleman from Cook."

- Steczo: "Thank Mr. Speaker, Members of the House. you, Bill 3555, again, affects forest preserve districts under 3.000.000 population. Ιt allows that in addition t o appropriations or levies for the purpose of constructing improvements. it also adds provisions to allow constructing, restoring, reconditioning, reconstructing improvements. Presently, these other conditions are contained in the levy ordinance. This Bill clarifies two paragraphs to ensure that the money levied for those purposes will be able to be appropriated for those purposes as well."
- Speaker Greiman: "The Gentleman from Cook, Mr. Steczo, moves for the passage of House Bill 3555. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed '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

121st Legislative Day

May 22, 1986

112 voting 'aye', 2 voting 'no', none voting 'present'.

And this Bill, having received the Constitutional Majority,
is hereby declared passed. On the Order of House Bills

Third Reading, Local Administration, appears House Bill

3575. Mr. Clerk, read the Bill."

Clerk Leone: "House 3ill 3575, a 3ill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker Greiman: "The Lady from Cook. Ms. Stern."

Stern: "Mr. Speaker and Members of the House, House Bill 3575 was generated originally by the Northwest Municipal Conference, seems to have universal applicability statewide. Its purpose was to evaluate the impact of federal cuts. In the Northwest Municipal Conference area. they figure i t 500.000 in Fiscal Year *86 up to will he about dollars approximately 9,000,000 in Fiscal 1987. This Bill asks DCCA to report annually to the General Assembly on that imoact, and to assist units of local government in making recommendations and priority setting on dealing with that It also creates a Revolving Loan Fund with private fund participation, which would fund 75 percent of orojects approved by DCCA interest free. I ask for your Support."

Speaker Greiman: "The Lady from Lake, Ms. Stern, moves for the passage of House Bill 3575. And on that, the Gentleman from DeWitt, Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in opposition to the Lady's proposal. Now, I don't think anybody would have a serious concern or objection to just doing a study on what the impact of spending cuts are on local governments. We all have those problems in our areas. The problem with the Bill is that the Bill creates a new program, a new fund, to replace

121st Legislative Day

May 22. 1986

those lost federal revenues from some other source. The source is not specified. What I would suggest will happen. absolutely and inevitably, in this legislative process that we have, is that either in the appropriation Bills that are the Senate considered in Bills or next vear i n an appropriation Bill. there will be a Bill or an Amendment submitted to take the money that so... to replace funds out of the General Revenue Fund. That's what always happens when the camel gets its nose under the tent. Now. where does that money come from? Well. if you look at the General Revenue Fund, a very major chunk of the money there goes to education. We chose, last year and hopefully again this year, to dramatically increase the availability of state revenues for education, because we decided that single biggest priority of government in this state is education. Education prepares people for jobs. Education is the one thing that can help this state get out of the problems that we have. If you take money away from education, as the Lady's subsequent Bill will probably then your in the position... then your in the position of undermining our ability to educate kids. fund schools and to recover from the economic problems that I oppose this Bill, not because local government projects aren't nice, but because it's going to come from It's going to hurt education in the education. long run, and we don't need to create more sources of competition for the education dollar in this state. It's a bad Bill. ought to vote 'no' on it."

- Speaker Greiman: "Further discussion? There being none, the Lady from Lake, Ms. Stern, to close."
- Stern: "I think it is a great leap from a Bill which would assist
 units of local government in assessing the impact of
 federal cuts to a Bill which would cut the teeth out of

121st Legislative Day

May 22, 1986

education. I think Mr. Vinson is paranoidal. This is a Bill urgently needed by the units of local government, not simply in the Northwest Municipal Conference area, but all over the state. He are in for a couple of very tough years. And if DCCA can assist, I think it's appropriate that they should be asked to do so. I ask your favorable 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. The Gentleman from Cook, Mr. Bowman, one minute to explain your vote."
- Bowman: "Yes, thank you, Mr. Speaker. The Gentleman who spoke in opposition to this Bill apparently was reading another Bill. This Bill has nothing at all to do with education. It's a local government assistance Bill. I believe that we all want to support and provide assistance to our local governments. And this is a good Bill. The facts were totally misrepresented, and I think the Lady is correct that the Gentleman is paranoid."
- Speaker Greiman: "Have all voted who wish? Have all voted who Have all voted who wish? Ar. Clerk, take the for record. Mr. Cullerton. what purpose do you seek recognition?"
- Cullerton: "I was going to explain my vote, Mr. Speaker."
- Speaker Greiman: "Go ahead, you have one minute. It's a courtesy

 I've extended on your side, but I'll not do it if you care,

 Mr. Vinson. It's a courtesy..."
- Cullerton: "I had my light on. I had my light on."
- Speaker Greiman: "It's a courtesy that has often been extended.

 Mr. Cullerton..."
- Cullerton: "I had my light on."
- Speaker Greiman: "... you have one moment... one minute."

121st Legislative Day

May 22, 1986

Cullerton: "I just wanted to explain to people that sometimes people forget that Representative... Representative from Clinton sometimes has to feel the need to give a hasn't given a speech yet. He got up and gave a speech on a Bill that was entirely different from the Bill voting on and some people get confused and they think that we're voting on a Bill that Vinson was talking about and it is an entirely different Bill. He is embarrassed Gramm-Rudman and he wants to disguise it by being... voting against this Bill. So, I would urge people who are over on this side of the aisle especially who think this has something to do with education to maybe review what the Bill actually does and vote 'aye'."

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

Dunn: "To explain my vote."

Speaker Greiman: "Go ahead Mr. Dunn. We'll let you then."

"Thank you very much. Mr. Speaker and Ladies and Gentleman Dunn: of the House. I think we need more green votes UD there because if I understand the legislative charge to DCCA, one of its main charges is to assist local governments. biggest problem facing local governments today in federal funds expected as a result οf Gramm-Rudman. This legislation is designed t٥ help the local governments find out the impact that they can expect and what to do about it. This should be DCCA's main charge and we ought to put green votes up there on the board have DCCA go to work to do what it was created to do. So, let's put some green votes up there."

Speaker Greiman: "Mr. Shaw. Mr. Shaw votes 'aye'. Yes, Mr.

Vinson. Mr. Vinson, do you wish to vote 'aye'?"

Vinson: "Mr. Speaker."

Speaker Greiman: "Oh, I'm sorry."

121st Legislative Day

- Hav 22. 1986
- Vinson: "You took the record. You can't change your votes after you have taken the record."
- Speaker Greiman: "Oh, absolutely... not so, Mr. Vinson. You know that. You can change your vote any time."
- Vinson: "You cannot change your votes after... after the record has been taken."
- Speaker Greiman: "Mr. Vinson. Mr. Vinson. Ar. Vinson. Mr. Vinson. I won't even dignify that one with a ruling. You that until the record is taken, until the are well aware record is announced, the record is announced, their vote. No. we'll go on. Mr. Shaw changed his Mr. McNamara votes vote. Mr. McNamata. 'aye'. Mr. Leverenz."
- Leverenz: "Record me 'aye'."
- Speaker Greiman: "Mr. Leverenz votes 'aye'. Mr. Huff. Mr. Huff

 votes 'aye'. Mr. Phelps. Mr. Phelps votes 'aye'. Mr...

 Ms. Younge. Ms. Younge votes 'aye'. Mr. McCracken, for

 what purpose do you seek recognition?"
- McCracken: "Can you guess?"
- Speaker Greiman: "You wish to vote 'aye'."
- McCracken: "No. I'm seeking a verification if it appears to get the requisite number of votes."
- Speaker Greiman: "Yes, As. Stern, one minute to explain your vote."
- Stern: "I wasn't going to explain. I was going to ask for Postponed Consideration, Mr. Speaker."
- Speaker Greiman: "Okav. On this question, 54 voting 'aye', 52 voting 'no', 9 voting 'present'. And the Lady asks for Postponed Consideration. Leave... granted. On the Order Eills Second Reading - Local Administration House Bill 3570. Mr. Clerk. Out of the record. on page seven of the Calendar, Special Administration of Justice appears House Bill 2529. Hr.

121st Legislative Day

May 22, 1986

Johnson. Out of the record. On that Order of Business appears House Bill 3043. Mr. Clerk, read the Bill."

Clerk Leone: "House 3ill 3043, a Bill for an Act to amend the States Mandate Act. Third Reading of the Bill."

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

Cullerton: "Thank you, Mr. Speaker, Ladies and Gentlemen of the The Chief Sponsor of this Bill is Representative House. and I ask leave to handle the R111 for Representative Madigan. The Bi11 amends the State*s Mandate Act to make due process mandates which concern the administration of justice subject to state reimbursement. know, requires The Mandates Act, as, you the reimburse units of local government for costs that are incurred as result of Bills that we Dass Mandates Act says, right now. that anv increased costs occurring to local governments as a result of mandates dealing with the organization and structure of local government or due process mandates are nat reimbursable by the state. So, the intent of this Bill is to say that when we impose a due process mandate it come under the State Mandates Act. Now. due process mandates are such things as notification and conduct public hearings, procedures for administrative and judicial and protection of the public from non-feasance by local government officials, and, also, matters dealing with the administration of justice. I would appreciate support for this Bill. This recognizes the fact that when we pass Bills down here which have a tremendous impact the cost of local government we should be willing to back up those Bills with money from the state. Happy to any questions. Appreciate your support."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves for the passage of House Bill 3043. And on that, the

121st Legislative Day

May 22, 1986

Gentleman from DeWitt, Mr. Vinson."

Vinson: "Yes, Mr. Speaker, Ladies and Gentleman of the House, while Mr. Cullerton feels I give speeches on the wrong Bills, I feel that he mumbles about the right Bills and you never can hear what his speeches are. And, as a consequence, I wonder if he might yield for a question, Mr. Speaker."

Speaker Greiman: "Indicates that he will."

Vinson: "Representative, my understanding is that when we dealt
with this Bill last, you indicated that the Speaker would
present the Bill on the floor. Does the fact that you're
presenting the Bill mean that he no longer has an interest
in it?"

Cullerton: "Of course he has interest in it. The last time the

Bill came up the Speaker was not in town, wasn't available

to answer any questions."

Vinson: "He what? He wasn't in town?"

Cullerton: "Right. That's right."

Vinson: "Where was he?"

Cullerton: "He was raising money in Washington, I think."

Vinson: "Was that the day of the Gridiron Dinner?"

Cullerton: "I think so."

Vinson: "I see. And was there a particular reason why that fund raiser had to be scheduled on that day?"

Cullerton: "Probably so he wouldnot have to personally receive the pickle."

Vinson: "That's what I thought. That was my suspicion at the time, but I never had it confirmed before."

Cullerton: "I think you deserve it instead of him, myself. Maybe next year."

Vinson: "But, the voters, the voters really deliver the pickle, don't they?"

Cullerton: "Okay, so are you for the Bill or not?"

121st Legislative Day

- May 22. 1986
- Vinson: "Well, I just wanted to hear the Speaker talk about this Bill."
- Cullerton: "Well, it's the Speakers Bill. So, I just wanted to make that clear."
- Vinson: "Do you think that it might appropriate since he wasn't here the last time that we should present him with pickle on this time?"
- Cullerton: "No."
- Vinson: "Mould you say that... would your answer be the same if we were talking privately?"
- Cullerton: "I don't know."
- Speaker Greiman: "Should we... Mr. Vinson... We get on the order of agricultural products later, so we can talk about the pickles later on. Right now, we're on the order of Administration of Justice. Proceed."
- Vinson: "Yes, Mr. Speaker, I understand that. I just want Membership of this Assembly to really consider all of the ramifications of this particular fill and their opportunity to do something good. Almost every Member of this General Assembly has the opportunity to hear themselves pickled in the Gridiron Dinner. The Speaker didn't opportunity and because of the particular events associated with this Bill, every Member of the General Assembly now opportunity to present the Speaker has the with that opportunity to be pickled, and I just think you ought to consider that in the process of casting your vote making your mind up on this particular Bill or lemon."
- Speaker Greiman: "Further discussions? The Gentleman from DuPage, Mr. McCracken."
- McCracken: "Thank you, Speaker. Will the Sponsor yield for a question? Representative, has there been an accompanying appropriation Bill introduced regarding the cost of this program?"

121st Legislative Day

May 22, 1986

- Cullerton: "No. ⊌hat this means is that when we pass a Bill after this becomes law - when we pass a Bill if... like right now, any Bill we pass that does come under the State Mandates Act, there will have to be a corresponding appropriation to the local government. The purpose of the Bill is to perhaps make us think twice about passing Bills that cost local government money without accompanying it with an appropriation when we pass it. But. this Bill itself will not cost money. In fact, what it might end up doing is having us not pass Bills that cost local government so much money."
- McCracken: "What type of due process mandates does this cover?

 For example, if a Federal Court ruled that due process was violated in the housing of prisoners in Cook County jail, would that type of mandate requiring the jail to reorganize itself, or expand... is that the type of mandate you're talking about?"
- Cullerton: "Only those that deal with the administration of And if you look at the State Mandate Act, Section. 2202 under findings and purposes it talks about... from it, 'Some of those actions have 1.11 quote dealt in detail with the internal management governments others have specified the establishment of new services and facilities without providing any new source or any financial participation by the state. so that's, I think where we would look to find out court might interpret what is included by due process mandates."

McCracken: "Well then, what is the definition of due process mandates?"

Cullerton: "What is the definition?"

McCracken: "Yes."

Cullerton: "I read it before, be happy to do it again.

121st Legislative Day

May 22, 1986

Administration of such matters dealing with administration of justice, notification and conduct of public hearings, procedures for administrative and judicial review of actions taken by governing bodies and protection of the public from malfeasance, misfeasance or non-feasance by local government officials. That's a quote from the statutes.*

McCracken: "So, if one sued a local official and was successful on a due process basis, that the state would become liable for that award?"

Cullerton: "No, this Bill only deals with the administration of justice."

McCracken: "Well what does that mean, though?"

Cullerton: "What does the administration of justice mean?"

McCracken: "Yeah, what does it mean? I mean, in the context of this Bill, what does it mean?"

Cullerton: "Well, I'd say, like our DUI Bill that you and I

passed that was a Bill that was a Bill that was passed that

dealt with the administration of justice which imposed

apparently, some more cost on local government."

McCracken: "Okay, so any time a..."

Cullerton: "We pass a Bill like that it would now come under the State Mandates Act."

McCracken: "Alright. Anytime a 3ill was passed like that one which provided for greater penalties or rewrote the law of procedure relative to criminal law..."

Cullerton: "Criminal Code... that's right. If it imposes a greater cost."

McCracken: "Would it apply to a change in civil law as well? It probably would."

Cullerton: "It could."

McCracken: "Okay."

Cullerton: "Its designed to be, if you're concerned about it

121st Legislative Day

May 22, 1986

being broad, its... I would say its designed to be broad, because its designed to say that we should really look at what it is we pass down here or up here in Springfield and how it affects the cost of our local government."

- McCracken: "Okay, to the Bill. Strike that, I have another question. Do you know why the due process mandate is exempted under current law, what the policy reasons were for that, or are for that?"
- Cullerton: "I don't know. It was done... it was done back in 1979, I believe, and I don't just recall why that was not included."
- McCracken: "Okav. in our state typically the administration of left to local units of local is government, specifically the counties. The county and the county form of government is responsible for the administration iustice. The state on the other hand is responsible for the state penitentiaries and things ٥f that nature. Although we have the sole responsibility for writing the Criminal Code, local units of government also have the opportunity to draw ordinances which can be similar. The reason the due process mandate has been exempted, I it recognizes this division of government. counties are responsible for implementation... or implementation of our policy relative to criminal law, the Circuit Courts are local... are the courts of original jurisdiction in civil and criminal matters and the fact of the matter is that these due process mandates, as they are called, are nothing more than our passage of the Criminal civil procedure. Everytime a civil Amendment comes up we're going to have to consider whether or not it has an impact on, quote, the administration iustice*. Every time somebody wants to rewrite the sex code or the Criminal Sexual Offense Code +

121st Legislative Day

May 22, 1986

consider whether it creates a due process mandate within the administration of justice. This is a very broad-based Bill, as the Sponsor indicates, and is potentially extremely expensive. I would submit that the proper reason for exempting these in the first place is because of this distinction of duties between local and State Government and that this muddles that water and is going to be very, very expensive."

- Speaker Greiman: "Further discussion? There being none. the question is. 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted Have all voted who wish? Have all voted who wish? wish? Clerk. take the record. On this question. voting 'aye', 24 voting 'no', 1 voting 'present'. having received the Constitutional Majority, is hereby declared passed. Representative Braun. in the Chair."
- Speaker Braun: "On page seven appears House Bill 3271.

 Representative Vinson. Representative Vinson, on House
 Bill 3271. Mr. Clerk, read the Bill."
- Clerk Leone: "House Bill 3271, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."
- Speaker Braun: "The Chair recognizes the Gentleman from DeWitt,

 Representative Vinson."
- Vinson: "Thank you, Madam Speaker, Ladies and Gentleman οf the Assembl v. This Bill is designed to make state law consistent with and in compliance with federal la⊌ in At the time the regard to child support. Bi 11 considered by the Committee on the Judiciary several matters of controversy in regard to the particular method by which we chose to make state law on child support comply with federal law on child support. Subsequently, as

121st Legislative Day

May 22. 1986

I promised in the Committee on Judiciary. meetings were of convened between the Department Public Aid and the various individuals and groups in controversy. meetings resulted in an agreed approach, a consentual approach to dealing with this problem. And. those agreements were embodied in an Amendment that is now the Bill, House Bill 3271. In my... to my knowledge no one now the Bill. disagrees with It will put Illinois compliance with federal law on child support and make us fully eligible for the federal benefits which will result from that and for the federal procedures that we can now avail our citizens of for that purpose. I don*t believe there is any controversy. Be glad to answer any question and would solicit your favorable consideration of Bill 3271."

- Speaker Braun: "The Gentleman moves the passage of House Bill 3271. On that, is there any discussion? There being none. the question is, 'Shall House Bill 3271 pass?' Δ11 favor vote *aye*, opposed vote *no*. This is final action. Voting is open. Have all voted who wish? Have all voted who wish? Clerk will take the record. question there are 112 voting *ave*. 1 voting *no*. 1 voting 'present?' House Bill 3271. having received the Constitutional Majority is, hereby declared passed. House Bill 3340, Representative Cullerton. Mr. Clerk, read Bill."
- Clerk Leone: "House Bill 3340, a 3ill for an Act relating to the civil cause of action against certain persons. Third Reading of the Bill."
- Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Cullerton."
- Cullerton: "Thank you, Madam Speaker and Ladies and Gentleman of the House. This Bill was Amended by a number of

121st Legislative Day

Hay 22. 1986

offered by Representative Vinson and McCracken which are on the Bill and improved the Bill. deals with establishing a civil cause of action on behalf of a governmental unit against a person who has received benefits from that unit, and, if that person fails to repay the governmental unit and allows for certain civil remedies tο he utilized bν the unit of local dovernment. Representative Vinson had an Amendment which granted a private riaht ٥f action to the damages... the recover damages author ized in this Act on behalf and he indicated, when we debated that qovernmental unit. Amendment, that the money that would be received from the private citizen would go to the governmental unit. we had some Amendments dealing with the issue of interest. Interest can be imposed on the recipient who fraudulently obtained these benefits and interest must be or in these penalties. It also authorizes a court in a civil action to impose either treble damages or up to \$2.000 for each scheme of fraudulent scheme imposed for which the person was found liable. I think that the purpose of the Bill is to make it easier for units of local including the state, to crack down on people who have fraudulently obtained certain benefits such vacation pay or medical or dental or health pay or benefits fraudulently. And. I would appreciate vour support for the Bill and be happy to answer any questions."

Speaker Braun: "The Gentleman has moved the passage of House Bill
3340. And on that, is there any discussion? The Chair
recognizes the Gentleman from DeWitt, Representative
Vinson."

Vinson: "Yes, will the Gentleman yield for question, Madam Speaker?"

Speaker Braun: "He indicates he will."

121st Legislative Day May 22, 1986

Vinson: "Representative, does this Bill bear an Amendment in regard to taxpayer suit that I offered?"

- Cullerton: "Yes, Amendment #2. That's your Amendment. That's the one I spoke about."
- Vinson: "Yes, thank you. Madam Speaker, Ladies and Gentleman of the House, I rise in support of the Bill, as I said I would when the Amendment was adopted. It is a very good Bill, particularly with the Amendment, and I believe will secure the return of fraudulently gotten gains to the public treasury."

Speaker Braun: "Representative Cullerton."

Cullerton: "Yes, I just would appreciate your support for the Bill."

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

Levin: "Would the Gentleman yield?"

Speaker Breslin: "He indicates he will."

- Representative, I'm just wondering what is covered Levin: "Okav. this legislation as far as what is an act that is considered fraudulent. You know, let's assume somebody in the mail a check from a unit of government which, you know he made no advert representations, did he was entitled to something that he was not entitled to, but he gets a check and he cashes that check. Does this Bill cover that situation or not?"
- Cullerton: "Well, I'll look to the Section 2 of the Bill, and a person who has received from the local government compensation. benefits and renumeration, that means of a false or a fradulent record or a false statement or willful misrepresentation is a person... that's what the law savs. So, I would say that if he goes and cashes check that he thought he was entitled to, that it would not covered. If he knew the check was such a large amount

121st Legislative Day

May 22, 1986

where there had to be some evidence, it was clear should of known that it wasn't his money, then I would say that it would come under Section 2. And. what Section 2 savs is that there shall heara the local government has to make a good faith effort to collect money by means of a refund and provide for an instablment payment. If it's... if it's appropriate, before they file a civil action. So, in the case that you've cited. I can't say exactly whether or not it would be covered or not. It really depends on the individual facts."

- Levin: "So, you are saying you could have a situation where somebody did not make any misrepresentations, you know, the government acted by accident, the person had nothing to do with it, but this would still cover that situation."
- Cullerton: "Well, it calls for a false or fraudulent record statement or other willful misrepresentation. So, in the case that you cited, getting the check and cashing really none of that existed. I'm just hypothecating that if it was such a large amount of maybe then it could be argued that there was some type of a fraudulent devise used. But, the worst that could happen would be that they would have to give the money back before there would be any civil action filed."
- Levin: "Alright, because this... my understanding is this Bill provides for, under certain circumstances, treble damages and I can see where certainly that individual should be required to give the money back. But, the policy question is, should he have to give treble damages in that kind of a situation?"
- Cullerton: "That's only in the discretion of a Judge. Okay? If
 there is a... If there is an attempt to get the money back,
 it's been turned down by the recipient and there's a law
 suit filed, and there's evidence of a willful concealment

121st Legislative Day

May 22, 1986

of certain facts in an attempt to obtain the money or they knowingly obtain the money that they were not entitled to. then under those circumstances, a Judge could either issue treble damages or an amount not to exceed \$2,000 as a penalty."

Levin: "Thank you."

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

Brookins:: "Thank you. Will the Gentleman yield for question?"

Speaker Braun: "He indicates he will."

Brookins: "Representative, if I received an income tax check by mistake for \$3,500 and I went and cashed it and it was discovered that I was not due that, under this Bill would I be liable for penalties?"

Cullerton: "Probably not, the way you have discribed it. You'd have to give the money back."

Brookins: "What if I spent it and didn*t have the money to give back?"

Cullerton: "Then the Bill specifically calls for an installment payment plan. And this would occur prior to any civil law suit being filed."

Brookins: "And, if I then refuse to pay I could be charged with a criminal law suit."

Cullerton: "Not criminal, it's a civil action. It would be brought by the Corporation Counsel's Office. Let's say you worked for the City of Chicago and you received a check that wasn't yours and you refused to pay it back. The Corporation Counsel's then in the City of Chicago would file a law suit and the worst thing that could happen would be that you'd have to pay back the amount of money that you received plus three times that amount. But, that's only if it was done... if there was a false record submitted.

121st Legislative Day

May 22, 1986

Let's say that the individual employee submitted information that he had worked when he really wasn't working or some false document, not a situation where there was a mistake where they just got a benefit and they attempted to give it back, then there wouldn't be any law suit."

- Brookins: "Aren't there already remedies for this in this situation? In other words, what is the need for this at this time?"
- Cullerton: "Well, the... when the Mayor of the City of Chicago asked for his Representatives to come down here and try to pass this, I think they probably had in mind an effort to make it even clearer in the civil... cause of action that this is something in which it would be very helpful to the City of Chicago to make sure that people aren't ripping off the City so that we don't lose more money, so that we don't have to raise our property taxes any higher than we already have."
- Brookins: "I was not aware that the... I didn't get that call from the Mayor that he asked me anything about it and I don't think my Leader did anyway and so thats not a criteria in this instance, or a priority in my case.

Cullerton: "I understand..."

Brookins: "That is not ... That is not ... "

- Cullerton: "That's just one of the factors. That's just one of the factors. A lot of times we listen to people who are supporting certain pieces of legislation. In this particular case, this Bill was drafted by the Corporation Counsel's Office in the City of Chicago."
- Brookins: "The Bill is awful vague in my opinion, Representative, and I just can't see the need for this, at this time. I'm afraid that what will happen is that some... To the Bill,

121st Legislative Day

May 22, 1986

Madam Speaker. What I'm afraid of is that some innocent person will receive a check in the mail thinking that his... in my neighborhood they say your ship comes in... that his ship has arrived and he goes to the bank, currency exchange, cashes his check and later on discovers that it was not... did not belong to him. He spent the money and criminal actions and judgements and foreclosures will result in it. And, therefore, I can't see at this stage why we need this law and that is my reasoning and there is already remedies on the books to handle this. Thank you, Madam Speaker."

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

Representative Shaw."

Shaw: "Yeah, Representative Cullen... Thank you, Madam Speaker.
Will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Shaw: "Representative Cullerton, I believe that you just stated that... to Representative Brookins that the Corporation Counsel would bring the charges."

Cullerton: "Not charges. Let's not... make it good."

Shaw: "File suit."

Cullerton: "Yes."

Shaw: "Hell, what does it mean in Amendment #2?"

Cullerton: "Amendment 32 did not get it out."

Shaw: "Where we are talking about citizens bringing suit, law suit."

Cullerton: "Oh, yes, I'm sorry that was adopted. That was

Representative Vinson's and what that means is that upon

notification to the city that there is some benefit that

has been obtained fraudulently or illegally and if the city

does not bring the cause of action, then a private right of

action to recover the damages can be brought on behalf of

121st Legislative Day

May 22, 1986

the unit by the private citizen. They must, as I indicated, they must send notice of the intent to sue to the appropriate city authority and they have 60 days to act themselves and if it... if they are successful, the private citizen can obtain attorneys' fees if it's brought in good faith and if they win. 3ut, the... any fines that are obtained must go to the local government."

Shaw: "All this... there is no criminal penalty involved in this.

It's only a civil..."

Cullerton: "No, this is just civil. It's someone who rips off
the unit of local government through a fraudulent means and
this is enhancing the ability to go after that person on a
civil law suit. That's what the Sill does."

Shaw" "Would this apply to mileage as well?"

Cullerton: "I'm sorry."

Shaw: "Nould this apply to mileage, automobile mileage?"

Cullerton: "Well, it hasn't gone into effect, yet. So, if you have to give some money back, you better hurry up and do it before the Governor signs the Bill."

Shaw: "No, if it passed would it apply to mileage?"

Cullerton: "It could be. Yes, it could be some benefits that were obtained. If you said that you... I imagine if you said that you had traveled back and forth from Springfield and even though you hadn't, or you said that you lived 500 miles away rather than 200 miles and you were getting money illegally and you illegally and fraudulently knew you were doing that and you did it willfully, under this Bill you could... you could be sued and you would have to give back the money and possibly even more than the amount of money that you stole."

Shaw: "Yeah, well I didn't have myself in mind when I was talking...."

Cullerton: "Oh, I understand."

121st Legislative Day

May 22. 1986

Shaw: "Okay, thank you."

- Speaker Braun: "Is there further discussion? The Chair recognizes the Gentleman from Cook, Representative Cullerton, to close."
- Cullerton: "Yes, I think that we have sufficently debated this

 Bill and I would appreciate an "aye" vote."
- Speaker Braun: "The Gentleman has moved the passage of House Bill 3340. All in favor vote 'aye', opposed vote 'no'. The 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 111 voting 'aye', 2 voting 'no', 2 voting 'present. House Bill 3340, having received the Constitutional Najority, is hereby declared passed. House Bill 3349, Representative Madigan.
- Clerk Leone: "House Bill 3349, a Dill for an Act to amend the Illinois Criminal Information Act. Third Reading of the Bill."
- Speaker Braun: "The Gentleman from Cook, Representative

 Cullerton, on House Bill 3349."
- Cullerton: "Yes, thank you, Madam Speaker. I would point out Amendment #1 was adopted on this Bill, which authorizes the States Attorneys' Appellate Services to set up the Criminal Commission Justice Information Authority to receive monies under this Bill. This gives that Commission power to receive state funds and disburse them to counties to reimburse them for various criminal justice activities. These funds must be distributed by the Authority on a per capita basis. There is a corresponding appropriation Bill for 20 million dollars to the Authority. This money... this is the authorization Bill for that money to be disbursed. The purpose of the Bill is to state to provide whatever amount that they can afford

121st Legislative Day

May 22, 1986

to appropriate to the Commission. The Commission then would distribute the money to various counties on a per capita basis to have them be reimbursed for the cost of the criminal justice system. Appreciate your support, be happy to answer any questions.

Speaker Braun: "The Gentleman has moved the passage of House Bill 3349. And on that, is there any discussion? The Chair recognizes the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Madam Speaker. Hill the Sponsor yield?"

Speaker Braun: "He indicates he will."

McCracken: "Representative Cullerton, is House Bill 3348 which appropriates 20 million dollars for this purpose, is that correct?"

Cullerton: "That's correct."

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McCracken: "And do you expect the annual cost of this to be 20 million dollars? I assume that's the reason for the appropriation."

Cullerton: "Well, I think that we had to have a reasonable amount
that would be significant in alleviating the cost of the
criminal justice system on the local government, but, also
something that would be affordable on our state budget."

under McCracken: "And, current law is there a requirement of reimbursement for these types of activities? iust discussed that other Bill on the administration iustice."

Cullerton: "There are... there are examples o f the state government for the cost local reimbursing of criminal justice, for example, the cost reimbursing for the cost state's attorneys' salaries, the court reporters, the Judges, a portion of the probation officers, salary. And. this just follows up along that general philosophy. Heperhaps, in the state are in a better position to fund

121st Legislative Day

May 22, 1986

criminal justice costs rather than local government. As you know, the local government has the problem of having to raise property taxes to pay for their local jails. The state is in a little bit better position to raise funds to provide for cost of criminal justice system. This is...

McCracken: "Is this reimbursement... is this mandated anywhere under current law?"

Cullerton: "No."

McCracken: "Alright. Is criminal justice activities a defined term in this 3ill?"

Cullerton: "No. Its designed to be... again the money will be sent on a per capita basis to the countles and they have the broad range of discretion to determine how they want to fight crime with it."

McCracken: "Right. So, the grant will be made for prospective activities, not as reimbursement for already occurred activities."

Cullerton: "They'll get the money in the future, if that's what
you mean, yes. If they want to use it to pay off previous
costs that were incurred as result to the criminal justice
system, I don't think there will be any prohibition."

McCracken: "So, the definition of what constitutes criminal justice activities is left with the local units of government. The only requirement is that the counties have to spend it on that function."

Cullerton: "I'd say that is accurate."

McCracken: "Okay, alright. I rise in opposition to the Bill and
I would ask my colleagues to join me. This is another
attempt and a very expensive one to begin the move from a
two tiered system of responsibility for criminal justice in
this state toward the movement of a single tier; that is,
all local activities governed and paid for by the state.
Twenty million dollars is only the start. All of those

121st Legislative Day

May 22, 1986

local activities that the counties undertake for which they levy taxes are being superseded by this type of Bill. grant of the funds to the State Appellate Prosecutor's Office for the purpose of reimbursement flies in two tiered system and the expense αf it is substantial. We are not going to be lowering anybody's taxes. Мe are going to be redistributing the tax load on the citizens. And, this is a Bill which should passed, and I ask for a 'no' vote."

- Speaker 3raun: "Is there further discussion? The Chair recognizes the Gentleman from Rock Island, Representative DeJaegher."
- DeJaegher: "John, one quick question. This big, particular Bill that we're discussing now, does that have anything to do with jail construction?"
- Cullerton: "Well, to the extent that money would be sent to the counties for criminal justice activities, I would say that they could use the money to rehabilitate or bring there jails into compliance with the state standards. They
- DeJaegher: "Then let me give you a basic example of what happened in Rock Island County. We just opened a new jail facility about six months ago. Eight million dollars was spent and that was local taxpayers spending that particular money.

 Is there a reimbursement factor? Could any... could Rock Island County receive some compensation?"
- Cullerton: "Well, that's under Representative Phelps' Bill, that
 we debated yesterday. It's, I think on... I don't know if
 it passed or not, but that is what happened there. But
 this money would be distributed on a per capita basis back
 to the counties and they can use it for criminal justice
 activities. I would say that that could be used to help
 pay off the cost of an additional... or a jail."

121st Legislative Day May 22, 1986

DeJaegher: "Thank you, John."

Speaker Braun: "Is there further discussion? There being none, the Chair recognizes the Gentleman from Cook, to close."

Cullerton: "Yes. Let me emphasize one... one important paint. This money is not going back to counties based on really how much need they can demonstrate for criminal iustice activities. This money is going back on a per capita So, if you look at it that wave if hacic. vou take a COUNTY like DuPage which has a good number of people, they will receive money on a per capita basis. They have crime in DuPage County than in other counties but. they will be receiving the money on a per capita basis. So they will benefit perhaps to a greater extent than other under this Bill. Secondly, contrary to what was counties in debate, we already have examples of for cost for criminal justice activities. reimburse state attorneys salaries, we pay for the Judges salaries, we pay for court reporters and what this 8111 says... I also want to emphasize that this is not... if you take 20 million dollars out of the State Treasury and give it to the locals. it's not a increase in cost: it's shifting οf cost. That would have the effect alleviating the local governments from having taxes which is there... or sin taxes, sales taxes which is there main source of revenue. So, it's not anina to cost additional money, it shifts the cost to the state from the locals. After all that's where it should be since we're the ones imposing these additional costs on the local government. So, I would appreciate your Speaker Madigan's Bill, and I urge an *ave* vote."

Speaker Braun: "The Gentleman has moved the passage of House Bill
3349. All in favor vote 'aye', opposed vote 'no'. The
voting is open. This is final action. The Gentleman from

121st Legislative Day

May 22. 1986

Saline, Representative Phelps, One minute..."

- Phelps: "Thank you, Madam Speaker. In just explaining my vote, I concur with Representative Cullerton, especially, his last remarks, that we need to emphasize if it is... the way I interpreted it, it is a shift in responsibility and it puts it in a proper place where it always belonged, if we mandate this to the local governments."
- Speaker Braun: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill there are 73 voting 'aye', 40 voting 'no', 1 voting 'present'. House Bill 3349, having received the Constitutional Majority, is hereby declared passed. House Bill 3394, Representative Keane. Mr. Clerk, read the Bill."
- Clerk Leone: "House Bill 3394, a Bill for an Act to amend the Illinois Municipal Code. Third Reading of the Bill."
- Braun: "The Gentleman from Cook, Representative Keane," Keane: "Thank you, Madam Speaker. House 3ill 3394 has two different parts. The base Bill or the basic Bill gives specificity to the powers of municipal government t o The ... as you may know, collect taxes. their tax collections... the statutes are very vague and this makes it specific. It lays out what the corporate authorities of municipality, what powers they have. It's been approved by the Municipal League and by others... a number of cities including the City of Chicago. The second part of the Bill is Representative Ewings* Bill which takes care of problem in his district, where a unit of local government was told that they had... they did not have authority provide health and different kinds of health, accident, group life, hospital and medical insurance to dependents of emplovees. I would be happy to answer any questions either part of the Bill and ask for a favorable Roll Call."

Speaker Braun: "The Gentleman has moved the passage of House Bill

121st Legislative Day

May 22, 1986

On that is there any discussion? There being none. the question is. *Shall House Bill 3394 pass?* vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted who wish? al 1 The Clerk, will take the record. voted who wish? On this question, there are 109 voting 'aye', 1 voting 'no'. House Bill 3394, having received the Constitutional Majority, is hereby declared passed. House Bill 3573, Representative Cullerton. Ar. Clerk, read the Bill."

- Clerk Leone: "House Bill 3573, a Bill for an Act in relationship to pretrial services. Third Reading of the Bill."
- Speaker Braun: "The Gentleman from Cook, Representative
- Cullerton: "Thank you, Madam Speaker, Ladies and Gentlemen of the This Bill establishes a pretrial service agency for the purposes of gathering and verifying information that's important and relevant to the setting of bond and providing that information to the Judge who sets the bond. The functions of the agency would be to interview detained persons concerning their background and verify background, make recommendations 00... to the conditions that can be imposed on a defendant prior to trial and to monitor compliance with those notifying the conditions court of any violations. Now. in 1980. there ₩as a study committee on bail procedures of the Illinois Judicial Conference. The first recommendation that they had was to give Judges authority in setting conditions other than the payment of cash for a defendant's release. This was done. We enacted that legislation last year and had the effect of saving the Judge could impose a condition other than having to come up with money on a defendant in setting the bond. Now. the second part of that recommendation was to establish this

121st Legislative Day

May 22, 1986

that information could pretrial service agency so bе obtained by the Judges, or by this new agency and given to the Judges a copy going to the defendant and the states attorney, to help determine what the bond should be. Chicago Tribune conducted a study published in June of *35, which examined the bail system in Cook County. And. basically what they found was there were many people, in fact there were over 13,000 people who were incarcerated crimes they were ultimately found not guilty of. for people who could not make bond. But 40 nercent οf those people who did get convicted were able to make bail within a couple of days of being arrested. What saying with this Bill is that it's... we're recognizing the a Judge to have information before he sets bond. better information than he has now. It's going to have the effect of having people who should not be incarcerated not have to be because other conditions will be set. But those people who are more violent offenders are more than likely not to come back to the court or people who lie about their employment or their family ties, this will be verified this pretrial service agency who works for the court, not for the defendant or the state, and as a result people not get out on bond will not get out on bond. This has been found to work in Washington, D.C. They had there for 22 years. It's also had some form of this in New York, Pennsylvania, and Florida. The study was done of the effects... the study was done of the effects of this agency by a U.S. Congressional Committee that conducted an investigation of the benefits of a pretrial service before Congress. Every U.S. District Court, by the way. has this in Federal Court. It found that crimes on bail by defendants charged with a federal offense. decreased from 6.9 percent to three percent. These are people who are out

May 22. 1986

been committing crimes. hand who had After this service agency went into effect, pretrial people who the percentage went committed crimes. down from seven percent down to three percent. A drop of some 56 also were fewer defendants failing to reappear before the court. The same federal investigation found that the number of defendants on bail who failed to reappear decreased from seven percent down to two over a four year period, a 70 percent drop. So, that's the need for the Bill. I think that what we're saving is once again is that in the long run. we'll have people who shouldn't be in jail won't he and people who are now getting out on bond because the Judge sets the he doesn't know enough about the background of the individual will be detained. Appreciate your support and happy to answer any questions."

- Speaker Braun: "The Gentleman has moved the passage of House Bill 3573. And on that, is there any discussion? The Chair recognizes the Gentleman from Knox, Representative Hawkinson."
- Hawkinson: "Thank you. Madam Speaker. I rise in opposition to When I first came down here about this legislation. years ago we were in the process of creating a new enhanced probation department in the State of Illinois, and that has been passed and it's costing about 60 million dollars or when it is fully enhanced it's going to bе about a 50 million dollar program and it's for probation officers and enhanced probation programs with the same kinds objectives. Now we are looking at creating another kind of agency that is supposed to be for pretrial services. submit that particularly in 101 counties in this state that this would be a wasteful program, that it is not necessary, that although, there is an estimate of seven

May 22, 1986

it now, in a couple of years we're going to be dollars o n lookina at vastlv expanded program. We're mandating the same way that we've mandated the salary salaries on programs for our probation officers and, although wisely on this and previous legislation today has tried to start a process of state reimbursements for kinds of mandates, we all know that it is not going to work and that our county taxpayers are going to be that way supporting another mandated program with a very heavy cost. because the defendant's... It is not necessary provide this kind of information to the court attornevs* Where there is a dispute about right now. it. the state attorney's office has, through its investigators and police departments the opportunities to contest that kind of information. It is simply not needed at least in the state and would be a tremendous taxpayers burden on our county people. And, I would urge a "no" vote."

- Speaker Breslin: "Is there further discussion? The Chair recognizes the Gentleman from Cook... from DeWitt,
- Vinson: "Thank you, Madam Speaker, Ladies and Gentleman of the House. Will the Sponsor yield?"
- Speaker Braun: "He indicates he will."
- Vinson: "I am rather in doubt about this Bill and my initial reaction was very much the same as the Gentleman from Knox.

 And then I started wondering whether this is something to deal with preventative detention for terrorists and the like. I just wonder if you could elucidate that and tell me which way I should look at this?"
- Cullerton: "Well, it does deal, in a way, with the issue of preventative detention which was debated last year, when we passed the Bail Bill. The Preventative detention issue came up when the state's attorneys from throughout the

Hay 22. 1986

state said basically we need more time to check into the background of the defendant before we can determine what the bond should be. Now that concept was not entirely the General Assembly. Иe did conditions of bond. What this Bill savs. it recognizes that fact: that we don't have enough information about a defendant before bond is set. And, so the effect of this Bill, I believe, is to in some cases have a higher bond set people who end up getting out on bond. I'm sorrv. in some cases people who now get out on bond won't get out bond because this agency will get information and verify information and show the court that this is dangerous If, on the other hand, they have found out that the person does have ties to the community, they have never be arrested, then perhaps no bond would be Set perhaps in those cases alleviate the local crowding problem in the jail. So, to the extent..."

Vinson: "What kind of a showing has to be made to deny bond and bail?"

Cullerton: "That's a very good point. I should of have We just passed a Constitutional Amendment that is going to be on the ballot, which undoubtedly will that expands those crimes for which no bond can be set. will hasically any crime that you can't get probation for and if there is a showing of dangerousness, if that person poses a threat of safety then no bond could be set. That's another reason why we need this Bill, because be information verified by a court to determine what... whether that person poses a threat to society or not to determine whether or not no bond can be set. some cases it would, this agency would result in a person not getting bond. For example, if a person says, *I work the Western Electric plant, this agency would have an

121st Legislative Day

May 22, 1986

employee that would verify whether or not the defendant actually worked there or not. If it turned out that he does not that information would be presented to the court. The court would take that into consideration in setting or not setting bond.

Vinson: "Thank you."

Speaker Braun: "Is there further discussion? There being none,
the Chair recognizes the Gentleman from Cook,
Representative Cullerton, to close."

Cullerton: "Right. I think that Representative Hawkinson that I would like to address. The fact is we are spending an enormous amount of money on a probation system. Now. presumedly we're doing that in some cases, because we simply don't have enough room in the iails lock everybody up. So, we're going to spend a lot of money have a probation system to monitor people who... after they have been convicted. But, we spend all that money people after they have been convicted. Why don't we spend some money to find out who we should lock up and shouldn*t lock up prior to a trial. That's the theory behind this particular Bill. It's designed to give information in setting bond. I have had Judges call me in support of this Bill, especially in the Narcotics in Cook County. Judges calling me and indicating that they sure would like to know some more background on some of these people who are alleged drug dealers in determining If they know that the person is how much bond to set. really from Columbia and that he has a little estate farm down there and that can be verified by this agency he's going to set a much higher bond. So again. I think it is something which the time has come for it. The Supreme Court has recommended that we adopt a pretrial service The courts are calling for agency. it.

121st Legislative Day

May 22, 1986

independent agency, not an employee of the state or of the defendant and in the long run it might alleviate some of the crowded jail conditions in the local jails, but also at the same time lock up dangerous people who should not be out on the street. Appreciate your support for the 3ill."

- Speaker Braun: "The Gentleman has moved the adoption of... the passage rather of House Bill 3573. A11 in favor vote opposed vote *no*. The voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Chair recognizes... For what reason does the Gentleman from Knox rise?"
- Hawkinson: "In the event that this receives 60 votes, I would like to verify."
- Speaker Braun: "Have all voted who wish? The Clerk will take the record. On this question there are 65 voting *aye*, 47 voting *no*. The Gentleman from Knox has requested a verification of the affirmative vote. Hr. Clerk."
- Clerk Leone: #Poll the Affirmative. Alexander. Berrios. Bowman. Brauna Breslin. Brookins. Capparelli. Christensen. Cullerton. Curran. Currie. Daley. Didrickson. Farley. Flinn. DeLeo. flowers. Hannig. Giorgi. Greiman. Hartke. Hasara Hicks. Huff. Keane. Kirkland. Krska. Kulas. Laurino. Levin. teflore. Leverenz. Martinez. Matijevich. McGann. McNamara. McPike. Mulcahev. O'Connell. Nash. Panayotovich. Pangle."
- Speaker Braun: "Mr. Clerk, excuse me. Representative Breslin asks leave to be verified. Leave is granted. Any further requests for leave to be verified? Any further requests for leave to be verified? Proceed. Mr. Clerk."
- Clerk Leone: "Preston. Pullen. Rea. Richmond. Ronan. Saltsman. Satterthwaite. Shaw. Slater. Steczo. Stern.

121st Legislative Day

May 22, 1986

Speaker Braun: "The Gentleman from... excuse me, Mr. Clerk.

Mr.... The Gentleman from Cook, Representative Brookins."

Brookins: "Leave to be verified."

Speaker Braun: "The Gentleman requests leave. Leave is granted.

Representative Bowman requests leave to be verified. Any
further requests for leave to be verified? Proceed, Mr.

Clerk."

Clerk Leone: "Sutker. Terzich. Turner. Van Duyne. Washington.

White. Holf. Anthony Young. Hyvetter Younge. And Ar.

Speaker."

Speaker Braun: "Any questions of the affirmative?"

Hawkinson: "Thank you, Madam Speaker. Representative Mulcahey."

Speaker Braun: "Right here."

Hawkinson: "Representative O'Connell."

Speaker Braun: "Representative O'Connell. Is the Gentleman in the chamber? Representative O'Connell. Is the Gentleman in the chamber? He appears not to be. Remove him."

Hawkinson: "Representative Ronan."

Speaker Braun: "Representative Ronan. Representative Al Ronan.

Is the Gentleman in the... is the Gentleman in the chamber?

He appears not to be. Remove him. Representative

O'Connell has returned to the chamber. Representative

Anthony Young asks leave to be verified?"

Hawkinson: "Leave. Representative Farley."

Speaker Braun: "Representative Farley is in the Nurse's Station."

Hawkinson: "Representative Daley."

Speaker Braun: "Representative Daley. Representative Daley is in the back row."

Hawkinson: "Representative Richmond."

Speaker Braun: "Representative Richmond. Oh, did you say

Breslin?"

Hawkinson: "No, Richmond."

Speaker Braun: "Representative Bruce Richmond. Is the Gentleman

121st Legislative Day

May 22, 1986

in the chamber? Representative Richmond. He appears not to be. Remove him."

Hawkinson: "Representative Flinn."

Speaker Braun: "Representative Monroe Flinn. Representative

Flinn. Is the Gentleman in the chamber? He appears not to

be. Remove his vote."

Hawkinson: "Representative Hicks."

Speaker Braun: "Representative Hicks. Representative Hicks is in his chair."

Hawkinson: "Representative Pullen."

Speaker Braun: "Representative Pullen. Representative Penny
Pullen. Is the Lady in the chamber? She appears not to
be. Remove her vote."

Hawkinson: "Representative Terzich. Representative Terzich.

Representative Bob Terzich. Is the Gentleman in the chamber? He appears not to be. Remove his vote."

Hawkinson: "Representative Huff."

Speaker Braun: "Representative Huff. Is the Gentleman in the chamber? He appears not to be. Remove his vote."

Hawkinson: "Representative Preston."

Speaker Braun: "Representative Lee Preston. Representative Preston. Is the Gentleman in the chamber? He appears not to be. Remove his vote."

Hawkinson: "Representative Dunn."

Speaker Braun: "Representative Dunn."

Hawkinson: "He voted 'no'. I'm sorry."

Speaker Braun: "Representative Dunn voted 'no'."

Hawkinson: "Representative Krska."

Speaker Braun: "Representative Krska. Representative Bob Krska.

Is the Gentleman in the chamber? He appears not to be.

Remove his vote. Return Representative Terzich and

Representative Lee Preston to the Roll."

Hawkinson: "No further questions."

121st Legislative Day

May 22, 1986

- "Representative Krska. Representative Bob Krska Speaker Braun: has returned the the chamber. Return his vote. question there are 60 voting 'ave'. 47 voting House Bill... House votina *present** Aill . . . Well. Representative Roman has returned to the chamber. Return him to the Roll Call. On this question there are 61 voting 'aye', 47 voting 'no', 2 voting present. House Bill 3573, having received the Constitutional Majority, is hereby declared passed. House Bill 3584, Representative Wojcik. Mr. Clerk, read the Bill."
- Clerk Leone: "House Bill 3584, a Sill for an Act to amend an Act to revise the law in relationship to clerks of the court.

 Third Reading of the Bill."

Speaker Braun: "The Lady from Cook, Representative Hojcik."

- Woicik: "Yes. Madam Speaker and Members of the House. effect of this Bill does, it prescribes new fees to be charged by Circuit Court clerks in all counties outside Cook Counties. in certain cases. There are... in regard to court appeals where original documents are forwarded containing over 200 pages there would be an additional fee of 10 cents per page for every page over 200. the basic fee where the documents total over 100 pages is a fee of 60 dollars. There's also additional fees that would be charges which would be, correction of cases at the fee of 10 dollars. for a record search four dollars. printed output two dollars, alias summons two dollars, an expungment of records 15 dollars. This is a proposal circuit court clerks who want to be compensated for their efforts and I move its favorable passage."
- Speaker Braun: "The Lady has moved the passage of House Bill 3584. And on that, is there any discussion? There being none, the question is, "Shall House Bill 3584 pass?" All in favor vote "aye", opposed vote "no". The voting is

121st Legislative Day

May 22, 1986

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 "ave". 9 voting 3584. having received the Constitutional House 2111 Majority, is hereby declared passed. House Bill 3585 Representative Countryman. Representative Countryman. the Gentleman in the chamber? Out of the record. House Bill 3590, Representative Kirkland. Mr. Clerk. read the Bill."

- Clerk Leone" "House Bill 3590, a Bill for an Act to amend the
 Illinois Marriage and Dissolution of Marriage Act. Third
 Reading of the Bill."
- Speaker Braun: "The Chair recognizes the Gentleman from Kane,

 Representative Countryman, I'm sorry, Representative

 Kirkland."
- Kirkland: "Thank you, Madam Speaker. I ask leave of the Body to return the Bill to Second Reading."
- Speaker Braun: "The Gentleman requests leave to return the Bill to the Order of Second Reading for purposes of Amendment.

 Is... leave... is leave granted?Leave is granted. The Bill will return to the Order of Second Reading. Mr. Clerk, read the Bill."
- Clerk Leone: "House Bill 3590. On the Order of Second Reading,
 next Amendment is Floor Amendment @7, offered by
 Representative Ryder. House Bill 3590, next Amendment is
 Floor Amendment #7."

Speaker Braun: "While... Have any Motions been filed?"

Clerk Leone: "No Motions filed."

Speaker Braun: "Any Floor Amendments?"

- Clerk Leone: "Floor Amendment $\#7_{\bullet}$ offered by Representative Ryder $_{\bullet}$ "
- Speaker Braun: "The Gentleman from Morgan, Representative Ryder, on Amendment 7."

121st Legislative Day

May 22. 1986

Ryder: "Thank you, Madam Speaker. Amendment 7 directs the Illinois Department of Public Aid to prepare a child support enforcement amnesty program which would be only subject to each individual county's state's attorney for implementation."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #7. On that is there any discussion? The Chair recognizes the Gentleman from Cook, Representative Cullerton."

Cullerton: "Will the Sponsor yield?"

Speaker Braun: "He indicates he will."

Cullerton: "This would have the effect of prohibiting criminal prosecution? Is that correct?"

Ryder: "I'm sorry, Representative, I didn't hear you."

Cullerton: "Would this prohibit the state's attorney from bringing criminal prosecutions?"

Ryder: "No, the state's attorney is the final authority. The Department is to bring... to create a program and then to... it's subject to each state's attorney making a determination whether that program is to be used or not. In the event that the state's attorney wishes to use program and wishes to offer the amnesty, then the criminal portion would be deleted in the event that the person the necessary time met the necessary and requirements and paid the money. So, that in the event the state's attorney indicated that he wished rules on this to be of such an effect that..."

Cullerton: "Have you heard from...What is the position of the state's attorneys on this particular Amendment? Do you know?"

Ryder: "The state's attorneys have not contacted me on this

Amendment and its been on the floor for several days."

Cullerton: "Well, of course, state's attorneys right now have the discretion to decide whether to prosecute for criminal

121st Legislative Day

May 22, 1986

nonsupport, right?"

Ryder: "Correct."

Cullerton: "So, that wouldn't change that, right?"

Ryder: "Would not change that, that's right."

Cullerton: "Now, a person would be eligible for amnesty if they
made a payment of the past due and owing obligations. Is
that right?"

Ryder: "That is the thrust of the Bill. That is correct. I
would also assume that we would wish to make other rules
and regulations so that it would not be a situation in
which someone could simply..."

Cullerton: "Well then what about page... what about line 16 where it talks about making arrangements for such payments?"

Ryder: "I believe that those arrangements would include the necessary amount of funds if required to be paid during that time period, or if it's a negotiation situation in which they meet whatever rules and regulations and hope that the Department of Public Aid would take your comments under concern."

Cullerton: "Okay+ here's mν point. This is what doesn't make I°m reading sense to me. The amnesty... The amnesty program shall provide that upon payment of past due and owing child support obligations and only then the obligor shall not be criminally prosecuted for nonpayment of child support obligations, arrangements for such payments are made during the period of sixty days after the effective date of the program. So, it in one part of the sentence it says you're eligible you pay all your past due obligations, then you're eligible for this amnesty program where you sit down and try to work out arrangements for payments. So, it seems to be contradictory."

Ryder: "I understand the point and it is my intent that the sixty

121st Legislative Day

May 22, 1986

days is the window during which that one can come forward and it may very well be that a person is not able to pay 100 percent or the negotiated amount during that time period. If those arrangements are made to the satisfaction of the state's attorney during that time period and the state's attorney is satisfied with those arrangements, which may call for some funds to be paid or may call for periodic payments in the future, then and only then would the amnesty be applied. It..."

Cullerton: "So, that the sentence should be reversed almost.

That part of the sentence should be..."

Ryder: "With your reading of the sentence I understand the way that you're saying it..."

Cullerton: "Is it irrational reading of the sentence?"

Ryder: "I don't read it that way, but, I understand how you can read it that way,"

Cullerton: "Okay, thank you."

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

Levin: "Will the Gentleman vield?"

Speaker Braun: "He indicates he will."

Levin: "How many bad cases of child support are there currently in the state?"

Ryder: "I have no idea of the number, except to say that I am sure they are in the thousands."

Levin: "Okay, and this would affect only the criminal prosecution portion. It would not affect whether or not civilly the money was owed?"

Ryder: "Correct. That's the reason the state's attorney is involved."

Levin: "How many... Do you know how many prosecutions there have been under this statute in the last year or so?"

Ryder: "Representative, I don't know numbers, but it would be my

121st Legislative Day

- May 22. 1936
- estimate that the number of criminal prosecution for nonsupport is a very small percentage. I would guess less that 10 percent of all of those cases in which child support is an issue."
- Levin: "Okay, and what is the motivation behind this legislation?"
- Rvder: "The motivation, and thank you for asking the question because I failed to mention that before. The motivation is make attempts so that the money gets to the kids where it's needed to be for the support of the children. event that someone falls in arrears and becomes afraid or concerned of the court system and is threatened with kinds of penalties then they're very reluctant to make any sorts of payments or any sorts of approaches. give them an opportunity, an opportunity to come forth and do what in this situation would be the correct thing, after that the opportun... they could take advantage of that opportunity simply by paying or making arrangements to pay the child support that they owe. And they would not the fears of the criminal prosecution which in some cases, and I don't know the number of cases, but could be the reason that that is prohibitive of the situation."
- Levin: "Okay. What if you made arrangements and the spouse then violated those arrangements, periodic payments to catch up and so on, they were suppose to pay "X amount" extra a month and they didn't do it. What happens?"
- Ryder: "In the event... First of all, I think the rules would have to be written up and the state's attorneys would have to be satisfied that the arrangements were satisfactory. Okay. In the event that those arrangements were made and subsequent that those arrangements were violated in some fashion, at that point I believe that you have a criminal

121st Legislative Day

May 22, 1986

nonsupport action which would be capable of prosecution. So, this does not mean somebody gets off not only "freebee" for what ever has been done in the past, but gets a blanket of immunity for anything in the future. That is not the intent."

- Levin: "So, the intention is not to immunize that person in that circumstances. If they violate the agreement they could then be prosecuted for the violation of that agreement."
- Ryder: "No. Yes, Yeah, in much... Representative, in much the same way that a tax amnesty program does not immunize you if you took advantage of the amnesty program to then be delinquent on paying your taxes in future years."
- Levin: "Okay, one final question. Are there any standards as to what, you know, a reasonable arrangement is? It seems like... you know, you've got an interesting idea here. You know, I'm not opposed to it. But, I think that... I understand the genesis of it. I understand that your staff was attempting to come up initially with a bunch of... a number of harassing Amendments and initially... and then came up with some... in the process decent ideas."
- Ryder: "It just goes to show that sometimes we make some mistakes, I mean..."
- Levin: "I noticed that this was filed to one of my Bills and which you never got to. But, you know, I think it does need some cleaning up in the Senate."
- Ryder: "I would... that is the reason, Representative, that we've asked the Department of Public Aid to draft those since they are the largest single source of people that are attempting to collect child support, and as you know, and with your support that has occurred. That's why we have asked them to draw those rules as to what is reasonable. They have the best experience in the State of Illinois in this issue, but also, the caveat that is placed in there

May 22, 1986

only with the cooperation of the local state's that says attornev. And it would be my hope and the law is certainly very clear that before this Bill could become effective particular county that the local state's attorney has to sign off on it as well and that state's attornev the ability to make those arrangements. I cannot tell you, nor is it intended to write into this Bill what would be a reasonable approach. Because I am certain that what reasonable in your home county reasonable or workable in mine or vice versa."

- Levin: "I would think that there... if I just could complete... I
 would think that some generalized standards at least some
 outside parameters would be necessary because I have a real
 problem giving unfeathered discretion in this type of
 situation."
- Speaker Braun: "Is there any further discussion? There being none, the question is, 'Shall Amendment &7 to House Bill 3590 be adopted?' All in favor vote 'aye', opposed vote 'no'. Voting is open. The Chair recognizes the Gentleman from Fulton, Representative Homer, to explain his vote."
- Homer: "Thank you, Madam Speaker. I would commend the Sponsor for addressing a troublesome area. However, I the Amendment is not needed. The program is not needed. Currently state's attorneys are already their prosecutorial discretion to determine which use cases to prosecute and which cases not to prosecute. is nothing to keep a state's attorney now from implementing amnesty program with regard to these matters. But. what Sponsor's Bill would do would bе to inject the Department of Public Aid into the process and Department of Public Aid dictate to state's attorneys the criteria under which an amnesty program would operate within that state's attorney's jurisdiction. So, I think

121st Legislative Day

- May 22, 1986
- the Bill is not needed. I applaud the Sponsor's efforts, but I think it is ill advised. Thank you."
- Speaker Braun: "On Amendment \$7 there are 60... Mr. Clerk, take the record. On Amendment \$7 there are 64 voting 'aye', 25 voting 'nay'. The Amendment is adopted. Further Amendments?"
- Clerk Leone: "Floor Amendment #8, offered by Representative
 Homer."
- Speaker Braun: "The Chair recognizes the Gentleman from Fulton.

 Representative Homer on Amendment 8."
- Homer: "Withdraw, please."
- Speaker Braun: "Amendment 8 is withdrawn. Further Amendments?"
- Clerk Leone: "Floor Amendment #9, offered by Representative
 Homer."
- Speaker Braun: "The Gentleman from Fulton on Amendment 9."
- Homer: "Withdraw."
- Speaker Braun: "The Amendment is withdrawn. Further Amendments?"
- Clerk Leone: "No further Amendments."
- Speaker Braun: "Third Reading. Representative Kirkland."
- Kirkland: "I seek leave to have the Bill returned to Third Reading for a hearing. Immediate hearing."
- Speaker Braun: "The Gentleman requests leave to return this Bill to the... Requests leave for immediate consideration of House Bill 3590 on Third Reading. On that is there any discussion? There being none. Leave is granted. Mr. Clerk, read the Bill."
- Clerk Leone: "House Bill 3590, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill."
- Speaker Braun: "The Gentleman from Kane, Representative Kirkland, on House Bill 3590."
- Kirkland: "Thank you, Madam Speaker. This Bill now has several aspects, but we'll take one at a time. The original Bill

121st Legislative Day

May 22, 1986

amends the Marriage and Dissolution of Marriage Act in connection with... attorney's fees, the attornev's fee of that Act talking about Section awarding attorney's on a discretionary basis and also when required in domestic relations cases and child support enforcement cases. The Bill... that portion of the Rill would allow prospective fees to be awarded in those instances, when there is a Motion and a hearing and is consideration of the relative financial resources each And the idea of the Bill is to put the of the parties has. parties in parity. The wording of the statutory language would be, 'To enable a party lacking sufficient financial resources to obtain or retain legal representation expected to be incurred by that party. That is after and hearing on... on financial resources and so forth. The purpose is to put the parties, as I said, in parity when they are not in parity and where one of the parties has a need to get into court, may not be able to get into court because she or he is either unable to retain an attorney, he or she doesn't have the necessary funds, or there are expensive costs to be incurred such as, to obtain expert witnesses in the case of trying to value a pension something like that. There is disagreement among the five judicial districts... appellate districts in Illinois regarding whether perspective fees can be awarded but the second district where I am from had a case come the statute narrowly and said prospective fees couldn*t be awarded. would prefer the other interpretation and think this clarifies what is now a dispute between the five appellate districts."

Speaker Braun: "The Gentleman has moved for the passage of House Bill 3590. And on that, is there any discussion? There being none, the question is, 'Shall House Bill 3590 pass?'

May 22, 1986

in favor vote 'ave', opposed vote 'no'. A11 The voting is This is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 102 voting 'ave', 5 voting 'no', and House Bill 3590. having received the Constitutional Majority, is hereby declared We will return to House Bill 3585. Representative passed. Countryman, he was out of the chamber when we passed the On page seven of the Calendar, House Bill 3585. Clerk. read the Bill."

- Clerk Leone: "House 3ill 3585, a Bill for an Act to amend certain

 Act in relationship to jurors. Third Reading of the Bill."

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

 Representative Countryman."
- Madam Speaker, Ladies and Gentlemen of Countryman: "Thank vou. the House. House Bill 3585 is a very simple Bill. years ago, the statute was amended to allow a juror list to be selected from the legal voters if a board desired or from the drivers license holders. And what's happened. in o f the counties where they ve gone to do this, they found that they don't get enough names just from the either the drivers license list. use both of them in combination, and this Bill permits them to use both in combination. but there is а technical about if you do that, and that is, if problem that comes they use both οf them together. sometimes there's duplication of the names. So. what this Bill adds is language that says that there... that if in compiling the list, the jury commissioners shall avoid duplication of names to the extent possible. That may mean that of John Smiths and they may not be able to lot eliminate all John Smiths when they, in essence, put It's my opinion that juror lists should lists together.

121st Legislative Day

May 22, 1986

come from lists other than voter registration lists and that is because I think people are discouraged from registering to vote, because they're fearful that they'll be called for jury duty. I think this Bill will encourage jury commissions to use the drivers license list. and think that that's good and will encourage people to register to vote for other reasons. I believe it's a Bill and I'd ask for your consideration."

Speaker Braun: "The Gentleman has moved for the passage of House
Bill 3585. And on that, is there any discussion? The
Chair recognizes the Gentleman from Cook, Representative
Cullerton."

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

Speaker Braun: "He indicates he will."

Cullerton: "With regard to the language "to the extent possible",
the way the law reads right now, the jury commissioners
shall avoid duplication of names. They "re mandated right
now to avoid duplication of names. Initial reading of
this, I thought that this weakened that mandate. Could you
explain what the purpose of this language is, to the extent
possible?"

Countryman: "What it means, and I tried to make that explanation a little bit in my opening comments, is that if thev*re using both lists, then to the extent that they possibly can a John Doe at the same address, they should eliminate him; but, as you and I both know, there may particular address two or three John Does, a John Doe, Sr., a John Doe, Jr., and so forth. What this says to the jury commissioners is that they do not have to be exact. If. in fact, they would put the names in more than once, it would go into the pool more than once; and, for that reason indicated to you privately, Representative Cullerton, some jury commissions are not using the drivers

121st Legislative Day

May 22, 1986

license pool because they feel that the duty is a mandate and, by adding this language, they won't feel that and they'll use the drivers license list. So, it's only to avoid duplication if possible."

Cullerton: "Thank you."

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

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

Speaker Braun: "He indicates he will."

Slater: "Ar. Countryman, is this mandated that they, the circuit clerk, use the list from Secretary of State?"

Countryman: "No. They may use one or the other are now under this Bill, or a combination of both. Under this Bill, adds the language for a combination of both."

Slater: "Does the Secretary of State have the wherewithal to provide these lists to the jury commissioner?"

Countryman: "That's my understanding."

Slater: "Have you checked with the Secretary to that effect?"

Countryman: "No. I had a request from some people who work
within the system in my district and they didn't seem to
have any problem finding those lists from the Secretary of
State for this purpose since it's under law."

Slater: "At the present time, are some jury commissioners using Secretary of State's list?"

Countryman: "It's my understanding."

Slater: "Thank you very much."

Speaker Braun: "Is there further discussion? The Gentleman from

Lee, Representative Olson."

Olson: "Would the Sponsor yield?"

Speaker Braun: "He indicates he will."

Olson: "Representative Countryman, would you or have you given some thought to what you're doing in some districts, using

121st Legislative Day

May 22, 1986

hunting and fishing licenses as well?"

- Countryman: "I didn't give any thought to hunting and fishing license, Representative Olson, but as a former circuit clerk, I'm certain that you have good ideas, and I'd be glad to work with you next year on a Bill of that nature."
- Olson: "The fact of the matter is, in the 15th, up in Freeport, they do utilize that. You're looking to expand the pool so you don't have to come back to the same people as frequently."
- Countryman: "Well, I think that the pool should not be geared to the voter registration list, because I think many people don't register to vote for fear that they'll be called for jury duty. I don't think you're not going to get... you're going to get a drivers license because you want to drive a car, and you're not going to worry about being called to jury duty, and for that reason, I think that's a much better list to use than the voter registration."

Olson: "Is DeKalb Circuit Clerk supportive of your Bill?"

Countryman: "All my circuit clerks support my Bills."

Olson: "Have you spoken to DeKalb Circuit Clerk about your Bill?"

Countryman: "I don't believe I discussed it with her. No."

Olson: "Have you spoken with Representative Hasara about the Bill?"

Countryman: "Yes, and she feels it's a fine Bill."

Olson: "Is Representative Hasara going to speak to the Bill?"

Countryman: "That's up to her and the Speaker. I didn't think
this was a controversial Bill, and we have a lot on the
Calendar for the day, and I really think it's one we ought
to just move on. I would hope you'd vote in favor of it,
Representative Olson. As a former circuit clerk, I know
you would favor this Bill."

Olson: "Madam Speaker, to the Bill. Representative Countryman has some very fine ideas. Anything we can do to make the

121st Legislative Day

May 22, 1986

mandating of people to appear for a jury service and to expand the potential pool for the circuit clerks, would be advantageous. However, I'd like to hear Representative Hasara's report from Sangamon County.

Speaker Braun: "Is there further discussion? The Gentleman from Saline, Representative Phelps."

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

Speaker Braun: "He indicates he will."

Phelps: "Representative Countryman, as you well know, the registration list can become obsolete or outdated very quickly. Those people who are, in moving their addresses, transferring, is there not a complication here that might show the registration list as an updated address whereas the Secretary of State's list of drivers license might show six months behind, how... is there a provision in this Act to get those duplications or I should say, inconsistencies worked out?"

Countryman: "Well, I think we have to give the jury commissioners much flexibility as we possibly can. The best list, in my opinion, for them to use, is the drivers license list under the law, if you change your address, you because should change your drivers license within 30 days. always the case with voter registration, as you well know being a former county clerk in dealing with registration. If I felt we could do it in one felt swoop, I'd change it all from voter registration list to drivers license list and hunting and fishing list and so forth, but think the best thing to do is move in that direction. And this Bill will encourage jury commissioners to use the license list, and as we get more and more of them using those, I think we can eliminate the voter registration list, which is my ultimate goal. In the meantime, using the vote... this Bill will encourage usina

121st Legislative Day

- May 22, 1996
- the drivers license list and that will do exactly what you want to do, and that will keep it more current."
- Phelps: "I rise in support of the Gentleman's Motion and urge your support."
- Speaker Braun: "Thank you. Is there further discussion? The Gentleman from Cook, Representative Parke."
- Parke: "Thank you. I call for the question."
- Speaker Braun: "The Gentleman has moved for the previous question. All in favor of the previous question say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The previous question is put. The Gentleman from DeKalb, to close."
- Countryman: "Thank you, Madam Speaker. I didn't want to duck
 Representative Olson's issue on the hunting license. I
 think this is a good Bill, and we ought to pass it out
 unanimously. Thank you very much."
- Speaker Braun: "The Gentleman has moved for the passage of House
 Bill 3585. All in favor vote 'aye', opposed vote 'no'.

 The voting is open. This is final action. The Chair
 recognizes the Lady from Lake, Representative Stern, to
 explain her vote."
- Stern: "I had my question answered, Madam Speaker. Thank you."
- Speaker Braun: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', none voting 'no'. House Bill 3585, having received the Constitutional Majority, is hereby declared passed. House Bill 3596, Representative Woicik. Mr. Clerk, read the Bill."
- Clerk O'Brien: "House Bill 3596, a Bill for an Act to amend Sections of an Act to revise the law in relation to clerks of courts. Third Reading of the Bill."
- Speaker Braun: "The Chair recognizes the Lady from Cook,

 Representative Wojcik."

121st Legislative Day

- May 22, 1986
- Wojcik: "Yes, Madam Speaker. In essence of a compromise, there is an Amendment being prepared and it has not been distributed yet, so I would appreciate it if you could call it in a few minutes."
- Speaker Braun: "He'll take the Bill out of the record. House
 Bill... For what reason does the Gentleman from Cook.

 Representative DeLeo. rise?"
- DeLeo: "Thank you, Madam Speaker. A point of personal privilege,

 I'd like to take a moment to congratulate a Hember on the

 other side of the aisle. It's her 15th anniversary of her

 29th birthday. Representative Loleta Didrickson, happy
 birthday."
- Speaker Braun: "Representative Wojcik, we have just been informed that the Amendment to which you refer has been printed and distributed. What is your pleasure?"
- Wojcik: "I, then, would need a copy, because I don't have a
- Speaker Braun: "We're move... moving right along."
- Wojcik: "Okay. Oh, thank you."
- Speaker Braun: "House Bill..."
- Wojcik: "Carol. Hadam Speaker, I have it."
- Speaker Braun: "House Bill 3596, Representative Wojcik."
- Wojcik: "I would ask leave to take this back to Second Reading."
- Speaker Braun: "The Lady requests leave to have this Bill returned to the Order of Second Reading for purposes of Amendment. Is leave granted? Leave is granted. Mr. Clerk, read the Bill."
- Clerk O'Brien: "This Bill has been read a second time previously.

 Amendments #1 and 2 were withdrawn in Committee. Floor

 Amendment #3, offered by Representative Wojcik."
- Wojcik: "Yes, Madam Speaker and Members of the House, what this

 Amendment does is it now allows the Bill to become
 permissive. It states that the fee can be up to \$36, and

121st Legislative Day

May 22, 1986

it also says that they must go to the county board and have the authority... or they shall... may go to the county board and ask for their permission. I move its favorable passage."

Speaker Braun: "The Lady has moved the adoption of Floor
Amendment #3 to House 3ill 3596. On that, is there any
discussion? There being none, the question is... I'm
sorry. The Chair recognizes the Gentleman from Macon,
Representative Dunn."

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

Speaker Braun: "She indicates she will."

Dunn: "I'm not sure I heard correctly, the \$36 fee for child support, are you saying that if this Amendment is adopted and becomes law, that it will be up to the respective county boards to impose that fee in an amount up to, but not to exceed \$36?"

Wojcik: "Yes."

Dunn: "Thank you."

Speaker Braun: "Representative Dunn. Is there further discussion? The Lady has moved the adoption of Floor Amendment #3. All in favor say "aye", opposed say "nay".

In the opinion of the Chair, the "ayes" have it. The Amendment is adopted. Further Amendments?

Clerk O'Brien: "No further Amendments."

Speaker Braun: "Third Reading. The Lady requests leave for immediate consideration of House Bill 3596. And on that, is there any discussion? Leave is granted. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3596, a Bill for an Act to amend Sections of an Act to revise the law in relation to clerks of courts. Third Reading of the Bill."

Speaker Braun: "The Lady from Cook, Representative Wojcik."

Wojcik: "Yes, Madam Speaker, this Bill provides for the fact that

121st Legislative Day

May 22, 1986

you may charge a \$36 fee up to \$36, and that also, a separate fund shall be set aside for these fees and they shall be drawn out to cover expenses by the circuit clerk. I move for its favorable passage."

- Speaker Braun: "The Lady has moved the passage of House Bill 3596. On that, is there any discussion? The Chair recommon Representative Dunn. The Chair recognizes the Gentleman from Vermilion, Representative Black."
- Black: "Thank you, Madam Speaker, Members of the House. Will the Sponsor vield?"
- Speaker Braun: "She indicates she will."
- Black: "The only question I have about this particular Bill is. as originally enacted, I believe the fees were to be put in the county general fund, and would then be made necessarv. by action of that board. And it is my understanding, Representative Wojcik, that now this going to go into a special fund. I would like to know if there any particular compelling reasons for that tο bе done?"
- Wojcik: "The fee was imposed for the purposes of supporting this $program_{\bullet}"$
- "Madam Speaker, I think one of the problems, having Black: years on a county board and a former chairman of a county board, that often happens is that you can set up many separate funds and so many separate accounts that, in fact, you are increasing your audit cost and you are accounting cost and procedures. increasing your to vote for the Bill. I dο have some problems constantly mandating separate funds to be set up, and I would also like to work with the Sponsor of this Bill I think this entire Bill needs some language, back. cleanup. For example, there is a question in my that if the Judge..."

121st Legislative Day

- May 22, 1986
- Speaker Braun: "Representative Black, are you supporting the Bill or opposing the Bill?"
- Black: "I will support the Bill, but I definitely have some problems with it, Madam Speaker, and I would hope that the Sponsor might work with me on cleaning up some language in the future. Thank you."
- Speaker Braun: "The Lady has moved... The Lady from Cook, to close."
- Wojcik: "Yes, I think you have heard the debate. I also believe that the Amendment allows for an element of compromise, and I'm certainly open and receptive to any suggestions that you might have. Thank you."
- Speaker Braun: "The Lady moves the passage of House Bill 3596. All in favor vote 'ave', opposed vote 'no'. The voting Have all voted who wish? open. This is final action. Have all voted who wish? The Clerk will take the record. On this question there are 113 voting 'aye', 3 voting 'no'. 3596, having received the Constitutional House Rill Majority, is hereby declared passed. Ыe will return pick up one Bill on this Order of Call and one Bill previously, House Bill 3162, on the Order Local Gov... Administration, and then, House Bill 2529, on the Order of Administration of Justice. Representative Giorgi, on House Bill 3162."
- Clerk O'Brien: "House Bill..."
- Giorgi: "Madam Speaker, I'd like leave of the House to return
 3162 back to the Order of Second Reading for the purpose of
 an Amendment, but I'd like to call the Bill up for Third
 after we adopt the Amendment."
- Speaker Braun: "House Bill 3162, Mr. Clerk, read the Bill."
- Clerk O'Brien: "House Bill 3162, a Bill for an Act relating to municipalities. Third Reading of the Bill."
- Speaker Braun: "The Gentleman asks leave to return the Bill to

121st Legislative Day

- May 22. 1986
- the Order of Second Reading for purposes of Amendment. Is leave granted? Leave is granted. The Bill has returned to the Order of Second Reading. Mr. Clerk, read the Bill."
- Clerk O'Brien: "House Bill 3162, this 3ill has been read a second
 time previously. Floor Amendment #6, offered by
 Representative Giorgi."
- Speaker Braun: "The Chair recognizes the Gentleman from Winnebago, on Amendment 6."
- Giorgi: "Madam Speaker, Amendment #6 is the language that is necessary to provide for a referendum for the increase in the sales tax of a city of 100,000 or over that does not have home rule powers. I urge the adoption of the Amendment."
- Speaker Braun: "The Gentleman moves the adoption of Amendment 6.

 On that, is there any discussion? The Chair recognizes the

 Gentleman from DuPage, Representative McCracken."
- McCracken: "Thank you, Madam Speaker. Hill the Sponsor yield?"

 Speaker Braun: "He indicates he will."
- McCracken: "Does your Amendment #6 now require a front door referendum?"
- Giorgi: "Positively."
- McCracken: "And that deletes anything inconsistent with that in the earlier Amendments or Bill. Is that correct?"
- Giorgi: "Yes, Sir, and I've cleared it with the legal staff on your side of the aisle a couple of hours ago."
- McCracken: "Thank you very much."
- Speaker Braun: "Is there further discussion? The Gentleman moves the adoption of Floor Amendment 6. All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"
- Clerk O'Brien: "No further Amendments."
- Speaker Braun: "Third Reading. The Gentleman has requested immediate consideration of House Bill 3162. On that, is

121st Legislative Day

May 22, 1986

there any discussion? All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it.

The Bill has returned to the Order... the Sill is on the Order of Third Reading, and Mr. Clerk, read the Bill."

- Clerk O'Brien: "House Bill 3162, a Bill for an Act relating to municipalities. Third Reading of the Bill."
- Speaker Braun: "The Gentleman from Winnebago, Representative Giorgi."
- Giorgi: "Madam Speaker, this is now a three part Bill. What it allows is it allows a city that does not have home rule powers in the 100,000 population range to levy a sales tax of a penny after a direct referendum. It allows the issuance of bonds mandated by the EPA, and it restores the language that was inadvertently taken out of the Public Act 84-163 that had to do with cities and villages that could levy a tax for emergency services. I think every Member is familiar with the Bill, and I urge support of this Bill."
- Speaker Braun: "The Gentleman has moved the passage of House Bill And on that, is there any discussion? 3162. There being none, all in favor vote 'aye', opposed vote "no". The is open. This is final action. Have all voted who Have all voted who wish? The Clerk will take this question there are 75 voting *aye*, 34 record. Πn voting 'no', 1 voting 'present'. House Bill 3162. the Constitutional Majority, is hereby declared received passed. House Bill 25... I'm sorry. Representative... For what reason does the Gentleman from Winnebago rise?™
- Giorgi: "I wonder, Madam Speaker, if I could have a one page memo from the red votes after tomorrow or the next day?"
- Speaker Braun: "House Bill 2529, Representative Johnson. Mr. Clerk, read the Bill."
- Clerk O'Brien: "House Bill 2529, a Bill for an Act to amend Sections of the Criminal Code. Third Reading of the Bill."

121st Legislative Dav

May 22. 1986

Speaker Braun: "The Chair recognizes the Gentleman from Champaign, Representative Johnson, on House Bill 2529."

Johnson: "In the course of discussion of Representative Young's Amendment vesterday. I think we addressed the substance of It simply makes a petty offense for the offenses and then, a misdemeanor thereafter for a person who detains or conceals a child in violation ٥f child custody visitation court order and also creates certain affirmative defenses, namely, where that child endangered with eminent physical harm or that the action was taken with mutual consent of all the parties with visitation and custody rights. T + simply brings some equity and fairness to the Code. And ĩ would ask for approval of this Bill."

Speaker Braun: "The Gentleman has moved for the passage of House Bill 2529. And on that, is there any discussion? There being none, the question is, "Shall House Bill 2529 pass?"

I'm sorry. For what reason... The Chair recognizes the Gentleman from Cook, Representative Bowman. Representative Bowman."

Bowman: "∀ell• Madam Speaker, I believe this is the... the Ves. Bill that we debated at length yesterday on Second Reading. and I wanted to rise in opposition. I did not want go sliding right by. to This establishes some criminal penalties and my main concern is that these misdemeanor penalties, or in case of first, second offense, merely petty offenses - and my concern is that it provides an easy opportunity for prosecutors to plea a kidnap case down to a, you know, merely an unlawful interference with visitation rights. And it seems to me if we are really interested in protecting children from being kidnapped or taken unlawfully by noncustodial parents, then we ought not to provide an easv

121st Legislative Day

May 22, 1986

bargain the case down. Prosecutors* plea offices are alreadv clogged with other extremely serious criminal They... they're having a hard time coping with matters. the court calls that they now have, and I'm very just going to turn a deaf ear to cases like they're this or use it as a convenient out to plea bargain down kipnap case. And I think that would be a real tragedy for the children concerned. This Bill will not do what it's intended to do, and I think you will regret your vote later, if you vote for this Bill. I urae defeat οf the Bill."

Speaker Braun: "Is there further discussion? The Lady from Cook.

Representative Parcells."

Parcells: Madam Speaker. Members of the House. "Thank you. rise in support of this Bill. The State Police and the I-Search people are for this Bill, too. And, why, because the present system doesn't work very well. Ladies and Gentlemen, this is a children's Bill. It is very easy for a custodial parent to cut off the noncustodial parent out anger, or spite or to be vindictive. But who's the big loser? The child or the children. Under this think parent b fuow twice hefore denvina visitation for their own selfish satisfaction, when parent realizes that to deny visitation could be a criminal Every child has a right to the offense. love and encouragement of two parents. No matter what the difference might be, the child or children should not be sacrificed because the parents have decided to Under the present system, a noncustodial parent must hire a lawver. file suit and wait for a court date. This could and sometimes does cost a lot of money and a lot of time. time is of the essence because children grow up so quickly. And what if that parent doesn't have the

121st Legislative Day

May 22 1986

what is his recourse now? Just forget about the child? Who suffers from that, not only the parent. the child loser. This Bill will allow the state's attorney to charge the custodial parent, if the charge is but if the state's attorney finds the charge inappropriate, the noncustodial parent still has the fall back position of the civil contempt remedy available to him or her, which is now in place. Ladies and Gentlemen, I have been there and I was the custodial Fortunately. for my children. I resisted the areat temptation to use my hurt feelings against my ex-husband by denying him visitation of our children through the and I was right. I watched my children flimsv excuses. thrive and flourish under the love and guidance of both instead of the isolation and bitterness of being cut off from their father. Xy. three children are grown now and they thank me often for not cutting them off from their father, whom they love, admire and need. On closing, I would like to remind you that this Bill will not the remedies now available to noncustodial parents, it just adds a new low cost remedy. If it only helps children each year in this state, then it is worth your 'aye' vote to help those children to have the love, the and the companionship of both of their parents. quidance Thank you."

Speaker Braun: "There are a number of lights on this Bill. As such, we're going to go to use of the timer so as to expedite the process. The Chair recognizes the Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Briefly, I rise in opposition to this legislation.

It seems to me that our state's attorneys have a lot to do already. They and the general public complain that they

May 22. 1986

understaffed and unable to prosecute crimes, which in some people's eves. may be more serious than that by this legislation and; furthermore, as I understand this Bill, there is only a criminal act if the detaining concealing of the child is done with the intent to deprive. is an intent crime. Intent, in this area, will be This awfully difficult to prove, particularly where the children are of a little bit older age, teenagers. The custodial parent is often very likely to say, 'I've done everything I the children don't want to visit you. And then you have a stalemate and I think we just add tο the confusion in this area. Our courts on the civil side have been doing the best they can with this remedy. middle the of some terrible emotional involvement in families which are torn apart. And... there may be no good answer to this situation. but t a make criminals out of people who are fighting over the right to see and visit with their children doesn't seem to me like to be a positive step, and I would urge a 'no' vote."

Speaker Braun: "The Chair recognizes the Gentleman Fulton, Representative Homer,"

Homer: "Thank you, Madam Speaker and Ladies and Gentlemen. opposition to the Bill. I think we all need to recognize that there is a problem that develops in divorces, especially those of us who have handled divorce cases as attorneys, and there are often arguments that develop between the custodial parent and the parent who wishes to exercise the rights of visitation. These problems, in fact, come up quite regularly. Seldom are the matters black and white. Seldom is it clear that one party just arbitrarily and capriciously concealing a child just out of spite towards the other parent. Oftentimes. the reason that visitation is not permitted hv the

121st Legislative Day

May 22, 1986

custodial parent is because the last time that the child went with the other parent, there was a party or the child was not well provided for, not taken care of and; although, I recognize that there is an Amendment O D be an affirmative defense to a charge. shall that the custodial parent reasonably believed that would be physical harm to the child, can you imagine the situation that we're going to be creating where we're going criminal charge bе lodged against to parent and then have that custodial parent be required to defend themselves with an affirmative a criminal trial that they believe... have reasonable belief that that... that the visiting parent was physical harm to the child? The are There are problems in this area, but they belong in the criminal courts and believe me. police officers, state's attorneys and Judges who practice in criminal courts do not need this type of civil matter brought before them, when the divorce was obtained the civil courts by another Judge who had jurisdiction over the The proper remedy is to go back to that Judge who gave the divorce, who has jurisdiction over the ask that Judge to impose sanctions, not to flood these matters in the police departments and in the which are already over taxed and over burdened with courts serious offenses of murder, violent crimes, rapes and other serious matters that need their attention. So, although commend the Sponsors for dealing with a problem area, I condemn the matter in which this Bill would address it. Ιt would not alleviate problems, it would just over burden the criminal court system, and I would ask for your *no* vote."

Speaker Braun: "Is there further discussion? The Gentleman from Jefferson, Representative Hicks."

121st Legislative Day

May 22, 1986

Hicks: "Thank you. Yes, Madam Speaker, a question of the Sponsor, please. Will the Sponsor yield?"

Speaker Braun: "He indicates he'll yield."

Hicks: "Last year, I had some legislation that dealt the of custodial rights of parents dealing basically process with joint custody of children. Would this Bill. have any affect upon that just... anvwav. the joint custody procedure that Senator Kustra and I worked on year or what would be the process by which... when you have ioint custody. would it come into effect in this type of situation? Representative Johnson."

Johnson: "Could I answer the question. No. It wouldn't directly impact on those, but it's certainly in keeping with it's in keeping with the effort that you philosophy and made last year, which I supported, and which, I think, is a great idea, in that both parties ought to play an equal role or as nearly an equal role as oossible in the upbringing of a child. This applies to cases where there a custodial and a noncustodial parent and gives parity between those two people with respect to remedies So, while it doesn't directly impact on that... it Sure it could. Because you have situations even in joint custody where someone is given, whether it amounts to extended visitation as their, quote, 'joint custody', when it's denied, then you'd have this additional remedy. And let me just point out, while I am supplementing your question. that what Representative Bowman says. absolutely flat wrong. The criminal remedy is not the only remedy here. If the prosecutor's office is cloqued. as they are in some cases, the civil contempt remedy in the underlying action is still available just like it is right now. So. all this does is create a cumulative remedy and put the parents on an equal footing."

121st Legislative Day

May 22, 1986

Hicks: "Thank you."

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

levin: "Thank you. Madam Speaker. Ladies and Gentlemen I rise in opposition to this Bill. The genesis... my understanding of the genesis of this legislation problem of a former member of this Body, where his wife took the child to Switzerland. This legislation, I objectively, will have absolutely no effect on that kind of Ιt seems to me the solution to everything is criminalize it. I personally think Representative Young suggested proposal that vesterday makes an awful lot of sense. This is a problem. 1+ does have to he dealt with and it seems to me that some procedure for expediting resolution of this kind of dispute in the courts is the proper way to go, not to criminalize everv single dispute that happens to be domestic The courts are crowded enough. controversu. The criminal courts are crowded enough, and I would urge a *no* vote this Bill."

Speaker Braun: "Is there further discussion? The Gentleman from Cook, Representative Young."

Young: "Thank you, Madam Speaker, Ladies and Gentlemen the House. I. too, rise in opposition to this Bill. the previous speaker says that this is a children's Bill. it may be intended to be a children's Bill, but it Hell. certainly not going to do anything for the children. sensitive and touchy area and what this Bill would do, if it becomes law, is make this sensitive more confusing than it's ever been before. First of all. besides putting the children, who are innocent. situation where their parents are at each other's throat again, it's also going to put them in criminal court, where

121st Legislative Day

May 22. 1986

the parents won't like to be, and certainly, the children will not like to be, in the average criminal court, on the average day with hundreds and hundreds of criminal Secondly. it does not give the parents parity. What it does is it opens up the custodial parents to harassment from the noncustodial parent. All he has to do is go down. fill out a complaint and the custodial parent will wind up in criminal court. And lastly, on a point that has not been raised before, is, I think, the very worst part of this Bill, Representative Johnson indicated that all of the other options that have always been available will still be available. So, what we'll have is we'll have a situation where we can have an action in criminal court or we can have an action in civil court or mavbe. we*11 have two going at one time. One party go to criminal court today, the next party go to civil court tomorrow. You'll have one Judge entering one order, another Judge entering another order. This already very sensitive area will become one mass of confusion. I urge a 'no' vote."

Speaker Braun: "Is there further discussion? There being none, the Gentleman from Champaign, to close."

Johnson: "Before I close... I guess I'm closing, so, in keeping with my closing, let me just point out a couple of arguments that were made by the opponents of this Bill that are just not the case. The first is, a suggestion that, as I said before, that the criminal courts are clogged and that we're creating an additional burden on the prosecutor. The fact of the matter is, there is still prosecutorial discretion available, if the prosecutor doesn't want to prosecute it or there aren't facts sufficient to support it or even if there are, there is still a remedy just as there is under current law through the civil contempt procedure in the underlying dissolution action. The other argument

121st Legislative Day

May 22. 1986

made. Ī think, by Representative Bowman, and I don't really think he was serious about this. but I'm going to have to presume that he was. that prosecutors are going to bargain down, are going ta plea bargain down kidnapping cases. Well, that's ridiculous, on its face, because this doesn't apply in those cases. There are criminal remedies when a noncustodial parent keeps visitation longer than they're supposed to and from the custodial parent. They're quilty of kidnapping in this case. This is just the opposite. Hetre talking about a situation where a noncustodial partvaca parent is simply trying to exercise their right visitation. So. his fears about plea bargaining simply aren't... they aren't there. It's just flat not the case. I really can't believe that some of the people who ve opposed this Bill really oppose the 3111. because they re the same people that I look to on areas of extending parity and egual rights tο people and particularly, to parents in the upbringing of a child. Apparently, what they want to say, and if you vote is what you're saying, 'It's alright to have criminal remedies, kidnapping and other remedies, when denied his or her custody by the noncustodial parent in various forms. That's a crime. It ought to a crime. That's the law now. He accept that, but it's somehow okay and we ought not to extend the same remedies and; frankly, these are much lesser level of remedies because it's a petty offense on the first is fine only offense, and kidnapping is a felony. There's clearly a difference. But it's okay, I quess, they suggest, that someones visitation rights be violated and at the ability of both parents to share in the upbringing of a child be denied. This Bill is a modest, and

121st Legislative Day

May 22, 1986

some ways, watered down attempt - the best we can do. I guess - to establish the proposition that if someone, parent, takes off and goes to Asia and deliberately does that to withhold for five vears the a noncustodial parent to have their visitation of rights that there ought to be a remedy over and above the contempt procedures. This is a reasonable, fair, civil equality Bill, and I would ask for your support.

- Speaker Braun: "The Gentleman has moved for the passage of House
 Bill 2529. All in favor vote 'aye', opposed vote 'no'.

 This is final action. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Gentleman from Lee. Representative Dison."
- Olson: "To explain my vote, Madam Speaker, Representative Johnson has put this in a good context. As an observer in the court system over a number of years, I think this is the remedy which would offer an answer to many problems which occur in the petty offense nature, with two following offenses, makes it very practical."
- Speaker Braun: "The Chair recognizes the Lady from Kane.

 Representative Zwick."
- Zwick: "Thank you. Madam Speaker. 1 really think that Representative Johnson has hit on a point here. This 8111 deals with an issue of parity and fairness. It was said in debate that oftentimes custodial parents will... noncustodial parents will harass each other Well. oftentimes, that works in reverse too. Oftentimes. the custodial parent will harass the noncustodial parent by denying them rights. None of us deny that that happens. However, I think that we should also give the noncustodial parent some remedy. Something that will say to that custodial parent. 'You cannot deny me my rights either. I have a right to see the child. The

121st Legislative Day

May 22, 1986

child has a right to see the noncustodial parent. It is unfair to say that there will not be a punishment of some kind. This gives a punishment. This puts it in a criminal court which is where it should be if you can't get your rights in another court. There has to be some place to appeal to."

Speaker Braun: "Representative Zwick."

Zwick: "I would urge your support."

Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative O'Connell."

O'Connell: "Thank you. Madam Speaker, to explain my vote, because we did consider this Bill in Judiciary Committee, and I did vote to recommend 'do passage'. At the time, there was quite of bit of discussion as to the amount of discretion that we were giving to the police officer who would have to implement the provisions of this Bill and at know the Sponsor was good enough to amend the Bill to provide for a notice to appear as opposed to the outright arrect. My understanding is that there was a further Amendment that was proposed yesterday and, unfortunately, I was off the floor of the House, that would have taken the context of leaving all the discretion in the hands of that police officer. And because that Amendment was not adopted. I have to withdraw my support of this Bill although I do empathize and understand the this time. concerns of the Sponsor."

Speaker Braun: "Is there further discussion? The Gentleman from Fulton, Representative Homer."

Homer: "Thank you, Madam Speaker. I would ask for a verification of the affirmative should this receive the requisite number of votes."

Speaker Braun: "Okay. Further discussion? The Gentleman from DuPage, Representative McCracken."

121st Legislative Day

May 22, 1986

McCracken: "Thank you, Madam Speaker. I would encourage our friends to vote green on this. I think it's just simple justice. You know, the converse of the situation between custodial parent and noncustodial parent is what we're talking about. It's a felony, if the custodial deprived and it's no crime if the noncustodial parent is deprived. Simple justice requires that what is good for one is good for the other and especially when you have penalties of such a modest nature. The argument that will be ineffective or imprudent because it*ll clog up the court system just ... just doesn't hold water. This this is seen as having a deterrent value, so that the behavior we seek to discourage, in fact, is discouraged. It's a crime not to wear your own seat belt in this state. It ought to be a crime to deprive the other SDOUSE visitation rights."

Speaker Braun: "Further discussion? There being none, Ar. Clerk, take the record. On this question there are 65 voting *aye*, 31 voting *no*. Representative Homer has requested a verification of the affirmative vote. Proceed. Ar. the verification. with Oh . I * m sorry. Representative Koehler, for what risen do you rise?"

Koehler: "Leave to be verified, please."

Speaker Braun: "Representative Koehler asks leave to be verified.

Are there any such... any other such requests?

Representative McCracken asks leave. For what reason does

Representative Johnson rise?"

Johnson: "If there going to be a verification, I suppose we ought to poll the absentees."

Speaker Braun: "Yes, of course. Mr. Clerk, proceed with the Poll of the Absentees... the verification."

Clerk O'Brien: "Poll of those not voting. Alexander. Berrios.

Fling. And Klemm."

121st Legislative Day

May 22, 1986

Speaker Braun: "Proceed with the poll."

of Clerk O'Brien: "Poll the affirmative. Barger. Barnes. Black. Capparelli. Christensen. Churchill. Countryman. Cowlishaw. Danielsa Davis. Didrickson. Ewing. Farley. Friedrich. Giglio. Goforth. Hallock. Harris. Hartke. Hasara. Hastert. Hawkinson. Hensel. Hicks. Hoffman. Johnson. Kirkland. Keane. Koehler. Krska. Kubik. Kulas. Laurino. Mays. McAuliffe. McCracken. McMaster. Mulcahev. Nash. Olson. Panavotovich. Parke. В. Pedersen. Parcells. Piel. Pullen. Rea. Richmond. Ropp. Ryder. Slater. Ronan. Stephens. Tate. Terzich. Tuerk. Van Duvne. Vinson. Wait. Weaver. Williamson. Wojcik. Wolf. And Zwick."

Speaker Braun: "Representative Hays has requested leave to be verified. leave granted? Leave is oranted. Representative Kirkland requests leave to be verified. Leave is granted. Questions of the affirmative vote. Representative Homer."

Homer: "Thank you, Madam Speaker, Capparelli,"

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

Homer: "Representative Davis."

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

Homer: "Representative Farley."

Speaker Braun: "Representative Farley. Is the Gentleman in the chamber? Do you wish to verify Representative Farley?"

Homer: "Representative who?"

Speaker Braun: "Farley."

Homer: "Is... where is he? Yes, I would like to remove

Representative Farley from the Roll Call."

Speaker Braun: "Gentleman is not in the chamber. Remove him from the Roll Call."

121st Legislative Day May 22, 1986

Homer: "Representative Giglio."

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

Homer: "Representative Hallock."

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

Homer: "Representative Hoffman."

Speaker Braun: "Representative Hoffman. Hoffman. Is the
Gentleman in the chamber? He appears not to be. Remove
his vote. Excuse me, Representative Homer. For what
reason does Representative Vinson rise?"

Vinson: "Madam Speaker, I would just like to point out that certainly the verification process is important, but rather traditionally around here, when it's clearly known that a Gentleman or a Lady is in the nurse's station, there's been a recognition of the fact that, at this stage in the Session, particularly, we ought to respect a little bit the health of our colleagues. And we have not verified people who are in the nurse's station consistently, and I just wondered if that courtesy could be extended to Mr. Farley."

Speaker Braun: "Thank you, Representative Vinson. Representative

Hoffman has returned to the chamber. Continue... And

would you return him to the Roll Call? Continue, Mr.

Homer... Representative Homer."

Homer: "Representative Hallock."

Speaker Braun: "Representative Hallock. He's been verified. The

Gentleman from St. Clair, Representative Flinn."

Flinn: "Madam Speaker, I was not voting on this issue, but I
would like to take Representative Farley's space... place.
I vote 'aye'."

Speaker Braun: "The Gentleman from St. Clair votes 'aye'.

Representative Daniels, for what reason do you rise?"

Daniels: "Well, I was going to suggest that maybe somebody over there want... might want to do that, but as usual, Monroe

121st Legislative Day

May 22, 1986

is a step ahead of all of us."

Speaker Braun: "Representative Berrios, for what reason...

Representative Berrios votes "aye". Continue,

Representative Homer."

Homer: "Representative Laurino."

Speaker Braun: "Representative Laurino. Is the Gentleman in the chamber? Yes, he's in his chair."

Homer: "Representative McMaster."

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

Homer: "Representative Nash."

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

Homer: "Representative Slater."

Speaker Braun: "Representative Slater. Is the Gentleman in the chamber? He appears not to be. Remove his vote."

Homer: "Representative Stange."

Speaker Braun: "Representative Stange. Is the Gentleman in the chamber? He appears not to be. Remove his vote."

Homer: "Representative Piel."

Speaker Braun: "Oh, I'm sorry. I'm sorry. Representative Stange is in the chamber. I'm sorry, Representative Homer, what was the last name?"

Homer: "Piel. Representative Piel."

Speaker Braun: "Representative Piel. Is the Gentleman... Yes,
the Gentleman is in the chamber."

Homer: "One moment. Madam Speaker, let me just clarify for the record that I thought the reference to Representative Farley being in the nurse's station was being made in jest. I'm now convinced, in fact, that is where Representative Farley actually is. Having been assured of that, I would ask, as the person who asked him to be removed, to have him restored to the Roll Call."

121st Legislative Dav

May 22. 1986

Speaker Braun: "Does the Gentleman have leave to withdraw his challenge of Representative Farley's vote? Leave is granted. Return Representative Farley's vote to the Roll Call. Have you any further?"

Homer: "No further."

- Speaker Braun: "No further questions. Fire Clerke take the recesthe Gentleman from Mauting, Representative Bureau The Representative from Bureau, Representative Mautino, votes Representative Leverenz votes 'aye'. Any There being no further changes, Mr. Clerk, take the record. On this... Representative McGann votes Representative McGann. On this question there ara 69 voting 'aye', 31 voting 'no', and House Bill 2529. having received the Constitutional Majority, is hereby declared On the Order... On page nine... page eight of Special Order of Call - Games of Chance, appears House Bill 3300. Representative Giglio. Representative Mr. Clerk, read the Bill." Gialia
- Clerk O'Brien: "House Bill 3300, a Bill for an Act in relation to the Las Vegas night games. Third Reading of the Bill."
- Speaker Braun: "The Chair recognizes the Gentleman from Cook, Representative Giglio."
- Giglio: "Madam Speaker, Ladies and Gentlemen of the House, the Casino Night and Raffle Act. It creates After, truthfully, many, many months of meetings with various organizations, staff from the House and from the Senate. police departments. people from the crime commission, this Bill was put together. What we tried to do was to make it as criminal ... as free as possible. didn*t... we haven*t got some of the provision that most of the large charitable organizations want, but it's a start. And I think the two important... two of the important factors and in this particular Bill, there is one coming

121st Legislative Day

May 22, 1986

over from the Senate that was passed yesterday, one is the out provision by a... the local municipality or county and the other is the sunset provision which is in June 1988. Some of the, if I may have your attention, some of the provisions I'd like to talk about will probably relieve some of your minds and maybe there won't he many questions. If there are, I'd be happy to answer. However. the license fee is just \$200. In this Bill, one percent of the gross fees are taken off and half percent the state and the other half goes back to the local This Bill entitles the organization municipalities. only be those that have the 501 C status from the Internal Revenue Department. That does not allow the people that would like to participate, but, like I said after two years. hopefully this passes and gets started, we can come back and do something else. Another provision is that no more than four days within a twelve month period can an organization conduct a Las Vegas night. The ... some of the things that are also conducted at will be the pull tabs at the place. Chips are used. another is that the facility can be used only four What we're trying to do is avoid some of these huge halls to become gambling palaces, like some of the truthfully. The background checks, we did that Amendment yesterday, on those that have been convicted of a crime after ten years, they can come back. Poker ... poker . you can't play poker against one another, you play with the Another important provision is with this Bill that you only could win prizes. There is no cash in this, and the maximum bet is five dollars. These are some of the highlights. If there are any questions, I'd he happy answer any questions, Madam Speaker,"

Speaker Braun: "The Gentleman moves the passage of House Bill

121st Legislative Day

Hay 22, 1986

3300. On that, is there any discussion? The Chair recognizes the Gentleman from Bureau, Representative Mautino."

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

Speaker Braun: "He indicates he will."

- Mautino: "Representative Giglio, under your proposal, who would issue the licenses and who would be the regulating agency?

 Would that be the local governmental agency or would it be a state organization which would be established by this legislation?"
- Giglio: "The Department of Revenue issues the license and the agency... to watch the games will be the state and the local."
- Mautino: "Alright, what input does local government have as it pertains to control of the individual nights?"
- Giglio: "They... they... With this Bill, they could, by an ordinance at the city council level... to use the city council, they could bar the games completely. They don't have to. That's the opt out provision."
- Mautino: "It's not my intention to bar the games. I°m rather supportive of the proposal; but, what I'd like that local permits authorization be obtained because local government would have a better knowledge of the individual applying after they had received the Department of is Revenue authorization or the registration and regulation provisions. They have... I think they have... they know better who those individual groups are, et cetera, opposed t o the state. Is that possible in this legislation?"
- Giglio: "Well, I think one of the reasons for this is; number one, that's why the people with the 501 C tax status are the only ones that could run it, and we thought that we would run into a lot more trouble if the state did not

121st Legislative Day

May 22, 1986

regulate it, rather than the local municipalities because they'd fear... the fear was, at that time when we heard the testimony, that they'd become so-called gambling palaces and casinos, which we did not want."

Mautino: "What organizations have 501 C classifications?"

Giglio: "Well, most οf the non-for-profit. the church organizations. the ones... 501 C applies exclusively for religious, charitable, scientific, testing, literary. educational, national... international, sport competition. that those are the ones have it. The veteran organizations, fraternal union, youth, no. They don't have 501 C from the Federal Government. Thev cannot participate. They cannot get a license to conduct the game."

Mautino: "Thank you."

Giglio: "Further questions, Madam Speaker?"

Braun: "Is there further discussion? There being none. Speaker the Gentleman has moved the passage of House Bill 3300in favor vote "aye", opposed vote "no". The voting is Δ11 open. This is final action. Have all voted who Have all voted who wish? Have all voted who wish? Clerk will take the record. Have all voted who wish? For does Representative reason Barger rise? Representative Barger votes... changes his vote from *no* Are there further changes? to 'ave'. Representative Hastert changes his vote from 'aye', to question there are 80... Representative McGann."

McGann: "I change my vote from 'no' to 'aye'."

Speaker Braun: "Representative McGann changes his vote from 'no'
to 'aye'. On this question there are 8... Representative
Turner. Representative Turner votes 'aye'. Are there any
further changes? On this question there are 34 voting
'aye', 27 voting 'no', 2 voting 'present'. House Bill

121st Legislative Day

May 22. 1986

3300, having received the Constitutional Majority, is hereby declared passed. Representative Greiman in the Chair.

Speaker Greiman: "Mr. Leverenz, for what purpose..."

Leverenz: "Inquiry."

Speaker Greiman: "Yes, for what purpose..."

Leverenz: "Just an inquiry of the Chair. Now?"

Speaker Greiman: "Mr. Leverenz, we tell you later on. Alright.

We are on the Order of Special Order - Games of Chance,

Third Reading. And on that Order appears House Bill 3518.

Mr. Clerk, read the Bill."

Clerk O'Brien: "House 3ill 3518, a 3ill for an Act to amend certain Acts in relation to horse racing. Third Reading of the Bill."

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

Cullerton: "Thank you, Ar. Speaker and Ladies and Gentlemen o f the House. Αt the outset, I'd like to ask that Representative Kubik close on this Bill. i c He Cosponsor ... a hyphenated Cosponsor with me. This 3ill is the product of extensive hearings conducted by Horse Racing Investigative Committee. We've conducted four in Chicago in the early part of this year and on another occasion, went to a race track and observed the conditions at the race track. As a result, we issued our report and also recommended passage of this Bill. This Bill was passed unanimously in our Committee. And I 111 tell you it basically has three main provisions. one, with regard to the issue of security barns, we are going to require, or actually, we should say, authorize the Racing Board to require that security barns be constructed and that all horses, who are to race, be taken to that security barn and detained there up to five hours prior also will be, we are told by the Racing race. There

121st Legislative Day

May 22. 1986

Board, a prerace testing of all those horses by taking The reason why there has to be a security blood sample. detention barn is to ensure that once those horses tested for illegal drugs, that someone could not come in and inject those horses after they were tested. ľη order to pay for the cost of these security barns, we are doing two things; we are abolishing the Race Track Improvement which was a suggestion, primarily of Representative Vinson, and we're allowing the race track breakage which they now... half of which now goes to this Race Track Improvement Fund, we're allowing them to retain it and we're increasing from one half to two-thirds the amount of the breakage that will available for race track improvements. And we're saying these race track operators will determine for themselves. without getting Racing Board approval, of what they should build or how they should improve their tracks. hut they will be responsible for paying for these security stalls. And finally, I would indicate that as a result investigations, determined our We that there were allegations that parimutuel clerks had some parimutuel clerks, had been involved in the issue, such things as touting, that is giving advice on what horses t o for money, refusing to pay back all of the change that was entitled to the customers, and most importantly. determined that the union contract that they have with the track owners, which provides for certain disciplinary only last as long as a meet. It doesn't last, for example, over the course of a vear. SO that person, a parimutuel clerk was... did something that was in violation of the contract, the work rules, and it was the last day of a meet, he or she could not be disciplined because the meet was over. And so, that person could,

121st Legislative Day

May 22, 1986

then, go to another track the next day and there would be no way to keep that person from being employed there. So. authorizing the Racing 3oard• in giving them authority that they have had up until just recently. parimutuel clerks. It doesn't require it, but it gives the Board discretion to decide whether OΓ not thev wish to require it. This is a needed reform of the racing industry. There have been reports in the media that horses have been running races with illegal drugs, that parimutuel clerks have been shortchanging customers, and it has hal perhaps, a bad image of the industry and; as a result, there has been less activity at race tracks, there's been a lowering of the money that the state is taking handle. and this Bill will go a long way towards restoring the confidence in this industry. The iccua detention barns is a controversial one. Same of the horse owners say that their horses are too sensitive to put into a detention stall. I will tell you that there are seven states right now that require detention... separate detention stalls for horses who have to medication called Lasix. So, there is precedent, but I would say that we would be the leading state in terms of the integrity of horse racing, if we would require these detention barns and prerace testing as we will doing with this Bill. This was a bipartisan effort of the Members of the Committee, this product which is encompassed in House Bill 3518. I'd be happy to answer any questions. and I would encourage your support."

- Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves for the passage of House Bill 3518. And on that, the Gentleman from DeWitt, Mr. Vinson."
- Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. The expose which led into the investigation of

121st Legislative Day

May 22, 1986

horse racing in Illinois was instructive and so was the testimony before the Special Committee. I might point there was testimony that on one particular race card, where multiple races were run on given different horses in three different races owned by three different owners and trained by three different trainers were drugged with the same designer drug. What that indicated was a clear effort to try to fix the In another situation, a drugged horse, which had accident in a race, caused injuries to several other horses in a race. Numerous examples abound of illegal drugs being used on horses in Illinois and; oftentimes, the because they are designer drugs designed for the analysis defying easy and easv discovery. oftentimes. those designer drugs aren*t discovered for vears after the race. Now. we can discover them vears after because we retain the samples and continue testing the blood or uring. Those accidents, those druggings. fix those attempts to gimmick bets in trifectas and individual races, clearly demonstrated the need for judgement. We also discovered, as was pointed out in the expose on Chicago television, that parimutuel clerks had been involved in tauting horses, in skimming money and patrons at stealing money from the track. In one particular instance, a gentleman was fired for these things at five... four different tracks over a period of time, but he always shows up again at another track and he again at another track because of the nature of this particular union contract. I have no problems with and I have no problems with union contracts. but where the union contract is designed in such a fashion a thief on the payroll, there is something wrong. Some people say that there is a constant conflict

121st Legislative Day

May 22. 1986

the objective of good racing in Illinois and the objective of honest racing in Illinois. I don't believe in what the House Committee demonstrated by putting this Bill on the floor is, that you cannot have good racing in Illinois, unless it's also honest, and that's what a vote for this Bill will demonstrate. I urge an 'aye' vote."

Speaker Greiman: "The Gentleman from Bureau, Mr. Mautino."

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

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

Mautino: "Representative Cullerton, I noticed you made reference to the breakage. If I remember correctly, the current formula for the breakage is a 50/50 split between the state and the track for improvements. And in your legislation, I think you're recommending that the breakage... no longer does that 50% comes to the state, but it will go directly 100% to the tracks. Is that correct?"

Cullerton: "No. Let me explain it. First of all, the breakage is the money which is left over when they divide up the odds on a horse race, it's winning bettors' money, and it totals about \$9,000,000 a year. That's what breakage is."

Mautino: "I know what it is."

Cullerton: "The way it works right now..."

Mautino: "I know what it is."

Cullerton: "I know... well, you know that, but I'm helping other people that may not know it. The way it works right now is 50% of it goes to a Race Track Improvement Fund and the other 50% goes to the General Revenue Fund. What we're saying with this Bill is that we're going to put less money into the General Revenue Fund."

Mautino: "How much less?"

Cullerton: "I would estimate it to be about a million and a half dollars, and more money will be made available to the race tracks, because we are imposing on them the obligation of

121st Legislative Day

May 22. 1986

paying for these new security barns. The theory is winning bettors at the track should be the ones to subsidize the integrity of the sport by having them pay for the new security barns."

Mautino: "Well, I personally have a problem with redesignating the breakage that has, by past history, always come to the State of Illinois. I can see no real rational reason where the tracks should be the recipients and the state should be the loser of a... of the breakage provisions. I think that's about 16,000,000 a year or 18, isn't it? What's the number?"

Cullerton: "No, it's 9,000,000 total is breakage, and so, four and a half has been going to the state... the state will... the General Revenue Fund. Under this proposal, they'll probably get about \$3,000,000. I would point out to you that the Governor's proposal is to take all the breakage and give it back to the tracks. I'm not proposing that."

Mautino: "I am not in favor of the proposal that would provide for a 100% of the breakage, because I think that's what Arlington Park wanted in their last provisions last Session. I got a... one question in that same regard is that... you must be setting up a formula, then, for the state's portion of the breakage, if that's..."

Cullerton: "One-third."

Mautino: "One-third of ..."

Cullerton: "Right."

Mautino: "...The 50% that priorly..."

Cullerton: "No. No. One-third of the total breakage..."

Mautino: "One-third of the total breakage."

Cullerton: "... goes to the state."

Mautino: "Alright, my question is, if the Improvement Fund receives — which will now receive about seven and a half million dollars, correct?"

121st Legislative Day

May 22. 1986

- Cullerton: "It won't be a Fund. We abolished the Race Track
 Improvement Fund. We let the tracks retain that breakage
 on a percentage basis. Any breakage that was earned at
 their track, they get to retain."
- Mautino: "Not for the improvement of the track but goes into their overall cash flow production, is that right?"
- Cullerton: "Well, that's true, but there won't be any Race Track Improvement Fund for them to go to to get money to improve their track, so they'll, in many cases, use it to improve the track, but the main reason for the change is so that because we're imposing on them the obligation of paying for these new security barns, we think that somehow it has to be paid, and the person who is going to pay for it are the winning bettors, and that's what breakage money is all about. It's not a tax on anybody other than winning bettors."
- Mautino: "I understand that. I guess my question might be then, maybe, we should take this back and consider an Amendment I have to oppose a Bill that I passed a few years and ago that allowed for Lasix and drugs to be used Maybe if we eliminate all total drugs, you wouldn't have to worry about the cost of the security barns or the individuals who are involved. It just seems folly that we're going to give them the breakage rather that belongs to the State of Illinois, by past history, for a better increment in their bottom line profit structure with having no provisions for really track improvement. Isn't that the case?"
- Cullerton: "We're giving them more money because we're imposing on them a new obligation to build a security barn. Even if we eliminated all drugs for horses, we'd have to have some way to enforce that provision and that's what the security detention barns are all about. It's saying that they're

121st Legislative Day

Hav 22. 1986

going to be locked up five hours before a race so nobody can get to them, and that's the... the crux of the reform measure that's in this 3ill. Now, maybe, you object to the fact that we're going to have to give them some money to pay for it, but that's what the decision was in the Committee and that's what the Bill does. It... but it doesn't, you know, tax people other than those who are at the track and who have won on a bet."

Mautino: "Thank you."

"The Gentleman from Rock Island, Ar. DeJaegher." Speaker Greiman: Dejaegher: "Thank you. Mr. Speaker. Members of the General Assembly. I would like to personally commend those that had a part in this particular Bill in the drafting of First and foremost, I think we must all realize, of course, that the horse racing industry in the Illinois is one our largest employers, one of our largest employers. The restrictions that John has asked for I don't feel that there is anything wrong verv minute. with those remarks or items that John Cullerton has be imposed in this particular Bill. The State of Illinois at one time was recognized as a leader industry. That particular position is in jeopardy. I think that all of us realize at this time. of lottery in the State of Illinois, racing income has declined. Racing is not the sport that it was once. I think what's happened because there are problems in and the racing industry. This Act will clarify and clean problems that we have with the racing industry. we're saying to the racing industry in total is this, are receptive to We want you to continue in this vou. we're asking you for is a A11 few minor endeavor. concessions, so that when people go to these race tracks to participate and to wager and seek enjoyment, that they know

121st Legislative Day

May 22. 1986

that they're going to get an honest show for their money.*

I see nothing wrong with this Bill. And for all of those, and agriculture and all those people that derive an income from racing, hopefully that you'll be supportive of this Bill."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp."

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

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

Ropp: "In regards to your Bill here, it... there is some indication that you now will attempt to license all people involved at the track. Does this include, for example, the rest room attendant, the people who might be caring... caretakers of the barn and if so, why?"

Speaker Greiman: "Mr. Cullerton. Turn on Nr. Cullerton."

Cullerton: "Yes• Let me explain to you what the law is rìght now. I'll read it to you. 'The Board', that is the Racing in its discretion, issue licenses to horse *shall. 3oard. trainers, harness drivers. nwners. jockeys, agents. apprentices, grooms, stable foremen, exercise persons. veterinarians. valets. blacksmiths. concessionaires. others designated by the Board whose work in whole or in part is conducted upon race track grounds within the state, which are owned by race track organizations. right now. couple of years ago, we passed a Bill that said the Board shall not license parimutuel clerks. parking attendants, security quards and employees of concessionaires. What this Bill does is to eliminate that language that I just read, so as to give discretion back to Racing Board to determine, at their discretion, who should be licensed and who shouldn't."

Ropp: "Okay. Good. The next question relative to... in our analysis it says that horses shall be detained even though who are bleeders... Is there any provision..."

121st Legislative Day May 22, 1986

Cullerton: "I'm sorry. Even though what?"

Ropp: "It says here, 'even though they're bleeders, they shall be detained." I thought they would all be detained..."

- Cullerton: That's right. They had to amend in two different Sections. but the operative language is every horse entered to race shall in a facility be placed designated by the Board as a security barn for a period of up to five hours. The security barn shall be the Illinois Racing supervision of Board. That's all horses, and we are told from the Racing Board that they initiate a prerace blood testing program, and that is in conjunction with this security barn. So. they'll they'll be kept in the barn, no one will have access to them or if they do, they'll be supervised and; as a result, will know that there is no foreign substance injected into the horse prior to the race."
- Ropp: "Okay. A couple of years ago when most of this was law and there was a Bill to do away with the detention system, has that been resolved with the owners of horses..."
- Cullerton: "That dealt with the issue of Lasix and; for a a requirement that if a horse obtained this anti bleeding drug, which some have alleged mask the presence of other drugs, that for a certain point of time it was legalized, and then, the horses were required to be in a separate detention stall. Me . then. ourselves and abolished that so that now horses that receive Lasix receive it under the supervision, a little sign that they hang on their, whatever stall that the horse is in, and they hand the sign on there and sav. 'This is a Lasix stall.' But, there is no separate detention stall as we use to require."
- Ropp: "Okay. In other words, I think this is really a better provision than we had before and certainly want to support

121st Legislative Day

May 22. 1986

you and the Committee that did this investigation. Can you answer one final question? Is... Are these same provisions comparable to those that will be used at the Kentucky Derby, Belmont and the Preakness?"

Cullerton: "It really depends on what state those horses are run in. I'm not familiar with... I don't believe that New York or Kentucky have detention barns. They do have it in seven states, including New Jersey, which is the largest state that has it. So, I don't believe that they have these detention barns in those other... in those races. But they would, of course, in Illinois, if this is passed."

Ropp: "Okay, thank you. I support the Bill."

Speaker Greiman: "The Lady from Champaign, Ms. Satterthwaite."

Satterthwaite: "Will the Sponsor yield for a question?

Representative..."

Speaker Greiman: "Indicates that he will."

as I read the Bill. if the horse Satterthwaite: "... Cullerton, is a bleeder. they now are required to ъe or under this Bill, would be required to be in the security area at least four hours prior to the race and there is another provision for horses arriving racing facility from stables off the grounds at least six hours before, and yet we have a five hour limitation. T * m sure how those times all fit together. There appears to be no minimum time other than for the ones coming off the grounds, that they be in the security barn. really don't understand how we can have those coming the grounds at least six hours prior to the posting time going into the security barn when we have a five hour limitation later in the Bill."

Cullerton: "Well, the six hour reference... you are making reference to existing law. What the five hour... five hours refers to is the amount of time that horses have to

121st Legislative Day

May 22, 1986

be in the security... that all horses have to be in the security barn before a race. The reason why we picked five hours is because the Racing Board said that's how much time it would take to test all the horses and to get the results. The six hour reference that you are making deals specifically with horses that are on a bleeder list, which are the horses that would undoubtedly be the ones that would receive the Lasix. I don't think it's inconsistent. We are talking about..."

- Satterthwaite: "So, we're assuming then that for the bleeders there would be an exception to the five hour limitation if they were coming from a stable off the grounds?"
- Cullerton: "If you give me a second, I'll read the current law and determine whether that statement is correct. As... No, as I understand it, a horse on the bleeder list which is not stabled on the grounds, has to be brought to the race track six hours prior to the post time for the race in which it's going to run."
- Satterthwaite: "But, then later it says, 'Such a horse, arriving at the racing facility, will be placed in a security barn stall assigned by one of the state veternarians,' and that would assume that it has to be there at least six hours."
- Cullerton: "Okay, and if he is, that means that the bleeders would have to be there six hours and the..."
- Satterthwaite: "Okay, so I'm saying then in the following paragraph where you are referring to a five hour limitation, that would be for horses that were not on the bleeder list?"
- Cullerton: "Yes."
- Satterthwaite: "Even though it's not stated in that paragraph as such?"
- Cullerton: "Right, the bleeders would have to be in there six hours, the non-bleeders five hours."

121st Legislative Day

- May 22. 1986
- Satterthwaite: "Is there any place in the law currently or in the new Bill that specifies a minimum amount of time that a horse would have to be in the security area?"
- Cullerton: "No, because the Racing Board felt that up to five hours."
- Satterthwaite: "But could the Racing Board decide that they only needed to be there five minutes?"
- Cullerton: "If they felt that they could... if they developed their test such that they could do these pre-race testing and get the results quickly enough, then you wouldn't have to take the test so much time before the race."
- Satterthwaite: "My concern would be if there was a very short period of retention time, whether the horse could be drugged, brought in for that short retention time, have the blood test taken before the drug may have gotten into the blood stream?"
- Cullerton: "I don't believe that that's something to worry about,
 but that's... we can't determine that in the Bill. I don't
 think we should determine that in the Bill. We give the
 Racing Board its discretion to determine."
- Satterthwaite: "We assume, in this case, that the Racing Board is trying to protect the race and make it all on the up and
- Cullerton: "We have... and we do have one of the finest labs in the nation, run by Dr. MacDonald, and he is the leading..."
- Satterthwaite: "Well, it's not the lab I'm questioning. It's the decision of the Racing Board."
- Cullerton: "Well, the Racing Board is working with the lab to determine how much time they have to keep a horse in a detention barn prior to the race. They have asked for five hours, the authority to be up to five hours."
- Satterthwaite: "And I'm hoping, with you, I think, that we don't subvert that by making it so short that the test would be

121st Legislative Day

May 22. 1986

invalid."

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

Friedrich: "Would the Sponsor yield?"

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

Friedrich: "I was around here when the parimutuel law was passed and we had a lot more farmers then and the farmers went along with these city boys to allow it to pass because of the Agricultural Premium Fund. And I'm concerned because we have a lot of county fairs in real trouble. If we... We've done it for civic centers and everything else. If we keep on raping that fund, we'll have a lot of county fairs out of business, and I want to know just exactly how this affects the Agriculture Premium Fund."

Cullerton: "Okav. this... That's a very good point. This Bi 11 the Agricultural does not affect Premium Fund. The Governor has suggested that the parimutuel tax be lowered that will affect the Agricultural Premium Fund to the and tune of about \$32,000,000 less going into it. Au+ thatte Governor's proposal, not in this Bill. This Bill only talks about breakage. The only thing that deals with money in this Bill is the issue of breakage and breakage, half of the breakage now goes into the General Revenue taking a little bit of that money, making it available for the building of these security harne-T+ does not affect the Agricultural Premium Fund."

Friedrich: "Thank you. We don't need any more problems there."

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

Flinn: "Ar. Speaker, let's stop horsing around. I move the previous question."

Speaker Greiman: "Gentleman from St. Clair moves that the previous question be put. Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The previous question be put. Ar. Cullerton, to

121st Legislative Day

Nav 22. 1986

briefly close. Mr. Kubik, to close."

- Kubik: "Thank you. Mr. Speaker. I proudly rise as a Cosponsor of this legislation. As you can see, there is some discussion on this legislation and I would like to let the know this was a.e. an extremely thorough investigation. Ne a number of meetings and we went out to the track. Мα listened to over 40 different witnesses, everything from veterinarians to track owners, to trainers, to horsemen. of the industry were involved seaments investigation and these hearings. And the bottom line on it all is. to be very brief because I think we have covered this Bill very extensively, the bottom line is if public policy of this state is to condone and have a gambling game such as horse racing or lottery. for example. but if the public policy is to have that kind αf interest. then it is the top priority of this Legislature and this government to make sure that those games are clean and fair. That's the bottom line, revenue aside, all the points aside. The bottom line is to make it clean and fair and that's what this legislation will do. this legislation, this package of legislation was designed to do and I would urge your "aye" vote."
- Speaker Greiman: "Question is, 'Shall this Bill pass?" All those in favor signify by voting 'aye', those opposed vote 'no'.

 Voting is now open. Hr. Giorgi, the Gentleman from Winnebago, to explain his vote."
- Giorgi: "Ar. Speaker, I think it's about time in our history that the record should show that every statement made here authentic. But in explaining my vote. I'd like not Representative Vinson to tell us what happened to those three drugged horses? Did they win the trifecta? Did they the daily double or what happened to those three drugged horses, Sam?"

121st Legislative Day May 22, 1986

Speaker Greiman: "Have all voted who wish? Have... Hr. Vinson, you spoke in debate."

Vinson: "I was just going to answer Mr. Giorgi's question."

Speaker Greiman: "Quickly."

Vinson: "The first horse, in the first race, that was drugged, won the race. The horse in the second race started biting the trainer and the jockey and was scratched from the card. They had given it too much of the drug. The horse in the third race, the same thing happened with. It bit the horse and the jockey, as... or the other horses and the jockey, as well, and it was scratched. So, they failed, but they tried."

Speaker Greiman: "Mr. Clerk, take the record. On this question, there are 106 voting 'aye', 3 voting 'no', 7 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page eight of the Calendar, Special Order of Business — Public Finance, appears House Bill 1442. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 14..."

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

Young: "Thank you, Madam... Mr. Chairman. I would move recommit House Bill 3344 to the House Revenue Committee for further hearings this summer on Interim Study. The City of Chicago has exhausted the limits of its home rule taxing power and it must seek alternatives. There is too strong a reliance on sales and utility taxes, which place disproportionate burden on lower income city residents. The ever-increasing demand on property taxes has much of a burden on homeowners and apartment dwellers. The business community, as exemplified by Barry Sullivan. Chairman of First Chicago Banks, wants to enter in dialogue with the City on its long-range tax problems. Sam

121st Legislative Day

Nav 22 • 1986

Mitchell, Director of the Chicago Commerce... the Chicago Association of Commerce and Industry, has indicated he would be interested in a summer summit on City finances. For those reasons, and others, I move to place this Bill in Interim Study."

Speaker Greiman: "Gentleman asks leave of House to place the House Bill... what is it, 3342, is that... 3244... 3344 on the Interim Study Calendar of the Committee on Revenue. Gentleman has leave. I would advise the Members that there forms in which they can commit their dill into the Interim Study Calendar of their respective Committees. And now. on the Order of Public Finance, appears Bil1 Mr. Clerk. read the Bill."

Clerk O'Brien: "House Bill 1442, a Bill for an Act in relation to revenue sharing. Third Reading of the Bill."

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

Braun: you, Mr. Speaker. Ladies and Gentlemen of the "Thank House, House Bill 1442 changes the revenue sharing formula the Local Government Distributive Fund from 1/12 to It will help cities and counties across the state to cope with federal... with cutbacks at the federal level and provides for a progressive tax distribution system to avoid property tax increases which are less progressive. The formula works on a per capita distributive basis every county in the city will benefit. I encourage your support for this legislation."

Speaker Greiman: "The Lady from Cook, Ms. Braun, moves for the passage of House Bill 1442. And on that, the Gentleman from Lake, Mr. Churchill."

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

Speaker Greiman: "Indicates she'll yield for question."

Churchill: "Representative, then this transfers an additional amount of money from the State of Illinois to local

121st Legislative Day

May 22. 1986

governments, is that correct?"

Braun: "That's correct."

Churchill: "And what local governments receive those funds?"

Braun: "All local... all counties and cities in the state."

Churchill: "And do you have any idea on how much money this would 'be?"

Braun: "It's estimate... there are a couple of estimates, but the general... generally accepted estimate is about \$57,000,000."

Churchill: "So, in other words, what we are doing is we are tranferring \$57,000,000 of state dollars to the local governments in this Bill?"

"It is essentially a shifting that will allow for some Braun: property tax relief on the local level. The state stands from a... really changes in the federal tax laws. The changes having to do with the IRA deductions. changes having to do with accelerated depreciation and the like, will provide arguably a windfall t o the state. this does is allow for some of that windfall to be Δ11 recaptured at the local level. I would... I would call your attention, Representative Churchill, to an article in Crane's Chicago Business this last week that talked and talked about the general shift and how the local governments could use this kind of relief."

Churchill: "Okay, you are talking about the shift on the present

Bill that's in the... just come out from the... it's still
in the Senate, I believe."

Braun: "Right, that's right."

Churchill: "So, in other words, that has not passed Congress. We don't know whether it will pass Congress. We don't know in what form it will pass Congress and you are representing that this Bill is based on what you think is going to come out of Congress?"

121st Legislative Day

May 22, 1986

Braun: "No, Sir. No, Sir. This 3ill is based on state law, in the first instance, and will effectuate a shift in state law. I'm only suggesting to you, in response to your last question, that it is not... it will not adversely affect the revenues of the state even if only some of the changes that are now being proposed in Congress, which we are likely to see, even if only some of those changes go into place."

Churchill: "And then, of course, that does not take into effect
Gramm-Rudman and the impact that Gramm-Rudman may have on
the state."

Braun: "That's right."

Churchill: "So, in other words, if the state ended up losing more money because of Gramm-Rudman, which I think I have heard Members of your side of the aisle say for several days now, even if we do get this new Bill out of Congress, which nobody knows whether it will or will not come out of Congress at this point, we still could end up with deficits for the State of Illinois and this creates an even further deficit."

Braun: "Well. response. with regard to the Gramm-Rudman and the federal budget, I would remind you, Representative that every local government is also feeling the effects of Gramm-Rudman. In fact, it has been suggested that the impact of that... those federal tax changes, the federal budget, as well as Gramm-Rudman, which by the not triggered in yet, that those effects will be more greatly felt at the local level even than at the state level. as such this kind of a shifting, increasing the Local Government Distributive Fund, again, will help every local government, every county in the State of Illinois on a per capita basis."

Churchill: "And can you tell me, I notice from recent issues of

121st Legislative Day

May 22, 1986

the paper that there are some proposals at the local level in the City of Chicago to raise taxes. How much of this 60... \$57,000,000 shift goes to the City of Chicago?"

Braun: "The City of Chicago, specifically, out of the \$57,000,000 figure that I've just given you, the City is on a per capita basis would receive in the neighborhood of 15."

Churchill: "\$15,000,000?"

Braun: "15,000,000 out of 57."

Churchill: "Okay, but then they won't really need this any more, now that they have the local tax increases?"

Braun: "No, Sir, because this will obviate the need for reliance, further reliance on the property tax. I would remind you that other revenue proposals for local government, such authorization of income taxes on a city basis and the like. Bills have been referred back to Interim Study. are not going to act on them at this time. But the point is not just for the City of Chicago, although it obviously is the largest city in the State, it has a lot at stake in issues like this, but for all of our local governments. Federal Government shifts responsibility back, as the Reagan Revolution, to use the term, new federalism shifts the responsibility for program funding back to the states and then back to the local level. the local are the least capable of governments making the difference without relying on federal... on property taxes. So, if we are going to have a progressive tax structure, it makes sense to have some sharing, as Crane's Chicago Business suggests, some sharing of the revenue sources which have been made available to state and local place. This Bill only affects a sharing governments take or only affects the sharing relationships between the state and the local governments in this... in this state аt the time, and again, every county, every city will benefit."

121st Legislative Day

May 22. 1986

Bill. Churchill: "Mr. Speaker. to the I think the Lady's argument is fallacious. On the one hand what she says impact of federal decisions are going to cause a the loss in revenues to the local governments if those if the loss does occur. but then when I ask questions about whether or not the state is going to money, then the answer I receive is if there is a tax Bill that does come out of Congress and if certain then the state will receive the money to compensate it for any potential loss in this Bill. Well. I don't think it's going to go either wav. T don't ... don't see how you can say the state's going to get the money, but the locals aren't going to get the this point, we have a \$57,000,000 shift from the State of Illinois to the local governments. I don!t think that we are in a position in this state today to be able to afford that kind of shift and, therefore, I would opposed the Bill and ask people to vote 'no' on it."

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

Keane: "Thank you, Mr. Speaker. I think on this Bill all anina to have to make up our own mind. \$57,000,000 hit on the General Revenue. However. what a11 of us who have been following the Washington scene are well the fact that the present administration not aware of ic only zapped state and local governments in the last in their budget. but there all... we are also take a \$40,000,000,000 hit in Gramm-Rudman this September. We will then get down to a deficit οf approximately. in the federal level. o f \$140.000.000.000 and in the next years. the federal cuts are going to be even more substantial. The President his budget over to Congress and they have done some drastic but what he did was he increased defense surgery on it,

121st Legislative Day

May 22. 1986

domestic spending. reduced spending 50 that when Gramm-Rudman was applied to his budget, defense came out relatively untouched and domestic spending went down more than he wanted. While the Senate has rebelled on that has changed it substantially, we are uping to have the same situation over the next three or four years or until when Gramm-Rudman is totally implemented and the 1991. Federal Government comes to a balanced budget. This kind legislation is going to be needed simply because local government does not have the tax options available it that State Government does. I agree with the previous speaker. We have had... it's the very... it's verv to sit in this chamber and vote for tax relief and we, in Revenue Committee, have resisted a lot of tax relief Bills simply so that we could keep the state solvent. think we ought to keep the state solvent and then come up with some priorities. If the Bill does not get passage. think it's a starting point for discussions that we should have to determine how we are going to meet the reduced revenues we are going to get from the Federal Government, both in state and local governments. Thank you."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I don't disagree with the analysis that was made by the previous speaker and particularly his reference to the prior speaker. But I would suggest to you that on the basis of the budgets which are passing through this Legislature and for whom we have direct... or for which we have direct responsibility, there isn't a Member on the floor of this House that doesn't know that there aren't

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

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that our first

dollars in the coffers to pay our own bills, and

enough dollars

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coffers, nor will there be enough

responsibility has

121st Legislative Day

May 22, 1986

commitments that we make as a Body through the Amendment I don't question the sincerity with which the Bill is introduced and I don't necessarily disagree with previous Sponsor or the previous comment reference to the local government situation. But in one area alone, in the area of education, the Governor has said 250,000,000 new dollars. The State he has Board Education has asked for \$362,000,000 just in that one area Just in that one area alone, this entire difference be swallowed up. And so, with... with that in mind, I rise and suggest that this is a problem we need to think about and we need to consider, but that needs to be done in different time frame than the one we are in right now because a month from today, we are going to closer to recognizing the reality that we are faced with the old economic problem of unlimited wants scarce resources. I would suggest to you that we cannot share these resources with anyone else at this time and rise in opposition to this legislation. with all due respect to the fine Sponsor of this Bill."

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

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

Speaker Greiman: "Yes, the Gentleman from Madison moves the previous question be put. Those in favor say "aye", opposed "no". In the opinion of the Chair, the "ayes" have it. The Lady from Cook, Ms. Braun, to close."

Braun: "Thank you, Mr. Speaker. One of the previous... speakers spoke of our first level of responsibility. Well, it seems to me our first level of responsibility is to the people who elected us, to the taxpayers back home. If you care about police services, if you care about fire services, if you care about fire services, if you care about the kinds of services that local governments provide, but that they don't have the money for now because

May 22, 1986

of cutbacks on the federal level, then you will vote for this Bill. If you care about property taxes and you don't want to see them go up, then you will vote for this Bill. This Bill is urgently needed now to make up for cutbacks that have already taken place, as well as cutbacks which we see on the horizons which are not just projected but which are to be expected within this next fiscal year. I encourage your support for House Bill 1442."

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

 Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk... yes, I'm sorry. Mr. Young, one minute to explain your vote."
- Young: "Yes. Mr. Speaker. In an effort to get more green on the board, I'd like to remind the Members of this Assembly that this is not a Chicago Bill. This is a Bill for the state. The 57,000,000 in revenue sharing, only 15 of those would go to Chicago. That's 42,000,000 to local governments. This is a good Bill for governments who don't have the wherewithal of the state withstand the federal crunch and this is a good vote for all the downstaters on this side of the aisle whose local governments need this revenue sharing. I urge an 'aye' vote."
- Speaker Greiman: "Gentleman from DuPage, Mr. Hensel, one minute to explain your vote."
- Hensel: "Thank you, Mr. Speaker, Members of the House. As everyone is aware, many of our local governments need more money to provide vital services and to pay for expensive liability insurance, but this Bill does not completely solve the current crisis. Local governments did get some good news yesterday on the insurance front. The Illinois

May 22. 1986

ruled that in some cases municipalities cannot be held negligent if they participate in a poolhigh court's ruling insurance While the is encouraging, i t also underscores the fact that OUT not received any relief in this area. businesses have just points out the urgency with which we need t o act t n resolve this issue. My recommendation is that we start right now and work together getting the insurance Body in order help municipalities hefore this to acquiring much needed liability insurance at a fair rate."

Speaker Greiman: "Have all voted who wish? Gentleman from Cook,

Mr. Huff, one minute to explain your vote."

Huff: "Thank you. Mr. Speaker. Ladies and Gentlemen of the House. This vote most clearly indicates that half of are willing to face the future and the other half wants to stav in the Ar. Speaker. Clearly, the effects of the past. Gramm-Rudman Bill is going to impact on this state and it's going to require us to change our mind set with regards t o And those of you who don't want to deal with the budgets. problem today will most certainly have to deal I would suggest that there are a lot more things going to have to do with regards to some of the special interests that we have been taking care of in this don't want to suggest what we should do now state. because it might give you a heart attack, 56 but those green votes are on the right track. I'd like to get some more green votes up there. please."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Have all voted who wish? Hr. Clerk, take the record. On this question, there are 58 voting "aye", 53 voting "no". Ms. Braun."

Braun: "Can I have a Poll of the Absentees, please?"

Speaker Greiman: "And the Clerk will poll the absentees."

121st Legislative Day

May 22. 1986

Clerk O'Brien: "Poll of those not voting. Pangle. No further."

Speaker Greiman: "Mr. Nash votes 'aye'. Mr. Ryder, for what purpose do you seek recognition?"

Ryder: "In the event that it receives the requisite number of votes. I request a verification."

Speaker Greiman: "Alright, fine. So, have all voted who wish?

Have all voted who wish? Have all voted who wish? Mr.

Clerk, take the... take the record. And on this question,

there are... As. Braun, for what purpose do you seek

recognition?"

Braun: "Go ahead."

Speaker Greiman: "Okay, on this question there are..."

Braun: "Postponed Consideration, Speaker."

Speaker Graiman: "... there are 59 voting 'aye', 52 voting 'no',

4 voting 'present', and that Bill will be placed on the

Order of Consideration Postponed. On the Order of House

Bills Third Reading, Public Finance, appears House Bill

2821. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2821, a Bill for an Act to amend an Act in relation to the founding and operation of the University of Illinois Hospital and the conduct of the Illinois University Health Care Programs. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Ar. Ronan."

Ronan: "Thank you, Mr. Speaker. I'd like to bring this Bill back to Second Reading for a couple of Amendments."

Speaker Greiman: "Gentleman from Cook, Mr. Ronan, asks leave of the House to return this Bill to the Order of Second Reading for an Amendment. Gentleman has leave. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Amendment \$1, offered by Representative Ronan."

Speaker Greiman: "The Gentleman from Cook, Mr. Ronan, on

Amendment \$1."

121st Legislative Day

May 22, 1986

- Ronan: "Thank you, Mr. Speaker. Amendment #1 makes this a shell

 Bill. I move for the adoption of Amendment #1."
- Speaker Greiman: "The Gentleman from Cook, Mr. Ronan, moves for the adoption of Amendment \$1. On that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"
- Clerk O'Brien: "Floor Amendment #2, offered by Representative Ryder."
- Speaker Greiman: "Gentleman from Horgan, Mr. Ryder."
- Ryder: "Thank you, Mr. Speaker. Amendment #2 completes the shell
 by inserting the important segment which would read, 'for
 every dollar expended by University of Illinois Hospital,
 in providing charity care to medically indigent patients,
 the state shall reduce the amount of the University's debt
 to the state by one dollar.'"
- Speaker Greiman: "Gentleman from Morgan, Mr. Ryder, moves for the adoption of Amendment #2 to House Bill 2821. And on that, is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"
- Clerk O'Brien: "Floor Amendment \$3, offered by Representative Ryder."
- Speaker Greiman: "Gentleman from Morgan, Mr. Ryder..."
- Ryder: "Withdraw, please. Withdraw."
- Speaker Greiman: "••• withdraws Amendment 3• Further

 Amendments?"
- Clerk O'Brien: "Floor Amendment 34, offered by Representative Ryder."

Ryder: "Withdraw."

121st Legislative Day

May 22, 1986

Speaker Greiman: "Gentleman from Morgan withdraws Amendment 4.

Further Amendment?"

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

Ryder."

Rvder: "Withdraw."

Speaker Greiman: "Gentleman from Morgan withdraws Amendment #5."

Rvder: "Al."

Speaker Greiman: "Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Gentleman from Cook, Mr. Ronan, asks leave of the House to waive Rule 37(c) so this matter may be heard at this time. Gentleman have leave? Leave is granted. Mr. Clerk, read the Bill on Third Reading."

Clerk O'Brien: "House Bill 2821, a Bill for an Act to amend Sections of an Act in relation to the founding and operation of the University of Illinois Hospital. Third Reading of the Bill."

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

Ronan: "Thank you, Ar. Speaker. As stated verv clearly, Amendment #2 is now the Bill. What we are trying to do is straighten out the situation with a debt incurred University of Illinois. They do provide a tremendous amount of care to indigent people in the City of and the County of Cook, and, in fact, around the State of Illinois. This is a fair and equitable compromise. like the Bill over to the Senate so that we can review to move it in the fall. Thank you very much and I move for the passage of House Bill 2821."

Speaker Greiman: "Gentleman from Cook, Mr. Ronan, moves for the passage of House Bill 2821. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is open and this is final

May 22, 1986

action. Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 103 voting 'aye', 9 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Third Reading, Public Finance, appears House Bill 2937. Hr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2937, a Bill for an Act in relation to bonds pertaining to State Occupation Use and Motor Fuel Taxes. Third Reading of the Bill."

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

Vinson: "Yes, Mr. Speaker. I don't have my page open to the right point on the Calendar. Can you tell me, has an Amendment been adopted to this Bill? Yes, I see it was adopted. Thank you."

Speaker Greiman: "Amendment #2 was adopted, Mr. Vinson."

Vinson: "Thank you. Mr. Speaker, Ladies and Gentlemen of the House, this Bill originally, as it was introduced, would have removed the need for petroleum distributors and retailers to supply surety bonds as a condition of ROT license or a motor fuel distributors license with the Department of Revenue. The Department of Revenue questions in regard to it because of their concern some that i F there is not some requirement for financial security that taxpayers may evade the law and that the proper taxes may not be collected. As a consequence, Bill was amended yesterday so as to provide that any for 24 consecutive who has months in compliance with the sales tax laws or the motor fuel laws would then not have to provide a surety bond to get their Particularly with licenses. regard tο motor fuel distributors, there has been a very serious problem cancellations... the lack of availability of these bonds.

121st Legislative Day

May 22, 1986

And one of the two carriers who have traditionally written these bonds have now informed the industry that they are withdrawing from the writing of these bonds in Illinois. This provides for a way of assuring that the Department shall receive its revenues and for permitting the motor fuel distributors particularly to remain in business and to be able to get their licenses. For those reasons, I would urge that the House adopt House Bill 2937, and am prepared to answer any questions."

- Speaker Greiman: "Gentleman from DeWitt moves for the passage of House Bill 2937. 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 Voting is now open. This is final action. wish? Have all voted who wish? voted Have all voted who wish? Mr. Clerk, take the record. On this question there are 108 voting 'aye', none voting 'no', none voting *present*. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills. Third Reading, Public Finance, appears House Bill 3022. Mr. Clerk, read the Bill."
- Clerk Leone: "House 3ill 3022, a Bill for an Act relating to county and municipal jails. Third Reading of the Bill."
- Speaker Greiman: "Gentleman... Gentleman from Saline, Ar.

 Phelps."
- Phelps: "Thank you, Mr. Speaker. House Bill 3022 gives us a chance. Those of counties in which we live that have had the mandate for the Department of Corrections and of this state to come in compliance with the physical standards of the jails that do not meet those now. What I have attempted in this 3ill to provide the funds available for the counties that have been cited as being in noncompliance of the physical facilities standards of their jails. Many

121st Legislative Day

May 22, 1986

the counties. not only in my district, but throughout this state, cannot, by their own means, meet the imposed upon them to comply with the upgrading of the jails their own means, by their own standards, their funds. They just cannot do it. Last year, I nassed legislation this House that tried to address by counties that could not in their economically distressed situation meet these guidelines to try in an effort to unify, consolidate in a... in a concept known as a regional jail. That passed out of here overwhelmingly and the Senate and i t the Governor's desk. He saw fit to veto it. I come back now saying if the ... if the requirements are still stringently that we have to comply, even at the extent of being taken to court, by which the DOC has actually the Attorney General to look at in many counties, then we need to come to the rescue when we can. And this bond authorization will make grant entitlements available through the Capital Development Board and the DOC up maximum of nine percent. Now, the Amendment that I... the last Amendment that has been approved became the which actually sets up criteria to say how much of the percentage of that 90 maximum will counties that are now in noncompliance and have been cited, either... some of them omo2 of them have to meet by 1990 are in court now. deadline the physical standards. What percentage o f reimbursement will they be eligible for if this legislation would pass? And the criteria which I introduced Amendment 3 made available the criteria that DOC and the Capital Development Board together are not limited to those but will at least give some guidelines on four criteria. which counties would be more qualifying to bigger percentage a more realistic percentage, depending on their economic situation. I appreciate your vote in support

May 22. 1986

this legislation."

Speaker Greiman: "Gentleman from Saline moves for the passage of House Bill 3022. And on that, is there any discussion?

The Gentleman from Macon, Ar. Dunn. Representative Braun, in the Chair."

Dunn: "Thank you. Mr. and Madam Speaker. I rise in support οf this legislation because as the Sponsor has indicated there mandates on a number of counties around this state to construct jails. We talk a lot here in this about imposing costs on local government and then doing nothing about it. These mandates really have come from the Federal Government, but they are passing to the local units of government, to local countles Department of Corrections. Our Department Corrections is mandating each of these respective to do certain things, all of which are costly, and I commend the Sponsor for introducing this legislation to provide help and support to the beleaguered counties who are mandated to do this, many of which just don't have the funds to comply with the mandate without outside help. Jails are not popular to begin with. de are not talking We are not talking about dredging about building roads. He are not talking about canals and bridges. not talking about theaters. We are talking about something which has to be done and the counties were to do it. Counties have lost a lot of sources of mandated revenue recently. They badly need this help and I would respectfully ask for your help and support with an *aye* vote on House Bill 3022."

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

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

Indicates he will. Representative Phelps, if you would,

121st Legislative Day

May 22, 1986

Greg, Representative Phelps, would you tell me if Amendment #3 addresses the issue that was asked earlier on Bill that was referred back to this Bill, I believe, on the issue of those counties who have been severely impacted, usually in the metropolitan area, beyond even the standard equivalent raise... raising of standards for... by DOC and the Federal Courts, those that have already procedure, sometimes quite extensive, beaun the for instance, in our county, we have just funded a \$25,000,000 public bond... or public building commission bond issue for Are we going to get any thing back if your iail. Bill succeeds?"

Phelps: "Representative Davis, I made an error on referring to Amendment number; however, there was an Amendment passed that imposed the criteria that I hope would help clean up the Bill. But, nevertheless, in answer to your question, the... any county that has started construction completed or now in construction that had been cited by the DOC...."

Davis: "Prior to the construction..."

Phelps: "...since July 1, 1980, would be eligible for some reimbursement. The criteria that I had passed in the Amendment yesterday only gives some guidelines but are not limited to those for the DOC and CDB to say your county would get so much percent based on your wealth or economic distress."

Davis: "Based on wealth or economic distress?"

Phelps: "In other words, your economic base according to real estate values, average annual growth of county's tax base, per capita income, average annual growth in retail sales, as well as other things that would be indicative toward need, what percentage of help. Now, DOC and CDB may say that you don't... you are not eligible for any. They may say you are eligible for ten or 50 percent. That's based

121st Legislative Day

May 22. 1986

upon the criteria and authority that they would be having." Davis: "Well. I'm not sure I understand. I maybe even vote for the Bill because of the posture that we are in in my county and because of the aggressive posture taken to correct the deficiencies where DOC has said county jail was totally unacceptable. There our nothing we could do about because it was in a basement and we've got to get sunlight to it and it's pretty hard to We've got to do a number of other things the Federal and DOC has already said through the Federal Courts Courts that we must do and from what you have said, however, since we are a growth county, your criterion for receiving grants to recompense for a total new jail construction may in county because we are a growth county. by vour financial criterion you put in of wealth and But we bite... we bit the bullet and now and whatever. have a public building commission that has a tax levu our citizens for exactly what you are talking about. to reconstruct a jail to meet the standards from the and DOC and yet we can't come back and reclaim money because we are going to tax our citizens because we wealthy. are Is that what you are saying? We're not."

Phelps: "Representative Davis, when was the jail built? Does it come into the July 1, "80 date that I have referred to?"

Davis: "The one we are building now? It hasn't been built yet.

It's just under... it's getting ready to go."

Phelps: "This provision would make you at least eligible; whereas, at this time, there is no chance for any state help. So, at least..."

Davis: "Oh, I understand that."

Phelps: "So, at least, you'd have something to gain. But the

July 1, 1980, date that I referred to are those who did

121st Legislative Day

May 22. 1986

start in... not necessarily new construction. It could be reconstruction, remodeling or whatever, since July 1, 1980."

Davis: "Hhat's the estimated fiscal impact if every jail in the state qualified? You got any idea? Do you have a fiscal note on this?"

Phelps: "Yes, I do."

Davis: "What is it?"

Phelps: "The fiscal impact, of course, \$75,000,000 is the initial purpose, but the general obligation debt would be 134.6..."

Davis: "A hundred..."

Phelps: "\$134 million point six."

Davis: "134 million. Well, 25,000,000 of it is going to be spent in my county by us. I don't see that there is a whole lot here for my county, so I'm afraid I'm not going to be able to support the Bill. I agree with you that the only To the Bill, Madam Speaker, the only chance that... that some of us have who have aggressively taken a posture of creating a tax climate that's unpopular for this purpose because we thought we ought to do that and ought to get about it, that there's no chance really for under your Bill. It looks to me like this is a Bill that's downstaters who don't want to bite the bullet and tax their people anymore for the jails. I'm sympathetic to the I think DOC and the Federal Courts are crazy most notion. of the time on this stuff, especially the Federal Courts. Nevertheless, I don't think I can support the Bill I don't think my county will get a damn dime out of it."

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

Keane: "Thank you, Madam Speaker. Question of the Sponsor?"

Speaker Braun: "He indicates he'll vield."

Keane: "How much will the increase the general obligation of the

121st Legislative Day

May 22, 1986

state?"

Phelps: "6.45 percent. I'm sorry... million dollars, 1.5

percent."

vou. Τo the Bill. Keane: "Alright. Thank tremendous arowth in the debt per individual within the State of Illinois. Last year, the Auditor General put out on what has become a startling growth in the amount of general obligation bonds, Build Illinois kinds of bonds which. in effect. do not have a revenue source attached to them other than the arowth within the State Government. As we continue to bond. rather than pay as we go, we are driving future generations into a similar problem that the Federal Government Federal Government experiencing. The dida... wasn't too far... it wasn't too long ago, that many vears ago. that Federal Government did not have an unmanageable debt. They found themselves running to \$200,000,000,000 i n He've got ... I don't know how many trillion deficits. dollars of debt and they are now trying to work their out of it. I would think that the State of Illinois should avoid the same traps by passing... the trap of passing on to future generations the things that we want to do our appetites and vote against Bills like this unless we have some kind of an agreed bonding process that off bonds, we then float new ones and we do it on some type of logical priority basis. And, while I have a deal of respect for the Sponsor, I, unfortunately, will have to vote 'no', and would urge my colleagues also to vote 'no'."

Speaker Braun: "Is there further discussion? The Gentleman from McLean, Representative Ropp."

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

Phelps: "Yes."

121st Legislative Day

May 22, 1986

- Ropp: "Earlier today, we passed a Bill which stated that whenever the state mandated a particular program, that dollars would follow through with it. What effect does that passage have on your 3ill?"
- Phelps: "I believe, if you are referring to Representative

 Cullerton's 3ill, in answer... his answer to the question

 was, it could provide some help, but I do not know to what

 extent at this point."
- Ropp: "Okay. Another question. With your proposal, as you have it, what prevents a county who is operating a jail to just allow it to become run down and not cared for, knowing that the state would come forth with extra dollars to take care of it? This... This certainly could be a way in which a county could balance their county budget by not normally keeping up their jail in good repair as they should."
- Phelps: "In answer to your question, it's the same question T asked when the DOC was making their six months inspections throughout the counties and were in my district. And the I get is that the major thing. I think, which came from the federal mandates is the segregation of misdemeanant and felons, have caused a lot of the problems. And until that is somehow reconciled. be... those counties are going to be cited as in going to these noncompliance: therefore, each one οf public officials are held liable and that's a very uncomfortable situation and we are losing a lot of good people county level. So, I see it as if the DOC can do their job with the criteria which I have imposed in this Bill, they ought to be able to detect sincere noncompliance with fabricated."
- Ropp: "Well, I think it's a bit difficult to have that value judgment as a part of the Bill and I guess I would think that the Bill would be improved somewhat substantially if

May 22. 1986

there was some kind of a provision where counties would come up with a few dollars which would then be matched by state dollars to meet the requirements because, as I understand this particular Bill, it certainly does not encourage the maintenance, the upkeep of an existing jail, which to many people who might be on a county board would say, well, we don't have to do anything because the state's going to come in an fix it. And for that reason, I oppose the Bill."

Speaker Braun: "Is there further discussion? The Gentleman from Rock Island, Representative DeJaegher."

Dejaegher: "Thank you, Madam Speaker. Dave, with all due respect to you, and I am a Cosponsor of this particular listening to floor discussion. there was an item that Mr. Davis brought up that you have basically changed the on who could qualify for reimbursement. criteria And this is one of the items that disturbs me somewhat. You reference to wealth. growth and et cetera. Rock Island County had a unique problem. They were cited by the Federal Government that a new jail must be constructed. They took the issue to the voters OΠ three separate occasions and on three separate occasions they were turned It was nat receptive... the taxpayers were receptive to building a new jail. So, then they... of course, they created a building commission and through the of a building commission, this particular project was funded and it was just in operation for just about SIY months now-These is one of my concerns. Here, even though I am receptive to you, since the initial input construction of that particular jail, Rock Island has fell on hard times. In fact, it's probably one of depressed counties in the State of Illinois, and for some particular reason, it seems like it's the Forgottonia αf State of Illinois. And if your particular Bill should

121st Legislative Day

May 22. 1986

guidelines which I have

believe

hears become into laws I feel that these people in this particular county should be reimbursed somewhat for what they have taken. They have taken the initiative, they have built the jail and I'm a little bit concerned ahout the additional wording that's been put into this particular Bill where it wasn't in before. And can you give me idea of why that additional wording was put into the Bill?" Phelps: "Representative, the criteria outlined was iust some basis to have to show that we are concerned and that the חחר CDB have some way to determine, and the some distinction with those counties that are in need than others and... and all the background, I believe, into consideration. will taken He haveas the Departments of this state have a lot of flexibility as they stand now with policy and I was hoping that this... that these agencies will have the same type of authority and

Speaker Braun: "Is there further discussion? There being none, the Gentleman from Saline, to close."

would... would probably get the fair consideration

flexibility with some type of

that you have reflected upon."

outlined here to have and based upon that. I

Phelps: "If it is a priority of this state to say... to force counties, regardless of their economic situation and say you must build jails to comply with these standards, then I believe, as I have consistently voted in today's Bills in which a former speaker referred to, that it is the state's responsibility to at least provide much, if not most of the funds, which this is not asking... the counties will have some local responsibility and that degree of responsibility is outlined according to need, which I think is obvious to all of us. It does not take a smart person to know which

May 22. 1986

county is able to afford how much of their tax base for what services they provide for their citizens. I am asking a fair assessment of your county and counties of which if the priority VOL represent and bν this state is outlined, that we must have jails up to these type of standards, then let's meet them more than halfway. This requires three-fifths vote because we are authorizing bonds and I appreciate your support."

- Speaker Braun: "The Gentleman has moved the passage of House Bill 3022. All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted? Have all voted? Have all voted who wish? The Clerk will take the record. On this question there are 65 voting 'aye', 46 voting 'no'. The Gentleman from Saline."
- Phelps: "Madam Speaker, this needs 71 votes and for those people that are wondering, on both sides of the aisle, the counties that are in noncompliance that must come in compliance either this year or by the time table 1990. They cover a lot of counties that represent both sides of the aisle and I believe it would be in VOUL best interests to really listen to your constituents when they... the bonds in your own county will have to be... be passed and, therefore, they will be absorbing upon already is property tax saturation now. So. I really appeal to your kindness for your own county. It's not It's for your own county and I appreciate 71 votes lining up there because we really need it for each county."
- Speaker Braun: "For what reason does the Gentleman from Vermilion. Representative Black... Representative Black changes his vote from 'no' to 'aye'. From 'no' to 'aye' for Representative Black. The Parliamentarian has just examined this legislation and concurs that the Bill takes 71 votes for passage. Have all voted? The Clerk will take

121st Legislative Day

May 22 . 1986

the record. On this 3ill there are 66 voting 'aye', 45 voting 'no', 4 voting 'present'. What is your pleasure, Representative Phelps?"

Phelps: "Poll of the Absentees, please,"

Speaker Braun: "The Gentleman requests a Poll of the Absentees."

Clerk Leone: "Representative Klemm is the only Member who is not voting."

- "Alright. On this Bill there are 66... for what Speaker Braun: reason does Mr. Pangle rise? Mr. Pangle votes 'aye'. Pangle has voted *aye*. Thank you. On this Bill there are 67 voting 'aye', 45 voting 'no', 3 voting 'present'. Bill... the Gentleman requests that this Bill be placed the Order of Postponed Consideration. House 3ill 3032. Representative Laurino. Representative Laurino. Mr. Clerk, read the Bill."
- Clerk Leone: "House Bill 3032, a Bill for an Act in relationship to occupation and use taxes. Third Reading of the Bill." Speaker Braun: "The Gentleman from Cook."
- Laurino: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Has Amendment \$8 been printed and distributed?"
- Speaker Braun: "Amendment 8 has been printed and distributed."
- Laurino: "I'd request at this time to bring House Bill 3032 back
 to Second Reading for the purpose of an Amendment."
- Speaker Braun: "The Gentleman requests leave to return House Bill 3032 to the Order of Second Reading. Does he have leave?

 Leave is granted. Mr. Clerk, read the Bill."
- Clerk Leone: "House 8ill 3032, a Bill for an Act in relationship
 to occupation and use taxes. On the Order of Second
 Reading has been said... read a second time previously.

 There are no Motions. Next Amendment is Floor Amendment
 37, offered by Representative Ronan and Laurino."
- Speaker Braun: "The Gentleman from Cook, Representative Ronan."

 Ronan: "Madam Speaker, I move to withdraw Amendment #7."

121st Legislative Day

Hay 22, 1986

Speaker Braun: "Amendment 7 is withdrawn. Further Amendments?"

Clerk Leone: "Floor Amendment #8, offered by Representative

Ronane"

Speaker Braun: "Gentleman from Cook, on Amendment 8."

you, Madam Speaker. I move for the adoption of Ronan: "Thank Amendment #8 to House Bill 3032. He had a Supreme decision last year that stated that any local taxes. municipal taxes that are collected by the state. anv generated from those taxes should be returned to revenue the municipality. This will put this Bill in conformance with that Supreme Court decision. I move for the adoption of Amendment #8 to House 3ill 3032."

Speaker Braun: "The Gentleman has moved the adoption of Amendment #8 to House Bill 3032. On that, is there any discussion?

There being none, the question is, 'Shall Amendment 8 be adopted?' All in favor say 'aye', opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

Speaker Braun: "No further Amendments. Third Reading. The Gentleman asks leave for immediate consideration of House Bill 3032 on the Order of Third Reading. Does he have leave? Leave is granted. Hr. Clerk, read the 3ill."

Clerk "House 3ill 3032, a Bill for an Act in relationship to occupation and use taxes. Third Reading of the Speaker Braun: "The Gentleman from Cook, Representative Laurino." Laurino: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 3032 attempts to close the loophole the Local Use Tax Act because it cannot be collected on sales tax in Illinois of non-titled items from out-of-state places a... the border area retailers. Ιt Illinois retailers and wholesalers at a competitive disadvantage against out-of-state retailers and wholesalers. The

121st Legislative Day

May 22. 1986

difference can be anywhere from one to three percent. The state use tax is collectible on sales to Illinois consumers from out-of-state sellers. Therefore, this 3111 proposes to have the state impose the use tax on behalf of the local governments and of the state itself. This will not only provide some protection to our border area cellers. hut will increase local revenues as well. In addition, as amended, the Bill gives the Department of Revenue the power to assess sales tax on out-of-state retailers Illinois consumers by advertising by mail order sales. ask for your favorable support."

Speaker Braun: "The Gentleman has moved the passage of House Bill 3032. And on that, is there any discussion? The Chair recognizes the Gentleman from Lake, Representative Churchill."

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

Speaker Braun: "He indicates he will."

Churchill: "Representative, does this impose a new state tax?"

Laurino: "No."

Churchill: "Does this cause the imposition of a local tax?"

Laurino: "In some places."

Churchill: "And approximately how many places will there be a new municipal or local tax?"

Laurino: "There's a few communities and counties that don't impose a tax now that probably should be."

Churchill: "So, can you tell me, in how many counties will this impose a new tax?"

Laurino: "Approximately eight."

Churchill: "Eight. And in approximately how many municipalities will this impose a new tax?"

Laurino: "About 113. It's not a new tax. It's a tax that they
are not occupying to their best advantage right at the
moment."

121st Legislative Day

May 22, 1986

Churchill: "Alright, so what you are saying is that these counties, the eight counties and the 113 municipalities presently choose not to have a tax and what we are doing in this Bill is that we are mandating that those eight counties and 113 municipalities impose a tax they have chosen not to impose before?"

Laurino: "Some of them are imposing the tax, but not to the full extent."

Churchill: "Okay, thank you very much."

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

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

Speaker Braun: "Indicates he will."

Didrickson: "Representative Laurino, does this... you mentioned something about out-of-state retail sales in the State of... in the State of Illinois. Does this correct that situation where many of us have received letters regarding North Carolina furniture companies coming in, allowing our... suggesting that our customers go shop local furniture stores and then get the number and then order through the catalogs so they can avoid the sales tax...

Laurino: "That's exactly what Amendment #4 did."

Didrickson: "Thank you very much."

Speaker Braun: "Is there further discussion? There being none,
the Chair... Gentleman from Cook, to close.

Representative Laurino, to close."

Laurino: "Well, I don't think there's any necessity to plead a case that is going to raise money for the municipalities and the state itself. I just ask for your urging an 'aye' vote."

Speaker Braun: "Gentleman moves the passage of House Bill 3032.

121st Legislative Day

3av 22. 1986

All in favor vote 'aye', opposed vote 'no'. The voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted? The Clerk will take the record. On this question, there are 63 voting 'aye', 48 voting 'no'. This Bill... House Bill 3032, having received the Constitutional Majority... Representative Didrickson."

- Didrickson: "I unavoidably pushed the wrong button and I would like to be recorded as 'aye' on this Bill, please."
- Speaker Braun: "Representative Didrickson changes her vote 'ave'. Again, to the Membership, if you want t o recognition, press the button so I can see it before start velling. The Lady from LaSalle votes Representative Breslin changes her vote from 'no' to 'ave'. Representative Pangle changes his vote from *no* to Representative Kirkland votes *no*... changes his vote from 'ave' ŧο *no** Representative "aye". Mavs votes Representative Barger changes his vote from 'aye' to 'no'. Representative Mulcahey votes "no", changes his vote from 'ave' to 'no'. Representative Younge votes Wyvetter Younge. Representative Black changes his vote from 'no' to 'aye'. On this Bill. there are 67 voting 46 voting 'no'. House Bill 3032, having received the Constitutional Majority. is hereby declared passed House Bill 3217, Representative Currie. Mr. Clerk, read the Bill."
- Clerk Leone: "House Bill 3217, a 3ill for an Act to amend an Act in relationship to the Chicago Park District. Third Reading of the Bill."

Speaker Braun: "The Lady from Cook."

Currie: "Thank you, Madam Speaker and Members of the House.

House Bill 3217 authorizes the second half of a ten year

bond authorization for the eight museums on Chicago Park

District land. The 26 million dollar bond authorization is

121st Legislative Day

May 22, 1986

matched by private sector contributions. to be These museums are our states greatest tourist attraction. bringing in some 9,000,000 people... 9 to 10,000,000 people everv vear and the buildings in the case of each of the eight museums is rather elderly. Capital improvements appropriate and necessary. Wе first began this program about four years ago. Given the dollar for dollar match and given the promise of the beginning of this program four ago, this legislation is appropriate. It will enable the museums to plan for private sector giving so they match these dollars. The capital improvement projects are already underway. The tax implications in this 8111 The Civic Federation, the watchdog of all of our purses and pocketbooks, does not oppose this legislation Bill has strong support, not only from the eight museums, but from the Chicago Park District and Chicago Association of Commerce and Industry. I'm happy to answer any questions and I would appreciate your support for House Bill 3217."

- Speaker Braun: "The Lady has moved the passage of House Bill 3217. On that, is there any discussion? There being none, the question is 'Shall House Bill 3217 pass?' All in favor 'aye', opposed vote 'no'. The voting is open. is final action. Have all voted who wish? Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 87 voting 'aye', 24 voting 'no', 2 voting 'present'. House Bill 3217, having received the Constitutional Majority, is hereby declared passed. House Bill 3309, Representative Friedrich. Mr. Clerk, read the Bill."
- Clerk Leone: "House Bill 3309, a Bill for an Act to amend an Act in relationship to taxation of certain mineral rights.

 Third Reading of the Bill."

121st Legislative Day

- May 22, 1986
- Speaker Braun: "Lady from Marion... I'm sorry. The Gentleman from Marion, Representative Friedrich, on House Bill..."
- Friedrich: "Madam Chairman. I would like to have... take this

 back to Second for the order of... for the reason of

 Amendment."
- Speaker Braun: "The Gentleman asks leave to return House Bill 3309 to the Order of Second Reading for purposes of an Amendment. Does he have leave? Leave is granted. Mr. Clerk, read the Bill."
- Clerk Leone: "House Bill 3309, a Bill for an Act in relationship to taxation of certain mineral rights. On the Order of Second Reading..."
- Friedrich: "I'm sorry. Was Amendment #3 adopted, Mr. Clerk?"
- Clerk Leone: "Amendment #3 is on the Bill."
- Friedrich: "Okay, Madam Chairman, I am in error. I would like it brought back to Third Reading for the purpose of passage.

 I had the wrong information. Would you return it to Third Reading, please?"
- Speaker Braun: "Gentleman..."
- Friedrich: "For the purpose of passage. I was in error. I°m sorry."
- Speaker Braun: "The Gentleman asks... Third Reading. Ar. Clerk, read the Bill."
- Clerk Leone: "House Bill 3309, a Bill for an Act in relationship to taxation of certain mineral rights. Third Reading of the Bill."
- Speaker Braun: "The Gentleman from Marion, on House Bill 3309."
- Friedrich: "Madam Chairman, Hembers of the House. This Bill has been carefully worked out over the period of a year here by the Farm Bureau, the Supervisor of Assessments throughout the state and the coal industry. We had, literally, a crisis a year ago. We passed a Bill which would hold harmless until January of the following year. Now, we have

121st Legislative Day

May 22, 1986

into this Bill a formula for assessing coal, the put undeveloped coal and the newly mined coal and to the I think it's agreed with all the parties too. It's rather complicated. I'd be glad to get into it want. but in the past, the Supervisor of Assessments literally could not abide by the law and assess coal If there is any question, I' be glad to try to interests. answer them."

Speaker Braun: "Gentleman has moved for the passage of House Bill 3309. On that, is there any discussion? The Gentleman from Coles, Representative Weaver."

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

Speaker Braun: "He indicates he will."

Weaver: "Representative, what effect would this have on farmland assessment with the new formula?"

Friedrich: "If the coal is undeveloped and unsevered, there would be no tax. If a farmer still has the unsevered coal rights on his ground there would be no tax as far as he's concerned. Was that your question?"

Weaver: "Nould... Mould this put a... Would this effectively put

a cap on the property tax rate on that land which no

extraction permit has been issued?"

Friedrich: "It would put a cap."

Weaver: "Okay. Madam Speaker, to the Bill. I think this is probably a step forward in terms of agricultural assessment in the state and all of those of us who represent downstate agricultural areas ought to support this Bill. Thank you."

Speaker Braun: "Is there further discussion? The Gentleman from Cook, Representative Keane."

Keane: "Thank you, Madam Speaker. I rise in support of the Bill.

The Sponsor has worked with the Revenue Committee and staff
and I think the Bill is in fine shape. Urge your
approval."

121st Legislative Day

May 22, 1986

- Speaker Greiman: "Chair recognizes the Gentleman from Marion, Representative Friedrich, to close."
- Friedrich: "Well, as has been pointed out, this has been worked out to where I think it's a fair Bill on the assessment of coal, both that coal being mined and that which is unsevered, and I'd appreciate your vote."
- Speaker Braun: "Gentleman has moved for the passage of House Bill 3309. All in favor vote 'aye', opposed vote 'no'. The voting is open. This is final action. Have all voted? Have all voted who wish? Have all voted who wish? Clerk will take the record. On this question, there are 113... Representative Greiman would like to be recorded as voting 'aye'. Alright, on this guestion, there are 114 voting 'aye', none voting 'no', none voting 'present'. House Bill 3309, having received the Constitutional Majority, is hereby declared passed. House Bill 3396. Representative McPike."
- Clerk Leone: "House 3ill 3396, a 3ill for an Act in relationship to the Build Illinois Program. Third Reading of the Bill." Speaker Braun: "Gentleman from Madison, Representative McPike." McPike: "Thank you, Madam Speaker and Ladies and Gentlemen of the House 3i11 3396 is the Build Illinois House. authorization 3illa It's the one that we accented 128 Amendments to last night. It's clear that this will end up a Conference Committee and be resolved bν the negotiators as to what is or is not to be included this year. So, with that, I would simply ask for vote."
- Speaker 3raun: "The Gentleman has moved the passage of House Bill 3396, and on that, is there any discussion? Representative Greiman, in the Chair."
- Speaker Greiman: "Gentleman from Winnebago, Mr. Hallock."
- Hallock: "Thank you, Mr. Speaker and Members of the House. I

121st Legislative Day

May 22, 1986

rise in support of House 3ill 3396. E2, obviously, have a long ways to go yet in the process on Build Illinois. This will keep the Bill moving and we can eventually get it in Conference Committee and work some differences out. I'd ask for your support."

- Speaker Greiman: "Gentleman from Cook, Ar. Levin."
- Levin: "Mr. Speaker, Ladies and Gentlemen of the House... I...
 you know, have no... you know, all I want... what... no,
 what I simply wanted to say is, last year..."
- Speaker Greiman: "Mr. McPike, please don't intimidate the
- Levin: "Last year, we labored hard and long on Build Illinois and Chicago was supposed to get a fair amount of the money and Chicago did not. I'm going to vote for this Bill, but I am concerned that we don't run into the same kind of problem down the road."
- Speaker Greiman: "Question is, 'Shall this Bill pass?" All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is not... this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 105 voting 'aye', 2 voting 'no', 3 voting 'present'. This having received the Constitutional Majority, hereby declared passed. On the Order of House Bills, Third Reading, Public Finance, appears House Bill 3503. Mr. Clerk, read the Bill."
- Clerk Leone: "House Bill 3503, a Bill for an Act to amend an Act in relationship to state revenue sharing. Third Reading of the Bill."
- Speaker Greiman: "The Lady from Cook, Ms. Braun. Mr. Clerk, read the Bill. No. Ms. Braun."
- Braun: "Thank you. The microphone wasn't on. Essentially, House
 Bill 3503 shifts the credit, the income tax... the

May 22. 1986

investment tax credit from the personal property tax to the income tax base. This Bill attempts to ensure that local governments are not penalized by the state's investment tax Currently, the tax is applied only corporate personal property replacement tax. We helieve. however, that given the mandate of the Constitution that all revenues lost by local governments as a result of the replacement of that tax that it is of importance that Bill be passed to allow for the full replacement of the tax the tax revenues lost by local governments as a result of the replacement of the corporate personal property tax. I encourage your support and will answer any questions you have for the 3ill."

Speaker Greiman: "Lady from Cook moves for the passage of House Bill 3503, and on that, the Gentleman from Lake, Mr. Churchill."

Churchill: "Thank you, Ar. Speaker. Will the Lady yield?"

Speaker Greiman: "Indicates she will."

Churchill: "A few moments ago, we discussed a Bill that had a tax shift. Does this again create a tax shift?"

Braun: "Yes... in one sense, but in another sense, there is a different constituency involved because this affects school districts and other districts, as well as units of... as well as municipalities in the state."

Churchill: "Okay, so under this tax shift, who receives?"

Braun: "This is... This Bill affects all... affects units of local government in addition to the municipalities such as boards of education and the like."

Churchill: "Okay, so they receive and who pays?"

Braun: "The money comes out of the General Revenue."

Churchill: "And how does it come out of the General Revenue?

Whose..."

Braun: "Well, to the extent... to the extent the shift affects an

121st Legislative Day

May 22. 1986

application of the investment tax credit against the income tax base as opposed to the corporate personal property replacement tax base. Mouthful."

Churchill: "Okay, and do you have any idea what the cost of this Bill is?"

Braun: "Yes. Sir."

Churchill: "And what is that?"

Braun: "It's estimated that the cost of this... that this Bill will affect between 40 and \$60.000.000."

Churchill: "So, between 40 and \$60,000,000 shift from the State of Illinois to the local..."

Braun: "Every other unit of local government."

Churchill: "Every other unit of local government. So, I guess then this is pretty similar to the Bill that we just had a few minutes ago, that we defeated a few minutes ago, right?"

Braun: "I'm sorry. What did you say?"

Churchill: "This is very similar to the Bill we just defeated a few minutes ago."

Braun: "Well, no, because it's a different constituency and the dollars affected by this shift are exclusive of the monies that would be going to local governments under the Local Government Distributive Fund, which was the Bill that we heard a few minutes ago."

Churchill: "To the Bill, Ar. Speaker. I..."

Speaker Greiman: "Proceed."

Churchill: "I think a few moments ago we had a Bi11 that was similar to this. It ... There was a different tax shift. Again, it was taking from the tax revenues of the State and passing dollars to the local government. In some other time, in some other year, be what we want to do, but I don't think that that is mav what we want to do today in this fiscal vear• in this

121st Legislative Day

May 22, 1986

budgetary year. The cost is somewhere between 40 to \$60,000,000 that we are transferring from this unit government that we are sent here to represent to the other units of local government that we also represent. but we don't sit on their boards. We don't cast their We have a duty and an obligation here in the State of Illinois to try and protect the revenues of this state and don*t think at this point we can afford \$60,000,000 from the government in the State of Illinois on to the local governments."

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

Hastert: "Thank you. Ar. Speaker, Ladies and Gentlemen of think we have seen this Bill before and before and before. It's a Bill that's come perennially before the House, and I don't really ever remember of it getting what we're doing here is playing, you know, peas under the shell. And what we're trying to do is saying, *Okav. we're going to not take the investment against property tax replacement; which is the traditional wav credited that... that tax credit, and now, we're going take it against general revenue funds or the Illinois corporate income tax. And of course, if you want to give a tax break, you know, a lot of those corporations in the last couple of years - and of course, this is a delayed tax maybe we might not even have a replacement period. what we're doing here is taking it out of General We're really slicing a hole at the bottom of the bucket and letting the General Revenue funds that fund public aid. that fund education, that fund public health. that fund mental health. We're letting those funds trickle away, and of course, you can't have it both ways. You can't take away from what we have in General Revenue Fund and spend at the same time. So, maybe some people think you can have it

121st Legislative Day

May 22, 1986

both ways, but if you believe that we got to be able to have money in the Illinois Treasury before we spend it, then you're going to vote 'no' against this Bill, and I would urge very seriously a 'no' vote."

Speaker Greiman: "Ms. Braun. to close."

Braun: "Thank vou. Mr. Speaker. Ladies and Gentlemen of the Houses This isn*t. in fact, a 'make hole' situation. Units of local government in this state have not recovered vet from the changes that occurred from the abolition personal property replacement tax. The revenue base has... the revenue stream has not been filled up. i F units of local government. back to This Bill, in fact, has received the support of this General Assembly. Bill 249 last year passed both the House and the It was subsequently vetoed. I would say to all of you that the question before us at this time is whether Reagan revolution means war on local government. whether or not it means that we will destroy units of local government, destroy our cities, destroy our towns, destrov smaller units which are closer to the people at the t he same time that the State of Illinois guards jealously that... the revenue sources that it has and, indeed, even the windfalls that it will get from the revisions If • indeed • we are to allow tax structure. local governments the abilities to make up from changes state level and changes on the federal level, then it will be important that we give them the ability to at least be made whole from changes which have subsequently taken so that the revenue sources to local governments are protected and preserved. submit to all o f VOII. Ladies and are elected Gentlemen. that Me here not to represent governmental bodies which fictions are o f themselves, but we are here to represent the people of this

May 22. 1986

and the people of this state want tax relief at the local level. They don't want to pay higher property taxes. and it is up to us to make our tax system more progressive. to make our tax system fair, and most important, t o system reflect sharing among the tax units government which have been empowered that is a sharing that is equitable and fair... and that is fair. At the present time, we have seen changes on the federal level, we have seen changes on the state level. Local governments resources... all the resources that make we can available to them so that they can provide those basic services - fire and police and the like - those basic services on the local level with tax revenues which in the final analysis, the people's money. encourage your support of House Bill 3503."

- 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. The Gentleman from Marion, Mr. Friedrich, to explain his vote.

 One minute."
- Friedrich: "Mr. Speaker and Members of the House, I believe. want to look up the facts, the cities and villages are getting a bigger percentage of their total revenue from the Federal Government than they were under either Johnson Carter, and I resent keeping implying that Reagan is shutting off this thing. If anybody shuts i t off. i+ * c going to be the Congress, and they're still getting more than they were under Carter and Johnson."
- Speaker Greiman: "The Lady from Cook, Ms. Currie, one minute to explain your vote."
- Currie: "Thank you, Mr. Speaker and Members of the House. The investment tax credit was our idea. It was the idea of State Government. We hoped it would revitalize the state

121st Legislative Day

May 22, 1986

economy. The point of House Bill 3503 is to say that we in State Government should take the risk that the investment tax credit does not work, rather than expecting our local school districts and our local governments to take that risk in our... in our stead. The point here is to say, put money where our mouth is. If we really believe the OUL investment tax credit will revitalize this state, let's put our revenues on the line, not somebody else's revenues line to see to it that this state does become an economically vital and an economically healthy one. Wе should all support this proposal, for it is a way of saying, it's our ball game, it's our idea, and it's our revenues that should be jeopardized if, for some reason, the theory is flawed."

- Speaker Greiman: "The Gentleman from Cook, Mr. Piel, one minute to explain your vote."
- Piel: "Just to ask for a verification, should this receive the required number of votes."
- Speaker Greiman: "The Gentleman from DeMitt, Mr. Vinson, one minute to explain your vote."
- Vinson: "Number one, last year, Illinois led the nation in companies relocating into Illinois and building plants.

 Part of that's because of this. Number two, right now only 60 percent of this goes for education, but if you transfer the impact to the state, you'll undermine the entire education budget for the state. I urge a 'no' vote."
- Speaker Greiman: "Mr. Stephens, the Gentleman from St. Clair, one minute to explain your vote."
- Stephens: "Mr. Speaker, just to set the record straight. What
 the Reagan revolution has done is make sure that people are
 working in America today. We have an all-time record of
 over 110 million people employed, and that's the real story
 of the Reagan revolution."

121st Legislative Dav

May 22, 1986

- Speaker Greiman: "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 60 voting 'aye', 55 voting' no', none voting 'present', and the Gentleman from Cook, Mr. Piel, has requested a Verification of the Affirmative Roll Call. And the Lady from Cook, Ms. Braun, has requested a Poll of the Absentess."
- Clerk O'Brien: "A poll of those not voting. Stephens. No
- Speaker Greiman: "Poll of the... Poll of the Affirmative Roll Call."
- Clerk O'Brien: "Alexander. Berrios. Sowman. Braun. Brook inc. Capparellia Christensen. Cullerton. Curran. Currie. DeLeo. Dalev. DeJazgher. Dunn. Farley. Flinn. Gialio. Giorgi. Greiman. Flowers. Hannia. Hartke. Krska. Hicks. Homer. Huff. Keane. Kulas. Laurino. LeFlore. Leverenz. Levin. Martinez. Matijevich. McGann. McNamara."

Speaker Greiman: "Excuse me, Ar. Clerk. Mr. Stephens?"

Stephens: "Mr. Speaker, how am I recorded?"

Speaker Greiman: "You're not recorded."

Stephens: "I guess in my excitement, I forgot to vote. Could I be recorded as voting *aye*?"

Speaker Greiman: "Yes. Vote the Gentleman 'aye'. Proceed, Sir."

Clerk O'Brien: "McPike. O'Connell. Nash-Panavotovich. Richmond. Pangle. Phelps. Preston. Rea. Ronan. Shaw. Stephens. Saltsman. Steczo-Stern. Sutker. Terzich. Turner. Van Duyne. Washington. White. Wolf. Anthony Young. Hyvetter Younge. And Ar. Speaker."

Speaker Greiman: "Mr. Piel, Mr. Bowman asks leave to be verified.

Mr. Piel, is it alright? Mr. Bowman, you have leave to be
verified. Mr. Piel, do you have questions of the
Affirmative Roll Call?"

121st Legislative Day

- May 22, 1986
- Piel: "I might be wrong, but there's a Gentleman to my far right
 that's jumping up and down. Why don't you call on
 Representative Stephens first?"
- Speaker Greiman: "Well, perhaps we should call the Department of

 Mental Health, then. Er. Piel, questions of the

 Affirmative. Do you have questions of the Affirmative Roll

 Call?"
- Piel: "We were thinking about that. We were thinking about that,

 Mr. Speaker."
- Speaker Greiman: "Now, perhaps you should tell the Gentleman to leave..."
- Piel: "Mr. Stephens... Mr. Stephens is trying to get your attention, first, Mr. Speaker."
- Speaker Greiman: "Well, Mr... Mr. Piel, apparently you have no questions of the Affirmative Roll Call. Mr. Piel."
- Piel: "Mr. Speaker, I do. Let's... We're trying to move on with the business. Representative Stephens wants to change his vote. Why don't you call on him, and then we'll continue, whichever you want to do. Do you want me to start first?

 Fine. I'll start first, Mr. Speaker."
- Speaker Greiman: "Mr. Piel, I'm going to try... Mr. Piel, first, so we get some principles, I... the Chair... "
- Piel: "Principles?"
- Speaker Greiman: "The Chair recognizes people, not you, Sir. I have asked you twice now... three times, Sir, if you have questions of the Affirmative Roll Call. I would like to do this in an orderly way."
- Piel: "Yes, I do. Yes, I do. Orderly way. Okay, fine.

 Representative Berrios."
- Speaker Greiman: "Ar. Berrios. Ar. Berrios is at the rear of the
- Piel: "Representative Capparelli."
- Speaker Greiman: "Mr. Capparelli. Mr. Capparelli is right here

121st Legislative Day

May 22, 1986

in the well."

Piel: "Representative Homer."

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

Piel: "Representative Leverenz."

Speaker Greiman: "Mr. Leverenz is standing at his seat."

Piel: "Representative Saltsman."

Speaker Greiman: "Mr. Saltsman, the Gentleman from Peoria. Mr. Saltsman is right here in front of his seat."

Piel: "Representative DeLeo."

Speaker Greiman: "Mr. DeLeo. Mr. DeLeo. Is Mr. DeLeo in the chamber? Mr. DeLeo. How is Mr. DeLeo recorded, Mr. Clerk?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Graiman: "Remove Mr. DeLeo from the Roll Call."

Piel: "Representative Dunn."

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

Piel: "Representative Flinn."

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

Piel: "Representative Stephens."

Speaker Greiman: "Mr. Stephens. Mr. Stephens. Is Mr. Stephens in the chamber? How is Mr. Stephens recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Greiman: "Mr. Cullerton, for what purpose to you seek recognition?"

Cullerton: "Mr. Speaker, I believe that the rule, a clear interpretation, when the Gentleman is here and votes orally, he cannot be verified off at the time of the verification. I also... I'm almost positive that that's the rule. Now, we can check with Representative Vinson, who says that you can't change your votes after the record's been taken and see what he thinks about it, but I'm almost positive that I heard... I know I heard the Gentleman — and it's on the tape — vote 'aye'. It's on the

121st Legislative Day

May 22, 1986

transcript, and he was clearly present at the time of the vote. I don't think that he can be verified off."

- Speaker Greiman: "We... As far as Mr. Vinson's suggestion, Mr...

 Mr. Cullerton, please don't use Mr. Vinson's name in

 debate. But yes, Mr. Vinson did raise that point. He was

 in error, then, so that if Mr. Stephens did come into the

 chamber and was... and was recognized by this Chair, which

 of course, probably will be done in all fairness, he would

 be recognized. That's correct. Indeed, we have already...

 we have ruled on two occasions previously that where

 someone votes orally after the board is closed, that he

 cannot be... he cannot be verified off."
- Piel: "Never mind, Mr. Speaker. He's already back in the chamber
- Speaker Greiman: "Well, he's back in the chamber. Mr. Piel, further questions of the Affirmative Roll Call."
- Piel: "Representative Giglio."
- Speaker Greiman: "Mr. Giglio. Mr. Giglio. Is he in the chamber?

 Mr. Giglio in the chamber? How is the Gentleman recorded?"

 Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."
- Speaker Greiman: "Remove Mr. Giglio from the... from the Roll

 Call. Restore Mr. DeLeo from the... to the Roll Call.

 Further questions of the Affirmative Roll Call?"
- Piel: "Representative Kulas."
- Speaker Greiman: "Mr. Kulas. Is Mr. Kulas in the chamber? How is Mr. Kulas recorded?"
- Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."
- Speaker Greiman: "Remove... Ar. Kulas is right here at the door."
- Piel: "Representative Laurino."
- Speaker Greiman: "Ar. Laurino is with the Speaker the real Speaker."
- Piel: "Hi, Mike. Representative Krska."
- Speaker Greiman: "Mr. Krska. Mr. Representative Krska. Is Mr.

121st Legislative Day

Hay 22, 1986

Krska in the chamber? Mr. Krska. How is Mr. Krska recorded?"

Clerk O'Brien: "The Gentleman is recorded as voting 'aye'."

Speaker Greiman: "Remove Mr. Krska from the Roll Call."

Piel: "Representative Preston."

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

Piel: "Representative Richmond."

Speaker Greiman: "Mr. Richmond is at his chair."

Piel: "Representative Panayotovich."

Speaker Greiman: "Mr. Panayotovich is indeed in his chair. He's with his future wife, so we should all applaud Mr. Panayotovich. He's going to play it again, Sam. Mr... Mr. Piel, further questions of the Affirmative Roll Call."

Piel: "He could make a suggestion. Cindy looks a lot better than he does. She could stay here, and he could leave."

Speaker Greiman: "Ar. Giglio has returned to the chamber.

Restore him to the Roll."

Piel: "No further questions."

Speaker Greiman: "Excuse me, Mr... Mr. Tate, for what purpose do you seek recognition? Mr. Tate? Your light is going on."

Tate: "I yield to Mr. Stephens."

Speaker Greiman: "Yes, Ms. Breslin? Es. Breslin votes 'aye'.

Mr. Stephens, for what purpose do you seek recognition?"

Stephens: "Well, Mr. Speaker, I was called off the floor. I had to talk to the President. He advised me that he enjoyed my endorsement of his administration and that in my excitement of that endorsement that I had, indeed, voted incorrectly, and I apologize that I bothered the chamber with that, and I would like to have my vote changed from "aye" to "no". Thank you."

Speaker Greiman: "Record Mr. Stephens 'no'. On this question,
there are 60 voting 'aye', 55 voting 'no', none voting
'present'. This Bill, having received the Constitutional

121st Legislative Day

May 22, 1986

Majority. is hereby declared passed."

Piel: "Turn me off, please."

- Speaker Greiman: "Turn Mr. Piel off. On the Order of Public Finance, Bills on Second Reading appears House Bill 1675.

 Mr. Clerk, read the Bill."
- Clerk O'Brien: "House Bill 1675, a Bill for an Act to amend...

 this Bill has been read a second time previously.

 Amendments \$1.5 and 7 were adopted previously."
- Speaker Greiman: "Any Motions with respect to adopted Amendments?"

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment 38, offered by Representative
Churchill."

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

- Churchill: "Thank you, Mr. Speaker. Amendment #8 defers the time from January 1 until the end of March for the Department of Revenue to make a determination under this Bill. It's a 90 day deferrment that's needed by the Department to analyze the previous year's tax for the purpose of providing the accelerated payment."
- Speaker Greiman: "The Gentleman from Lake moves for the adoption of... moves for the passage of House 3ill 1670... I'm sorry... moves for the adoption of Floor Amendment #8 to House Bill 1675. And on that, is there any discussion? The Gentleman from Cook, Mr. Young."

Young: "We*11 accept the Amendment."

Speaker Greiman: "The question is, "Shall Amendment &8 be adopted?" All in favor say "aye", opposed "no". In the opinion of the Chair, the "ayes" have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Yes, Ar. Clerk, this Bill was

121st Legislative Day

May 22. 1986

previously read. Is that correct?"

- Clerk O'Brien: "The Bill was read a second time previously."
- Speaker Greiman: "The Gentleman from Cook, Mr. Young, asks leave of the House to waive Rule 37(c) so that Bill may be immediately considered. The Gentleman has leave. Mr. Clerk, read the Bill."
- Clerk O'Brien: "House Bill 1675, a Bill for an Act to amend an Act relating to state collections of certain locally imposed taxes. Third Reading of the Bill."
- Speaker Greiman: "The Gentleman from Cook, Mr. Young."
- Young: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. The Bill as amended creates annual one-time disbursements to counties and municipalities to speed up the payment to those municipalities of taxes collected by the state, and I urge your favorable vote."
- "The Gentleman from Cook moves for Speaker Greiman: the DASSAGE of House Bill 1675. Is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in signify by voting 'aye', those opposed vote 'no'. favor Voting is open, and this is final action. Have all wish? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 93 voting 'aye', 12 voting 'no', none voting 'present'. This dill, having received the Constitutional Majority, is hereby declared passed. On the Order of Public Finance appears House Bill... Second Reading appears House Bill 2796. Mr. Clerk, read the Bill."
- Clerk O'Brien: "House Bill 2796, a Bill for an Act to add

 Sections to the Illinois Municipal Code. This Bill was

 read a second time previously. Amendment #4 was adopted

 previously."
- Speaker Greiman: "Are there any Motions with respect to Amendment

121st Legislative Day

May 22, 1986

Clerk O'Brien: "No Motions filed."

Speaker Greiman: "Are there any Floor Amendments?"

Clerk O'Brien: "Floor Amendment #5."

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo, on Amendment #5."

- Steczo: "Thank you, Mr. Speaker. Amendment #5 to House Bill 2796 simply clarifies one small portion of the law and makes two technical changes. On page three of the Bill, we specify that upon a two-thirds vote of the governing body, they may petition the Comptroller for establishment of a financial planning supervision commission if there's a financial emergency or crisis pending. In the following Section, we are also providing for that two-thirds majority vote of the governing body to establish this commission within 15 days after the occurrence of any of the events that... which would actually provide for the fiscal emergency. I would move for the adoption of Amendment #5."
- Speaker Greiman: "The Gentleman from Cook. Mr. Steczo. moves for the adoption of Amendment #5 to House Bill 2796. And O D that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?* 411 in 'aye', opposed *no*. favor sav In the opinion of the Chair, the 'ayes' have it. The Amendment's Further Amendments?"
- Clerk O'Brien: "Floor Amendment #6, offered by Representative
 Churchill."
- Speaker Greiman: "The Gentleman from Lake, Mr. Churchill. The
 Gentleman from Cook, Mr. Cullerton. For what purpose do
 you seek recognition?"
- Cullerton: "Point of Order. Mr. Speaker, I believe that

 Amendment #6 is not germane and that it would violate the

 single subject rule.
- Speaker Greiman: "We'll examine the Amendment, Mr. Cullerton.

121st Legislative Day

May 22, 1986

The Amendment is not germane. Out of order. Mr. Churchill?"

Churchill: "Mr. Speaker, in Amendment 44, which was, adopted this Bill. declares this to be an Act in relation financial planning to and supervision o f commissions for units of local government. Amendment #6. which I seek to adopt, is an Act in relation to planning and supervision commissions for units of local government and to the liability of those units. which the same language that's used exactly in the previous Amendment. How can it not be germane?

Speaker Greiman: "Well, I... absolutely, it is ungermane. It deals with the financial planning and supervision commissions for units of local government, and you have opened... changed the entire mission of this Bill to add the words, 'liability of those units', none of which is germane. It is not germane, Sir. Mr. Clerk, are there further Amendments?"

Churchill: "Mr. Speaker... Mr. Speaker. Mr. Speaker."

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Do you wish to appeal the ruling of the Chair?"

Churchill: "Yes."

Speaker Greiman: "Do you? Okay. The... "

Churchill: "Mr. Speaker, I withdraw that appeal."

Speaker Greiman: "Yes. Okay. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Clerk, read the Bill."

Clerk O'3rien: "House Bill 2796, a Bill for an Act to add

Sections to the Illinois Municipal Code. Third Reading of
the Bill."

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

McNamara: "Thank you, Mr. Speaker, Members of the House. What this Bill seeks to do is to alleviate a problem as far as

121st Legislative Day

May 22, 1986

cities and villages, towns, units of local government in State of Illinois, and it conducts the formulation and of financial accounting implementation budgeting and taxing practices. And it occurs when a unit of government cannot meet its financial obligations. T t requires two-thirds of the governing body to petition the Comptroller who then picks seven members to a board in order to help the local government, and also, they submit their nomination of five persons from the local place. which the Comptroller picks three. It's in order to get all of the towns that have trouble and that appeal for help to the State of Illinois in an orderly process in order that they may receive some sort of financial help so they do not have to resort to bankruptcies or other measures.

Speaker Greiman: "The Gentleman from Cook, Mr. McNamara, has moved for the passage of House Bill 2796. And on that, the Lady from Cook, Ms. Didrickson."

Didrickson: "Thank you, Ar. Speaker. Hill the Sponsor yield for a question?"

Speaker Greiman: "Indicates he will."

Didrickson: "Representative McNamara, does this apply to Cook

County?"

McNamara: "It does not apply to the City of Chicago or Cook

County, and it may not apply to DuPage County because it's

counties and cities over a million population."

Didrickson: "Okay, so then, it would not help the community of Robbins, that you and I are familiar with?"

McNamara: "It would help that community."

Didrickson: "How would that be? It's in Cook County."

McNamara: "Because... It is in Cook County, but it does not apply
to the government of Cook County. It applies to any small
governments within Cook County."

121st Legislative Day

May 22, 1986

Didrickson: "That's the... Okay, that's the clarification I needed. Thank you."

McNamara: "Units of local government is what it applies to."

- Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this dill pass?' All those in favor 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? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 98 voting 'aye', 9 voting 'no', none voting 'present'. this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Public Finance Second Reading appears House Bill 2898. Mr. Clerk. read the Billa"
- Clerk Leone: "House Bill 2898, a Bill for an Act to regulate procurement by State Government. It's been read a second time previously and held. There are no Motions filed.

 Floor Amendment 31 is offered by Representative Keane et al."
- Speaker Greiman: "The Gentleman from Cook, Ar. Keane, on Amendment #1."
- Keane: "Thank you, Mr. Speaker. Amendment @1 is the second draft

 of the Audit Subcommittee's work on rewriting of... and

 consolidation of the Purchasing Act, and I would move its

 adoption. Be happy to answer any questions."
- Speaker Greiman: "The Gentleman from Cook, Mr. Keane, moves for the adoption of Amendment #1 to House Bill 2898. And OB that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' **A11** in favor say 'aye', opposed 'no'. In the opinion of the Chair. the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "There are no further Amendments."

121st Legislative Day

May 22, 1986

Speaker Greiman: "Third Reading. Hr. Clerk, read the Bill."

Clerk Leone: "House Bill 2898, a Bill for an Act to regulate the procurement of State Government. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. As I mentioned on adoption of the Amendment, this is the Audit Subcommittee's second draft of the Purchasing Act. We will be having hearings on this next Tuesday. All parties that have been involved in the discussion on the Procurement Code have been invited to come in and fine tune the draft that we have here. actually sending... will be sending this over It will be used and we'll be making modifications it goes along. over there as As we... As I indicated before, when we started this, we have a commitment that the Bill will not go in... or will not go out. We will not try to move it out on final stage unless we have a write off or an approval from the Governor's Office and from the Legislative Leaders. And I'd be happy tο questions and ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, has moved for the passage of House Bill 2898. And on that, the Gentleman from Cook, Mr. Young."

Young: "Thank you. Will the Sponsor yield?"

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

Young: "Are the preferences and set aside that were formerly in the Minority and Business Female Enterprise Act contained in this Amendment?"

Keane: "Yes."

Young: "And is there a sunset provision on... on those preferences in this?"

Keane: "Whatever exists in... Whatever exists in the law today is in in that form. It's in exactly the same form as it is

121st Legislative Day

May 22, 1986

now."

Young: "Okay. So, as far as that particular Section of the law, there has been no changes."

Keane: "That's Correct."

Young: "Thank you."

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

Vinson: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, this Bill may not be in the ultimate perfect final form, but the Sponsors have worked very hard on getting this Bill into a proper form. They have committed to continue working on that effort in the Senate, and I think it makes sense for us to send the Bill over to the Senate at this time so that the process can continue."

Speaker Greiman: "The Gentleman from Cook, Ar. Huff."

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

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

Huff: "Representative Keane, how does this figure with the... are you still going to have this meeting on the 27th?"

Keane: "Yes. In other words, what we have to do is, we have to move a vehicle over to the Senate just to keep up with our deadlines, and people on the 27th... we will be amending this when it goes to the Senate."

Huff: "Okay, I see."

"The question is, "Shall this Bill pass?" Speaker Greiman: A11 those in favor signify by voting 'aye', those opposed vote *no*. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take record. On this question, there are 113 voting "aye", none voting 'no', 1 voting 'present'. This Bill, received a Constitutional Majority. is hereby declared On page nine of the Calendar on passed. the Order of Business and State Regulation appears House Bill 2600. Mr. Clerk, read the Bill."

121st Legislative Day

May 22, 1986

Clerk Leone: "House Bill 2600, a Bill for an Act to restrict smoking in public places. Third Reading of the Bill."

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

Terzich: "Well. we hope everyone's in from their smoke Thank you. Mr. Speaker, Ladies and Gentlemen of the House. Once again, we have the Clean Indoor Air Act. and this proposed Illinois Clean Indoor Air Act would prohibit smoking except in designated areas in all public buildings including hospitals, restaurants, stores, indoor theatres, auditoriums, meeting rooms in office buildings. Bars. hotel rooms, private offices would not be affected. The reasons for imposing the ban are good and growing. Medical evidence is accumulating that shows second-hand smoke non-smokers, even though the damage it does to the healthy smokers is far less than smoking No has a right to let a personal habit, however cherished and addictive, to endanger the health of others. It makes sense for Federal and State Governments to require expensive air pollution controls on industry but do nothing about indoor air contamination that most people find irritating and harmful. The public opinion solidly behind more restrictions on smoking. Hore than 400 municipalities now have ordinances curtailing smoking. Minnesota passed this legislation similar to the in Illinois in 1975, and polls show that it has proposed wide public support, and it's well enforced. And a growing number of private corporations now set limits employees may smoke. Smoking by workers cost businesses an estimated 43 billion dollars in lost production last year. The long fight to reduce the deadly damage smoking does to this society may have reached the tipping point. Smoking is no longer considered a sign of sophistication. but unfortunate and unhealthy addition. Hillions of smokers 121st Legislative Day

Hav 22. 1986

are... have been able to break the habit. Millions are trying and hoping to do so. The non-smoker deserves to free of second hand smoke if they wish, and they now make up 70 percent of the population. All οf the smoking - cause of cancers, fire and so on and I would like to basically read a letter from one of the constituents that says, 'I'm a healthy, vigorous 52 year old professional engineer who once smoked. In spite of giving up smoking years ago, I find I cannot air generated by the smoking minority within our Regardless of the possible effect on the health midst. us non-smokers, the negative effect on how it makes us feel reason enough to prohibit smoking in our presence. the smoker wants to get together and smoke, as in trains. that is fine. Why should they have the cars ΩĐ inpunity to spoil things for the rest of us who find the air that they generate so disagreeable. It's too bad we need to solve this problem by legislation, but it is very a touchy issue. Most of us non-smokers don't want to smoking friends. The smokers, on the other hand, have self-satisfaction which far exceeds for their non-smoking friends. One of the firms I consult for has a very poor air conditioning system. and no off-limits for smokers. smokers I find spending a facility or dav at their even an hour extremely disagreeable. Even after leaving the facility, my nose hurts and my head aches for hours. It is not fair smokers should have all the rights and non-smokers no I urge you to take a stand in favor non-smoking majority who care about ourselves, our health and our well-being. The smoking industry just last generated 668 billion cigarettes were produced tobacco industry, and to say that they re not polluting our 121st Legislative Day

May 22, 1986

society is unbelievable, at the same time, it's an industry that generated 30 billion dollars in revenue. I think it's time that the people of the State of Illinois have their rights to have some clean air, and I would urge your support of House Bill 2600.**

Speaker Greiman: "The Gentleman from Cook, Mr. Terzich, has moved for the passage of House Bill 2600. And on that, the Gentleman from Cook, Mr. Preston."

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the We. in the General Assembly. pass all sorts legislation, most of which does little, if any, good, much of which does a great deal of harm, and probably overwhelming majority of which does nothing but take up time and spend our constituents money. This Bill actually does some good. He can protect people from all diseases that they get that will shorten their lives cancer, heart disease, emphysema, all sorts of respiratory illnesses can be protected from people who are not the smokers themselves but innocent people who have to work around people who choose to smoke. This Bill will, in fact, not only lengthen lives but save lives in many cases. from ending those lives earlier than miaht necessarv. This is a very good Bill. It costs very little businesses who have to implement it, and it private does do an awful lot of good. If you vote for nothina else, it is a do-gooder Bill to preserve humanity, children and adults and seniors. Vote for this Bill. It's a very good one. Thank you."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. It isn't often that I quote from Democrat Leaders as sources of authority and precedent in good judgment, but on occasion, Democrat Leaders can provide wisdom, judgment

121st Legislative Day

May 22. 1986

good sense. And in that regard, I would like to read you the words of Governor Carey of New York, who said, properly ventilated domestic cigar, after a good dinner, is should all be allowed to enjoy. custom that ыe Bill would denv us that custom. This Bill would denv people the right to even have an inoffensive little cigarette. As a matter of fact, the absence of tolerance on this issue is so great that a person who sits down and simply chews on a cigar at a restaurant without lighting it up is likely to be castigated, on occasion. Representative Nash and I have both been subjected to that lack tolerance and good will. Ladies and Gentlemen, I want you to think about the nature of our society. ī want about a thing called 'The Marketplace' which is what substantially distinguishes us from most totalitarian countries in the world that have existed in the past or exist today. Think about what is implied bv the concept of a marketplace. It's allowed that a private person can go out and make available a product or a service to other private people as they see fit to enjoy. i f that private person making available that service or that product, if that service or product isn't desired, it's not going to exist any longer, because that... he's going to go bankrupt. That's what the whole concept of marketolace That's what freedom's about. about. What this Bill seeks to do is to deny one element of that freedom. one of that private marketplace. element Now, there infinite numbers of restaurants in this country and this state that deny you the right to smoke. And that's their They can do that right now if they wish. matter of fact. I've chosen never to go back to 'Jovans' in Chicago because you can't smoke a pipe in that restaurant. I understand the good will that the Sponsors have their

121st Legislative Day

May 22. 1986

desire to advance the interest of public health. As a matter of fact. I am in the process personally of quitting By sometime the middle of this summer, I will not smoking. longer smoke for several years. That's my intention, and I'm fully embarked on that, and I'm down to smoking my pipe once a day at this particular point. And I'm doing that for health reasons, as a matter of fact. But I think even at the point where I have gotten past smoking. 1.11 tolerance and the good will to understand that those individuals who do desire to smoke, that's their right that individual who desires to have a restaurant and and let people smoke in their restaurant, that's That's what freedom's all about. choice. That's the whole issue of freedom. The marketplace is so designed that those of us who don't wish to be in a restaurant smoking is not permitted will have the full freedom to go to a restaurant where it's not permitted and to eat in that restaurant. That's what this issue's all about, and that's why we should reject this Bill as a bad intrusion liberty and a denial of the fundamental lessons of the marketplace. I urge a 'no' vote."

Speaker Greiman: "The Lady from Lake, Ms. Stern."

Stern: "Mr. Speaker and Members of the House, I think Mr. Vinson misunderstands. This is not a Bill that would deny him the right to smoke. This would simply segregate him from his nonsmoking fellows. This is a segregation Bill, Mr. Vinson, and it is a Bill broadly supported in the marketplace. It is a Bill whose time has come. I urge you all to vote 'aye'."

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

Panayotovich: "Thank you, Mr. Speaker, Ladies and Gentlemen of
the House. Will the Sponsor yield for a couple of
questions?"

121st Legislative Day

May 22, 1986

Speaker Greiman: "Indicates that he will."

Panayotovich: "Representative Terzich, could you tell me who's exempt from this Bill?"

Terzich: "The Bill provides that private offices, bars, general working place not frequented by the general public, and hotel rooms, from what I understand."

Panayotovich: "Why ... Why did you exempt them?"

Terzich: "Why?"

Panayotovich: "Why."

Terzich: "Because they're... they're in the Bill. I didn't...
there was some reason for it that there was some opposition
to, you know, the different areas, and these seem to
reasonable areas that they were discussing, and so, they
were exempted."

Panayotovich: "Did anybody talk to you about maybe having a non-smoking bowling alley — one alley one way and one alley another way... might have exempted."

Terzich: "That was brought to my attention, yes."

Panayotovich: "To have one alley... alley one as a smoking lane... "

Terzich: "Well, I don't... I don't necessarily know. All I'm
telling you what the general intent of the Bill. I don't
necessarily set up the rules and regulations,
Representative."

Panayotovich: "Okay."

Terzich: "That's set up by the Department of Public Health and

JCAR."

Panayotovich: "Okay. Second question. Could you... in the Bill,
you also mentioned that restaurants are included in the
Indoor Act. Could you define a restaurant?"

Terzich: "No, I can't. I would assume that, you know, Wendy's,

"La France', Sangamo Club, Baur's — that's a restaurant."

Panayotovich: "Okay. A restaurant... a definition of a

121st Legislative Day

- May 22. 1986
- *restaurant* is a place where meals can be bought and eaten, and then..."
- Terzich: "Representative, the definitions and so forth would be left up to the Department to define..."
- Panayotovich: "Well, it says 'restaurants', so a restaurant is a place where meals can be bought and eaten. So, what is a meal? A 'meal' is the food that is served and eaten at such a time. And what is food? Something that sustains life and nourishes. So, what we're talking about here is that any place that sells anything from a candy bar to a beef jerky is considered food, which means they must have smoking and non-smoking areas. Is that correct?"
- Terzich: "That's your interpretation. Representative."
- Panayotovich: "Well, that's the way it reads. Also a place like

 Rosemont... Rosemont Horizon would have to have a smoking

 and a non-smoking section. Is that correct?"
- Terzich: "No, that's your interpetation. There's nothing in there about jerky or... All public areas would have to have designated..."
- Panayotovich: "Rosemont... the U of I... "
- Terzich: "All public areas would have designated smoking areas."
- Panayotovich: "The U of I Football Stadium would have to have a smoking and a non-smoking section. Correct?"
- Terzich: "All areas would have to have designated smoking areas."
- Panayotovich: "Chicago Stadium would have to have a smoking and a non-smoking section."
- Terzich: "You're getting warm."
- Panayotovich: "Well, to the Bill."
- Terzich: "They already have, by the way. It's by local ordinance."
- Panayotovich: "To the Bill, Ar. Speaker. What we're talking about here and I definitely have an interest in this.

 I'm in business, as well as other people here. We're not

121st Legislative Day

May 22, 1986

talking about just the restaurant business. He're talking about any kind of business. The real estate office where you have four chairs - two smoking and two and a man comes in to buy a house from you, and there's not for him to sit and smoke, you're going to empty seat tell him to leave because he can't smoke, throw that real estate deal out the window? Because he wants to have a cigarette, you're going to tell him he has to leave? The Pop taverns that we have at home - those little taverns that sell maybe hot dogs on the back bar. They are considered restaurants by this Bill. They have tο have smoking and non-smoking. non-smoking area? We're talking about in a restaurant, a place put aside. Next thing, do we have to have a smoking and a non-smoking urinal in the men's enough of us that have enough trouble in the men's room, let alone having to worry about a smoking non-smoking area. We're talking about losing business for no matter what type of business you are. It's a hard enforce. It's an unfair burden. People don't want to smoke, the restaurants have been real nice about said. *We have non-smoking areas.* Somebody, if they say there's no non-smoking areas left. then will walk out of the restaurant. That guy will lose that business. It's going to be hard to enforce. It's flawed. like it's going to be the thing of the future. T t looks non-smoking areas, but it's not the time now. Not in Bill. too many problems with this Bill. that Representative Terzich, if he would like to sit down the Illinois Restaurant Association. a with some people. letter from the Illinois Restaurant Association opposed this Bill. They would be willing to sit down with them and All I'm saying is it's the wrong time. on it.

121st Legislative Day

May 22, 1986

Bill is flawed, and I urge 'no' votes."

Speaker Greiman: "The Gentleman from Livingston, Ar. Ewing."

Ewing: "Would the Sponsor yield for..."

Speaker Greiman: "Indicates he will."

Ewing: "Representative, does the 3ill... how are we going to divide this up if we have a very small restaurant?"

Terzich: "Representative, that I do not set the rules and regulations. That would be determined by the Department of Public Health. Basically, the Bill provides that where smoking areas are designated, existing physical barriers and ventilation systems shall be used to minimize the toxic effect of smoke in adjacent non-smoking areas. In the case of a public place consisting of a single room, the provisions of the law shall be considered met if one side of the room is reserved and posted as a non-smoking area."

Ewing: "Could somebody designate their whole restaurant as a smoking area?"

Terzich: "No, they have to set up a non-smoking area."

Ewing: "They have to set aside. Alright. Does this cover the General Assembly?"

Terzich: "The Bill provides... it covers... public places mean an enclosed indoor area used by a public or serving as a public place of work, but not included... limited to hospitals, restaurants, retail stores."

Ewing: "So, we would... this Body here would also be governed by
the rules and regulations set up by the Department of
Public Health."

Terzich: "Well, basically, right now it is already set up in the fact that we have a smoking are and a non-smoking area in the House."

Ewing: "Would you point those out to me?"

Terzich: "Sure. The first two or three rows right here and the first two or three rows right over there."

121st Legislative Day

May 22. 1986

Ewing: "They're all non-smoking."

Terzich: "That's correct, and they're very proud of it."

Ewing: "Yes. Where is this special ventilation?"

Terzich: "I°m not in the engineering business, but I assume we have good ventilation in here."

Ewing: "No... but I... really, Representative... "

Terzich: "You're asking me... You're asking... "

Ewing: "Hell, we may have good ventilation in a restaurant, but the fact that you're going to have a non-smoking area, you know, we don't know whether that will be covered by the rules and regulations. They may say that we're..."

Terzich: "Representative."

Ewing: "... Going to have to put a big cap over here in the center part where we have a lot of smokers and suck up that air. Right? We don't know that."

Terzich: "Right now, that the restaurants and any businesses are generally regulated both for air conditioning equipment, food and many other regulations, and they have to have adequate air moving equipment, I assume, in their restaurant due to local ordinances."

Ewing: "But you assume."

Terzich: "Yes, I believe they do. I mean, I'm not an engineer,

Ewing: "One... one other... another question. What is the penalty for a petty offense?"

Terzich: "A petty offense?"

Ewing: "Petty offense."

Terzich: "I really don't know. You're an attorney. I believe it's 50 dollars, fine only. It's fine only."

Ewing: "Fine only. Okay. And who's going to enforce that, the police?"

Terzich: "Whoever is enforcing the present ordinances on no smoking. Such as... you know, you can't smoke on public

121st Legislative Day

May 22, 1986

conveyances, you know, theaters and places like that. Same enforcement agencies."

Ewing: "Is that well enforced?"

Terzich: "To a degree, I would assume it's enforced. I don't
which law is supposed to be enforced."

Ewing: "Ladies and Gentlemen, to the Bill. I personally find excess smoke to non-smoker. T personally be offensive. I think that we are moving in this state very well towards a voluntary compliance where people respect the rights of each other, where businessmen who want to άo business, who what to make a profit, have a non-smoking area for those people who want non-smoking. And we have areas for smoking, but we want to come along and we want to meddle in that, and we say government can do it better for Ladies and Gentlemen, how many people do we us. offices day in and day out complaining about the rules our and regulations that government propagates to take care us? They don't work. For any of us who may be... have any about public safety, I think we ought to take a great deal of our police time and put it towards enforcing petty offenders. That's what we should do with our Our tax money should hire more police to and to... my goodness, you'd have to have a long cigarette. Before the police got there, it would be out. This Bill is It exempts too many places if you really not realistic. are going to have an effective Bill, but worse than the Sponsor only can give us generalities about how it will be enforced. I tell you, you watch it, and you'll find out that your people in your district aren't going to like this it's enforced, and they aren't going to like to Bi 11 i f have it applied towards all the private businesses. Ladies and Gentlemen, we need a voluntary compliance with respect for each other. He don't need this petty

121st Legislative Day

May 22, 1986

- offense Bill."
- Speaker Greiman: "I just wanted to... Ladies and Gentlemen,
 the... while each Member indeed has 10 minutes under our
 rules, the board... there are many people sacking
 recognition. I would recommend to you that you keep your
 remarks brief. Mr. Dunn, from Macon."
- Dunn: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House.
 Will the Sponsor yield for a question?"
- Speaker Greiman: "Indicates he will."
- Dunn: "It's my understanding that what this dill really does is require a designation of a smoking and non-smoking area in a... in a restaurant or a place that's covered by this Bill. Is that correct?"
- Terzich: "That's right. It's supposed to be posted as a no-smoking area."
- Dunn: "And wouldn't it be an easy thing to do, for example, if...

 if, you chose, in a restaurant visualize a restaurant to
 say... you'd just have a little card that would be on the
 table that said, 'This table is smoking. This table is
 non—smoking.' You could do that, couldn't you?"
- Terzich: "I believe you can. I believe many restaurants are doing that at the present time."
- Dunn: "So... and a lot of places are doing this now, and Are Speaker and Ladies and Gentlemen of the House, to the Bill. I think that's the kind of point we must keep in mind, here, that most of us go into public places at the present time where there is a smoking area and where there is a non-smoking area designated. What this Bill would do is state the policy of this state the State of Illinois to be that there is some merit to designating areas which are non-smoking. There is clear evidence that cigaratte smoke is not healthy. Those who do smoke, smoke for various reasons, some because it's very difficult to quit. It's a

121st Legislative Day

May 22. 1986

difficult habit to reject, and to those who Want t a au i t can*t. I feel very sympathetic. They most smoke, but to all smokers that breathe and exhale smoked air. don't smoke, it not only is annoying, sometimes it defects vision, gives headaches, and those who don*t have rights and responsibilities and freedoms as smaka We've been hearing a lot about rights. well. freedoms. responsibilities, but what about the people smoke? Shouldn't they be able to sit down in a restaurant enjoy a meal? Shouldn't they be able to sit down in a present place... in a public place and en iov whatever activity they're participating in? All this Bill says is of that both groups people have different kinds i s a simple matter to designate, in a it public place, a special area for each group. And they can participate in whatever the activity is to the fullest extent and enjoy it to the fullest extent. The can congregate with smokers themselves and eniov each other's company and sit in a haze of smoke and eniov whatever they want. The non-smokers can sit where the air This is a good Bill. It's not is clear. onerous. indicated, and the Sponsor has replied, little cards on the a restaurant... in a restaurant. Cancer Society, the Lung Association, would supply cards free of charge. You don't even have to put a sign on the wall, just table by table, and as the room fills and changes or day to day and you find that more or more or less smokers come into your place, you can change the boundaries, the perimeters of the designated is not a difficult Bill. It's an idea whose time has come. The Sponsor is to be commended for bringing this legislation to the General Assembly today, and we should all vote green, not only for the freedom of the smokers but 121st Legislative Day

May 22. 1986

the freedom of the non-smokers. We're a democratic Body. We should all be up putting all green votes on this place and get out of here and enjoy a restaurant dinner tonight in the atmosphere in which we prefer it. Thank you very much. I urge an 'ave' vote on this Bill."

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

Davis: "Thank you. Mr. Speaker. I'm a smoker. and I'm not proud of that. and I would like to quit, and I'm like Representative Vinson. I'm going to try to do that I. frankly, listened to what Representative summer. But Ewing had to say, and I can tell you that I don't trust the Department of Public Health very much with a broad I don't know what they're going to do or who they're going to put out of business. don*t know they're going to enforce, because I'm not sure what they do But nevertheless, I was a little perplexed. I om a anvwav. Cosponsor of this Bill, and I was prepared to vote for it, and I was perplexed by the Sponsor's negative response restaurant Amendment offered by Representative Klemm the last week. And I've listened to what Representative had to say regarding the Mom and Pop taverns and the Mom and Pop stores and the restaurants, marketplace does prevail. When I go to a restaurant, I sit smoking section with my family, and I do not the DΩ I find voluntary compliance in at least the Smoke. chain restaurants and the better restaurants to be almost universal. I do not see that in taverns and places is served but people like to smoke and drink and go there to do that. I'm afraid that we're... haven*t we the Bill large... in a large enough scope. defined He didn't adopt the restaurant Amendment. I'm for daina it here and doing it in public buildings and every place else, but until this Bill is corrected, and I hope it goes on

121st Legislative Day

May 22. 1986

Postponed Consideration, and that that Amendment on the restaurants is adopted. I'm going to vote 'present'. I'm not prepared to put Illinois businesses out of business, restaurants out of business in the state. So, until the Sponsor is willing to discuss that issue, I'm going to vote 'present' as a Cosponsor of the Bill."

Speaker Greiman: "The Gentleman from Knox, Mr. Hawkinson." Hawkinson: "Thank you, Mr. Speaker. I ma non-smoker in the rights of non-smokers. But I think we have a classic situation here of two philosophies of government. We have one philosophy that believes that those ought to be enforced by passing a law and making someone a petty offender in order to guarantee those private other philosophy that SAVS. articulated before, that the marketplace ought to work, and I echo Representative Ewing's comments that I believe Smokers who are friends of mine marketplace is working. and yours are more sensitive today than thev were More and more businesses do have non-smoking vears ago. Society in the free marketplace is coming point of view and is starting to recognize the rights of smokers, and government does not need to addition to the problems of this Bill as to who is exempted and who is not. have a WP claim that and working places that are segregated from the I suggest that that is not public are exempted. look at the Bill. If you look at the Bill, you will see that the Department of Public Health is given authority over those private offices and working places to in make certain that the ventilation is correct and that the atmosphere is correct both for non-smokers and smokers. and I suggest that you're going to have a... Department

Public Health that can go into every office in this state

121st Legislative Day

May 22, 1986

and make those kinds of regulations for us. I, too, do not trust the Department to do that, and I think that I must come down, as I hope you will, on the philosophy of government that we, as free citizens in a free state, can come to a recognition of the rights of non-smokers on our own without government interference, and I urge a *no* vote."

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

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

Speaker Greiman: "The Gentleman from St. Clair moves the previous question be put. All in favor signify by saying "aye", those opposed 'no'. In the opinion of the Chair, the . 'ayes' have it. The previous question being put, Mr. Terzich to close."

Terzich: "Well, thank you, Mr. Speaker, Ladies and Gentlemen the Houses Unfortunately, all of the statements about government regulation and so on - this type of legislation been adopted in over 400 communities. It's a Bill has that's similar that passed in 1975 in Minnesota. I've never heard of a restaurant or any business going out of... going out of business in Minnesota anywhere that this type of legislation has gone into effect that have gone out of business because they have a no smoking area. I would assume that they went out they had a smoking area. The Bill is business because nothing more than the people's rights to have smokina environment. The Bill is not set up to throw people in jail. In Minnesota, they had approximately 132 complaints which was all handled administratively, that the Department of Public Health is not there to drive business out of our state or anything of that nature, and we also have a Joint Committee on Rules that could also review this. This type of legislation also received the support from the

121st Legislative Day

May 22. 1986

Business where they said that they permit employers and operators to improve the air quality of their business any blame onto the Legislature, which is really The tobacco smoke be sharply restricted in the work oreat. place and public areas, especially restaurants, employers and business operators long ago accepted the evidence that second hand smoke from cigarettes has highly deleterious effect on non-smokers, and the tension between the smokers and the non-smokers in the work place and in public have a downright nasty subject. The... Only most obtuse or cowardly managers ignored the situation completely, in addressing the concern of workers and patrons, managers typically met resistance, smokers' rights. I was first. nothing worse than a reformed smoker. and that sort of dissembling. The result has been a kind of stalemate with smokers living in an increasingly psychotic fear that their cigarettes will be taken from them, and non-smokers pressing their case for non-poisonous air. In that kind of the Illinois employers and business operators atmosphere. are eager to embrace a strong, impartial law that would smoking to certain areas just as there brethren restrict have in dozens of other states around the employers and managers find themselves business position where they welcome regulation of their and for all of the right reasons, and that's all contained in House Bill 2600. The Illinois Clean Indoor Air Act will improve the quality of air in this state. It will save the taxpayers' money. It will be enforceable, and it will be a law, and I urge your support."

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. The Gentleman from Cook, Mr. Panayotovich, on a point of personal privilege."

121st Legislative Day

Hav 22. 1986

Panayotovich: "Thank you, Mr. Speaker. I may have a conflict of interest on this legislation, and I'm going to vote my conscience, what I believe is right. And also, if this does receive the required number of votes, I'd like a verification."

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

"Mr. Speaker and Members of the House, I don't Friedrich: be frank with vou. It bothers me sometimes when people sitting next to me blow their smoke in my face. a... We've got a restaurant in Centralia where got the smoke's so thick you could cut it with a with you, I don't go there, but that's my But it's the privilege of the people that privilege. go there, they can do that. I go to other restaurants. but I can tell you, you can get more cancer-causing walking across O'Hare parking lot than you could in that restaurant. Now are you going to... Are you going O'Hare Field? outlaw. What you want to do, if you really think this is going to kill a lot of people, just smoking in Illinois. Try that one on for size. really admitted that he really doesn't know what's going to come out of this Bill. because the Department Public Health's going to tell you what the rules are, and I assume they're going to police it. He didn't tell you whether the local cop would have the right to come shut down a restaurant because they didnot have a no smoking area. He didn*t tell you what would happen restaurant if they ve got 30 seats and one night he's got smokers and the next night he's got no smokers. How are you going to handle that? I'm telling you, you're... "

Speaker Greiman: "Mr. Friedrich, please. Did you want to finish your sentence?"

121st Legislative Day

May 22, 1986

- Friedrich: "I have completed it. I say he's creating a real monstrosity."
- Speaker Greiman: "The Gentleman from Cook, Mr. Levin, one minute to explain your vote."
- Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Explaining my affirmative vote, I first of all, want to commend the Sponsor for putting together a very practical and, I think, workable piece of legislation. There is no Bill that I have received more mail on from my constituents, and to a man, every single... woman, every single piece of mail I have received has asked me to vote for House Bill 2600."
- Speaker Greiman: "Further discussion? The Gentleman from Hill,

 Mr. Regan, one minute to explain your vote."
- Regan: "Thank you. Mr. Speaker and Members of the House. What more can we do to the business environment in the State of Illinois? We kicked them around with workmen's comp, we kicked them around with unemployment insurance, we kicked them around with taxes. We*re kicking them around with an insurance crisis that should approached and taken care of, and now we're agina to add it. ⊭e•re going to tell them they ve got to separate their smokers from their non-smokers. bе ought to getting down to is addressing the problems of business. Small business in this area creates and they've been two-thirds of the jobs in Illinois, suffering over and over and over. Let's get to the Let's get to the insurance liablity crisis that's issue. killing them, that's strangulating business When are we going to get those Bills out here? When are we going to unlock them, put them on the floor? let's talk about them. Let's do the right kind n f business. Everybody agrees that smoking stinks. Well, so does this

121st Legislative Day

May 22, 1986

Bill."

- Speaker Greiman: "The Gentleman from Cook, Mr. Brookins, one minute to explain your vote."
- Brookins: "Thank you, Ar. Speaker. I may have a conflict of interest, here, but I'm going to vote my conscience, I rise in support of this Bill. Just the other day. I was in a restaurant at 76 in Bloomington. I ran all over the restaurant. The smoke was so thick you could cut with a knife. There was no place in there that I could find any refuge, so finally I left. The privilege the other speakers mentioned that he has a right to light up his cigarettes or his cigars and smoke them anywhere. think that that right is also to the non-smoker. where he also have the right to sit and eat iο peace having smoke blowing in his face. without Ves. when I first went in business, I did give out... "
- Speaker Greiman: "3ring your remarks to a close."
- Brookins: "Yes, I first went in business, gave out cartons of cigarettes. I no longer do that, in good interest of clean air."
- Speaker Greiman: "The Gentleman from McLean, Mr. Ropp, one minute to explain your vote."
- Ropp: #Thank you, Mr. Speaker and Members of the House. Ladies and Gentlemen, if there was ever an idea or a thought that more universal support in this state, it's this Bill. People are demanding clean air to breathe from birth think it's tragic that we get involved with dollars and cents when people think that business is the health of the people that live in this important than I can assure you, to those 250 people who, in fact, a result of secondary died last vear as smoke. their is lost to the business forever. I urge you to grant the freedom to those people who deserve

121st Legislative Day

May 22, 1986

freedom, and that is clean air. This morning, 30 young people from my district came down, young kids who are in grade school, asked whether or not they would support this Bill. To a youngster, they all said 'yes'. Please vote 'yes'."

- Speaker Greiman: "The Gentleman from Cook, Mr. Piel, one minute to explain your vote."
- Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I think it was too bad that the one area of this Bill that didn*t get into was the cost. Obviously, to administer an Act like this, it's going to cost the taxpayers State of Illinois some money. Well, the figures that I have seen range anywhere from three to five million dollars a year to institute this Act, and basically, what 1 * 1 1 it very shortly. What the whole situation iust leave is, that the Sponsor mentioned in his opening and closing statements, Minnesota's Clean Air Act. like to tell you, Ladies and Gentlemen, that this is ludicrous. It's completely unenforceable, and in the 11 years that Minnesota has had their Clean Air Act. they have not had one conviction. So you tell me this is identical Minnesota's, and we're going to have a real good Bill, here? I'm sorry. It's a facade, and so to speak, smokescreen."
- Speaker Greiman: "The Gentleman from Coles, Ar. Weaver, one minute to explain your vote."
- Weaver: "Thank you, Mr. Speaker. I don't think any of us would want to go down in the record as being in favor of dirty air, but there's something that concerns me greatly. While I support the concept, and I think it's a very good idea whose time is certainly with us, we have to look at not only the enforceability and those exemptions that are made which does make it inequitable in our society, but we also

121st Legislative Day

May 22, 1986

have to look at the cost to the public sector. We have a number of public buildings including city halls, including county courthouses and so forth, that are going to have some costly renovations. That has been addressed at all. ₩e mav have to form 5002--some some partitioned non-smoking areas and areas which essentially, we're mandating costs down at the local level. I will support a concept of this type when we can get to an enforceable level, but now, I've got to vote 'present'."

Speaker Greiman: "... Currie, Representative Currie, one minute to explain your vote."

Currie: "Thank you. Ar. Speaker and Hembers of the There's been a lot of talk about the economic implications 2600-3111 would remind my colleagues that Crane's Chicago_Business, a bastion of the free enterorise system right here in the State of Illinois. editorialized in favor of House Bill 2600 on the arounds that House Bill 2600 would be good for the Illinois similar proposals have been economy• as good for the economies in Minnesota and in California. For all the talk voluntary activities, restaurant going. wining, and bowling, the real heart of this Bill work place, the hospital, the place where an individual has not because of altogether free choice, but because that place is essential to earning a living or for other Every individual in this state should kinds of reasons. have the right to a work place that is free of dirty air, anybody who thinks that he or she can vote *no* on House Bill 2600 and still stand for clean air, a clean healthy environment for the people of Illinois, has another thing coming. We should pass this Bill today."

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

121st Legislative Day

May 22, 1986

"Yes, I think one... Thank you, Mr. Speaker and Ladies Shaw: and Gentlemen of the House. I think one of the previous speakers mentioned... touched on what I wanted to touch on. It's the cost of this Bill. When you haveas about this House, right here, how much is it going to cost us to... what are we put... some kind of partition up here between the smokers and non-smokers? Not only... Not only that, when you talk about the various building departments in the community, there, they're going to be coming in writing tickets, costing the business people hundreds thousands of dollars because of the fact that they don't have a non-smoking section. This is a lot of money - City Hall in Chicago, City Hall in Peoria - they're going to have to revamp that. Not only that, and if you don't do it under this Bill, you can file suit. One of the things that I'd like to ask the... say to the Sponsor of the Bill, you know you talk about clean air and smoke. know I wonder, why did he become a fireman. Itaaa Τt It... It concerns me greatly, but I think we concerns me. should all look at the cost of this Bill. This Bill is not right and is not in the best interest of the public and it should... "

Speaker Greiman: "Bring your remarks to a close."

Shaw: "... And it should be voted down. I vote 'no'."

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

Hoffman: "Thank you very much. Ar. Speaker and Ladies Gentlemen of the House. I'd just like to point out, there on l v 14 states in the union that do not have legislation on this issue on the books. Seven of those seven of those states are... are tobacco growing states, so it just makes a lot of sense to join with the rest of the nation and put this on the books."

121st Legislative Day

- May 22. 1986
- Speaker Greiman: "The Lady from Champaign, Ms. Satterthwaite, one minute to explain your vote."
- Satterthwaite: "Mr. Speaker and Members of the House, two of the big cost elements that we have heard about recently are the cost of insurance and the cost of health care. wе really wanted to bring those costs under control, one of the best things that we could do would be totally tο prohibit smoking. This 3111 doesn't go that far, and probably shouldnot go that far, but it is a help if we can create a smoke-free area for most of our working people and the people who have to be in public places for large portions of their time. It would, in fact, reduce both our insurance costs and our health care costs and well-deserved for that reason, if for no other."
- Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 53 voting 'aye', 54 voting 'no', 6 voting 'present'...

 Mr. Terzich?"
- Terzich: "Well, yes, I would like a Poll of the Absentees because people are going to see this vote call."
- Speaker Greiman: "The Gentleman from Cook, Mr. Terzich, asks for a Poll of the Absentees."
- Clerk O'Brien: "Poll of those not voting. Goforth. McAuliffe.

 And Wyvetter Younge."
- Speaker Greiman: "On this question, there are 53 voting 'aye', 54
 voting 'no', 6 voting 'present'. And this Bill, having
 failed to receive a Constitutional Majority, is hereby
 declared lost. On the Order of House Bills Third Reading,
 Business and State Regulation appears House Bill 2685. Mr.
 Clerk, read the Bill."
- Clerk O'Brien: "House Bill 2685, a Bill for an Act to amend the Historic Preservation Agency Act. Third Reading of the Bill."

121st Legislative Day

May 22, 1986

Speaker Greiman: "The Gentleman from Winnebago, Wr. Hallock."

- Hallock: "Thank you. Mr. Speaker and Members of the House. Bill 2685 establishes the State Historic Plaque Program. The purpose of this program is to acknowledge and embellish state's history. As กลกy of you may be aware, we became a state in 18(18), and many events which have happened here have really helped shape the fate of our This Bill would require that the Department Historic Preservation establish markers and plaques at many locations where these events occur. It's a good Bill. It's good to promote ourselves, our history, and I'd ask for your support."
- Speaker Greiman: "The Gentleman from Winnebago. Mr. Hallock. moves for the passage of House Bill 2685. And on that. there any discussion? There being none, the question is. *Shall this Bill pass?* All those in favor signify 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? all voted who wish? Mr. Clerk, take the record. On this question, there are 105 voting 'aye', 3 voting 'no', none voting 'present'. This received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Business and State Regulation, appears House Bill Reading. 3042. Mr. Clerk, read the Bill."
- Clerk O'Brien: "House Bill 3042, a Bill for an Act in relation to the application of tax credits under certain state tax Acts. Third Reading of the Bill."
- Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton."
- Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of
 the House. This Bill is supported by the Petroleum
 Marketers as well as the Department of Revenue. It deals
 with the issue of the motor fuel tax, and it simply allows

entitled to a credit or a refund to apply to

121st Legislative Day

taxpayer

the

May 22, 1986

that credit to current tax liabilities. The same thing is currently in the law in regard to the sales tax, or at least it will go into effect January 1st of next year, this would simply extend that to motor fuel tax as well." Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves the passage of House Bill 3042. And on that, is there any discussion? There being none, the question is, 'Shall 3111 pass?* A11 in favor signify by voting "ave". Voting is now open, and this those opposed vote 'no'. is Have all voted who wish? Have all voted final passage. who wish? Have all voted who wish? Mr. Clerk. On this question, there are Ill voting 'aye', none voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority. is herehv declared On the Order of House Bills passed. Third Reading. Business and State Regulation appears House Bill 3065. Ar. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3065, a Bill for an Act relating to
State Government and amending certain Acts therein named.

Third Reading of the Bill."

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

Harris: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House 3ill 3065 makes two changes to the Illinois House, all, it codifies a First of generally personnel practice which states that in intergovernmental which are entered into generally bv municipalities where an employee of one municipality is loaned to another municipality, the employing municipality retains the authority and... and work rules over the people who are being loaned. An example would be that, in the visiting municipality, workers might have an extra five minutes off per hour. This requires that the workers

121st Legislative Day

Hay 22, 1986

being loaned would be under the work rules of their employing municipality. The other change it makes is in the General Obligation Bond Retirement and Interest Fund, which is a sinking fund... a sinking debt fund to retire bond debt in the State of Illinois. It authorizes...

- Speaker Greiman: "Mr. Harris, did you go to the school... Giorgi
 School of Legislation? The Chair can barely hear you. I
 can... Is your microphone working. Perhaps you could use
 another microphone. I can't hear you."
- Harris: "Perhaps... Perhaps if he turns up the microphone, he could probably hear. I'll be... certainly. Mr. Speaker, be able to answer any of the questions that any of the Hembers might have on this. It should be a very noncontroversial Bill. The second change that the Bill makes is in the General Obligation Bond and Retirement... Bond Retirement Interest Fund, which is a sinking fund used to retire bond debt. This authorizes the Treasurer of the State Illinois to buy the certificates of deposits of savings and loans institutions. This portion of the Bill is favored by Treasurer's Office. bv the Illinois Bankers* Association, by the Savings and Loan League, and 1.11 happy to answer any questions you might have on the Bill."
- Speaker Greiman: "The Gentleman from Cook, Mr. Harris, moves for the passage of House Sill 3065. And on that, is there any discussion? The Gentleman from Cook, Mr. Young."

Young: "Will the Sponsor yield?"

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

- Young: "Could you explain what the Amendment does again? I

 didn't quite hear the explanation of the Amendment."
- Harris: "I'll be happy to. There is a fund in the... in the... a special fund set up to retire bond debt. It's a sinking fund to pay off our bonds. The monies which are deposited in this fund, currently, because of a change we made a year

121st Legislative Day

May 22, 1986

ago in the law, currently, there would a difficulty in investing these funds in certificates of deposits of savings and loans associations. This change would... Or this Amendment or this Bill would authorize the Treasurer to buy certificates of deposit from savings and loans associations."

Young: "Would the... Would the same guarantees apply to the savings and loans from the Federal Government that apply to the banks?"

Harris: "The guarantees are actually better. There's no diminuition of our safety requirements on the fund. The one... what is does do is it recognizes FDIC and FSLIC insurance for the first 100,000 dollars."

Young: "Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the On this question, there are 112 voting 'aye', none voting 'no', none voting 'present'. And this Bill, received a Constitutional Majority, is hereby declared Representative Breslin in the Chair." passed.

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

Leverenz: "Inquiry of the Chair?"

Speaker Breslin: "State your inquiry."

Leverenz: "Now?"

Speaker Breslin: "Not now."

Leverenz: "You know the script."

Speaker Breslin: "House Bill 3135, Representative Hastert.

Clerk, read the Bill."

Clerk O'Brien: "House Bill 3135, a Bill for an Act to amend

121st Legislative Day

May 22. 1986

Sections of the Illinois Vehicle Code. Third Reading of the Bill."

Speaker Breslin: "Representative Hastert."

- "Thank you, Madam Speaker, Ladies and Gentlemen the House Bill 3135 is a redefinition of 'headset House. receiver. It's for motorcycle belmet intercoms. What does is redefine that the receiver is a device to be worn on one ear and enables the wearer to hear or receive electronic voice communications, but not to include any radio broadcast or tape recordings. The purpose a request by motorcycle enthusiasts who do wear helmets that they could be able to transmit safety warnings another when they're from one to ridina dua 1 motorcvcles. Rather simple Bill. The Bill has the State Police language in it. The Amendments are agreed, don*t know of any opposition. Ask for your favorable passage."
- Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3135. And on that question, Representative Culterton."
- Cullerton: "Yes, I recall... I think we discussed this on Second Reading, Representative. I think that originally I was opposed to the Bill, then I figured out that... to the extent this encourages people to wear helmets, because it now... it would legalize something which is now illegal, that is, to have some communication come through a helmet; that a motorcyclist now would be more encouraged to wear a helmet. So, for that reason, I would be happy to support this... this Bill."
- Speaker Breslin: "The question is, 'Shall House Bill 3135 pass?'

 All those in favor vote 'aye', those opposed vote 'no'.

 Voting is open. Have all voted who wish? This is final passage. Have all voted who wish? The Clerk will take the

121st Legislative Day

May 22. 1986

record. On this question there are 110 voting 'aye', none voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. 3298, out of the record. House 3ill 3513, Representative Daniels. Representative Daniels - Mojcik. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3513, a Bill for an Act to amend Sections of the Retailers' Occupation Tax Act. Third Reading of the Bill."

Speaker Breslin: "Representative Wojcik."

Wojcik: "Yes, Madam Speaker and Members of the House, what this Bill does, it provides a sales tax credit for retailers whose place of business is subjected to restricted of state highway construction. When we use the word 'retailers', we are looking at restaurant AWBARG. looking at small retail shops, we're looking at large retail shops, we are looking at people who have to pay a sales tax. And I'm sure you're all versed with the problem that we've been having throughout Illinois with our great road building that many of these small businesses, businesses, etcetera, are becoming disenfranchised inasmuch as their customers cannot get into their store. So. this is a tax credit that would enhance them. It's a Bill for and it's a Bill for taxpayers of Illinois. retailers. And I ask for a favorable passage."

Speaker Breslin: "The Lady has moved for the passage of House

BIll 3513. And on that question, Representative Currie."

Currie: "Thank you, Madam Speaker, Members of the House. Will

the Sponsor yield for a question?"

Speaker Breslin: "She will."

Currie: "Representative Wojcik, this applies to retailers, is that what I understood you to say?"

Wojcik: "Yes."

121st Legislative Day Hay 22, 1986

Currie: "Manufacturers, are they included as well?"

Wojcik: "Only retailers."

Currie: "So, is it your supposition then that highway construction outside a manufacturing plant might not interfere with the opportunity to do the manufacturing husiness?"

Wojcik: "They do not pay us... pay a sales tax, Representative."

Currie: "But you wouldn't dispute the prospect that they might find their business interrupted, just as a retailer might?

How about homeowers?"

Wojcik: "Excuse me."

Currie: "Are homeowners included in the Bill? The state highway activities going on outside my house, perhaps causing a lot of noise that might disrupt my afternoon picnics..."

Wojcik: "Representative..."

Currie: "... or making it impossible for people to deliver
merchandise to my home, am I covered by the provisions of
your Bill?"

Wojcik: "I... I cannot hear you. Could we have a little bit of quiet? I think this is a rather serious question that she's presenting to me. Thank you. Now, would you repeat your question?"

Currie: "You've answered the first question. Some people doing business in the state are covered when thev are disrupted in their business activity by virtue of highway construction, but not some other kinds of people. Retailers are covered, but manufacturers are not. What But we've been talking about homeowners? a lot this Session about the problems of homeowners who might disrupted by noise, other kinds of fuel activities and so It's conceivable that I, as a homeowner, might stationed right next to a highway construction project. wonder if your Bill is concerned about the noise that might

121st Legislative Day

- May 22, 1986
- interrupt my summer picnic or the... the construction activity on that highway that might interfere with the health and safety of my family. Is the homeowner covered by the provisions of your Bill?"
- Wojcik: "Representative, if the homeowner has a retail sales tax number and she is, in fact, producing within her home, yes, she would be covered."
- Currie: "So, only people who are involved in retail activities

 are covered by your Bill, even though many other people

 might be disrupted by state highway construction."
- Woicik: "Correct."
- Currie: "How exactly does the credit work? This is a credit against the state sales tax. How does it operate?"
- Wojcik: "You compare the month of interrupted service with the prior month."
- Currie: "And then what?"
- Wojcik: "And if the difference in sales tax is more than 20 percent, you can qualify for a tax credit."
- Currie: "And what... what... so, wait a minute. If it turns out the reason that your business is down in that month when the highway project is going on and it's really not because of the highway project, it's because you weren't open as often or you failed to go the kind of marketing that brings in the customers, you still would apply for this credit, right?"
- Wojcik: "Representative, first of all, I think if we look at the construction on the roads, the retailers are not closing their businesses. They are attempting to keep their businesses open..."
- Currie: "But do they..."
- Wojcik: "The problem that we've got ... "
- Currie: "Do they have to sign the little... some kind of notarized warrant to the State Department of Revenue

121st Legislative Day

May 22. 1986

ensuring that their hours of operation were identical in the construction month as in the prior month?"

Wojcik: "The Department..."

Currie: "What if they.."

Wojcik: "Excuse me. Let me answer your first question. The
Department of Transportation has a certified form that is
done. They do a study and it is on file. If there's any
question regarding the retailer, they can get that."

Currie: "But... That's not an answer to my question."

Wojcik: "It certainly is."

Currie: "My question is, does the retailer have responsibility to inform the Department of Revenue that the hours of business were identical in the affected as with the prior month?"

Wojcik: "The Department of Revenue can ask for such information as it deems necessary."

Currie: "So, we're waiting for Department rules and regulations to cover that kind of problem?"

Wojcik: "Absolutely. As we do in most type of tax credits."

Currie: "So, the credit that the retailer gets is against the state sales tax. So, in effect. in effect, what the retailer then keeps under your Bill are the sales taxes paid by the customer. Is that right? If the retailer is eligible for this credit, the way it actually operates is that the retailer keeps sales taxes paid by the customer."

Wojcik: "Exactly, and that's meant to make up for lost income."

Currie: "So... To the Bill, if I might, Madam Speaker. It

strikes me that this Bill is essentially discriminatory.

All kinds of people can be affected in their manufacturing businesses, in the way they like to live their lives in peace, comfort and quiet by the operation of a construction project on the state highway. I don't see any reason to treat retailers differently from any other kind of business or any other kind of individual. Secondly, it seems to me

121st Legislative Day

May 22, 1986

basic flaw in the supposition that any decrease tax collections in a in state sales particular retail from one month to another husiness is necessarily the result of the highway construction project. Finally. seems to me morally wrong, fatally flawed to say that what the retailer pockets at the end of this program are sales taxes paid by the customer. I go into this store. Dο T have any idea that the money that I think I'm paying to the state, to pay for basic human social services, is not going to the state to pay for those kinds of things at all? going directly into the pocket of the grocer or the druggist or any other retailer who might be affected thic Mill. I think this is discriminatory. I think it's unconstitutional, and I think it is bad social policy. think the proper vote on House Bill 3513 is "no"."

Speaker Breslin: "The Gentleman from DuPage, Representative

McCracken."

"Thank you, Madam Speaker, Ladies and McCracken: Centlemen. Ť rise in support of this Bill, and I think the justification retailer credit is the fact that the retailer, more than the manufacturer, much more than the manufacturer, upon his accessibility in order to produce sales. If this accessibility is substantially impaired. resulting 1655 traffic than the prior year, then it's reasonable to conclude that it's due to that lack of accessibility. The Lady, I think, is... wrong when she compares retailers manufacturers in this regard. Typically. t o manufacturer's transportation needs are one of products and does not relate directly to the accessibility or the desirability as does a retailer. Now. the Bill then. if it has a rational premise, we should ask ourselves whether in fact. is enough to iustify the credits. The retailer's direct primary access has to be restricted for

121st Legislative Day

May 22. 1986

than three months during road construction improvement. The retailer's liability must be at least 20 percent less than that in the same month of the previous vear hefore the access was restricted. Also. the retailer's direct primary access shall be restricted only if the average daily traffic on the road decreases 75 percent or more during road construction or improvement. Now, given the fact that the retailer is so dependent good accessibility. given the fact that this significant and substantial restriction on accessibility. not irrational to give this type of recognition to the retailer. The Lady makes a big point out of the fact that this tax credit will, in fact, go in the pockets of the retailers and that somehow that's immoral. remit their taxes, collected from t a purchasers, on a monthly basis. They do so for the purpose of complying with the requirement that they, in effect, the tax collectors. What happens here is that when a person makes the remittance, a tax credit will he granted pursuant to the terms of this Act. There's nothing underhanded here. There's nothing wrong with allowing to take a tax credit, given the fact that his business is suffering directly as a result of the state's And that's the point of this Bill. husiness. It requires substantial impairment of access. It relates onlv t.o retailers. those most dependent upon access for their business. And it requires that there be a substantial showing of a reduction in business as a result of that impaired access."

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

121st Legislative Day

May 22, 1986

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 Wojcik, to close."

- Woicik: "Yes. Madam Speaker and Members of the House, what I would like to point out regarding this piece of legislation is that it is a bipartisan effort. In the Senate. Senator Zito passed Senate Bill 1551 which is the same concept and almost the same wording. We have been working with the Department of Transportation. He have been working with the Department of Revenue. We are here to encourage small husinesses tο keep their doors open. T+*c not discriminatory. We have got the opportunity for people in their home, if they have a retail who are occupation tax number, to be able to have this same discount that everybody else would get. It's a good Bill. It's a bipartisan Bill. There's been a lot of work this Bill, and there's effort into a lot put Λf construction in Illinois right now, and I move for its favorable passage."
- Speaker Breslin: "The question is, 'Shall House Bill 3513 pass?'

 All those in favor vote 'aye', all those opposed vote 'no'.

 Voting is open. Representative Cullerton, one minute to explain your vote."
- Cullerton: "No, I'm not going to explain my vote. I'm just going to vote 'no'."
- Speaker Breslin: "The Gentleman from Vermilion, Representative Black, one minute to explain your vote."
- Black: "Thank you, Madam Speaker. Members of the House, I would urge that you give this careful consideration. None of your districts will be immune to this problem. Listen carefully. It is a reasonable attempt to balance the needs of progress brought about by road construction and, yet, at

121st Legislative Day

May 22, 1986

the same time, protect those retailers who must have vehicular access if they are to do business. I don't know how that could be construed as discriminatory. I don't know how that could be construed as partisan. I would urge a 'yes' vote on this."

- Speaker Breslin: "Representative Stern, one minute to explain your vote"
- Stern: "Madam Speaker and Members of the House, I am concerned that this Bill does not cover service businesses, such as doctors, lawyers, beauticians, who would also be affected seriously by restricted access. I am, therefore, voting
- Speaker Breslin: "Representative Regan, one minute to explain your vote."
- Regan: "Thank you, Madam Speaker, Members of the House. In my district we have had road construction going on for two solid years. One of the retailers that reported to me, he's losing 50,000 dollars of gross sales per month. Now, that's an abuse, and that puts people out of business, and I think this is a good Bill. And I would urge your support."
- Speaker Breslin: "Representative Ropp, one minute to explain your vote."
- Ropp: "Thank you, Madam Speaker. On a very personal note, in my district, where a highway was built, a gasoline station is almost out of business as a result of some slight changes in the traffic pattern. This is certainly a good Bill, should be given consideration because these individuals had no knowledge of what was coming about and this is an attempt to resolve that problem."
- Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 62 voting 'aye', 49 voting 'no' and 2 voting

121st Legislative Day

May 22, 1986

present. And this Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, for those Bills that were on the Order of Second Reading on this Special Order of Business of State Regulation there appears House Bill 3192. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3192, a Bill for an Act in relation to salvage vehicles. This Bill has been read a second time previously. Amendment 31 was adopted in Committee."

Speaker Breslin: "Any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "Floor Amendment &2, offered by Representative

AcPike and Friedrich."

Speaker Breslin: "Representative Friedrich."

Friedrich: "Madam Speaker, I'd like to withdraw that Amendment."

Speaker 3reslin: "Withdraw 82. Are there any further
Amendments?"

Clerk O'Brien: "Floor Amendment 33, offered by McPike and Friedrich."

Speaker Breslin: "Representative Friedrich."

Friedrich: "Madam Speaker, Members of the House, this Amendment will become the Bill which has been worked out with the State's Attorney of Cook County, the Secretary of State, the recyclers and the parts people, and I would move the adoption of the Amendment and then I'll explain it on..."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment £3 to House Bill 3192. Is there any discussion? Hearing none, the question is, 'Shall Amendment £3 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment adopted. Are there any further Amendments?"

121st Legislative Day

Hay 22. 1986

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Friedrich now asks... now asks leave for immediate consideration of House Bill 3192 as amended. Does he have leave? Hearing no objection, the Gentleman has leave. Read the Bill, Mr. Clerk."

Friedrich: "Thank you, Madam Speaker..."

Clerk O'Brien: "House Bill 3192, a Bill for an Act in relation to salvage vehicles. Third Reading of the Eill."

Speaker Breslin: "Representative Friedrich."

Friedrich: "We have a Bill which was put on at the request of the State's Attorney of Cook County and the Secretary of which is the chop shop Bill, but since it's been in effect, there have been some problems which we're trying to work out to accommodate the recyclers and the parts without endangering any ability to convict those who are chop shop operators. This has been carefully worked outit's complete agreement between the as I As far know. State's Attorney of Cook County, the Secretary of State and both organizations. There is something I'd like to read into the record, because sometime that becomes important; because, on these parts, some of them are numbered. I may, I'd like to read this into the record. This definition of identification number. Let the record show that the Sponsor and proponents intend that this definition means, a specific grouping of numbers and letters in a series which are placed on a vehicle essential part by the manufacturer or governmental for the purpose of identification that essential part or vehicle. It does not mean. symbolic names, trademarks or logos placed on a vehicle part which primarily add to the asthetic appearance of the vehicle or part. That's an important thing in the

121st Legislative Day

Hav 22. 1986

identification because tracing those numbers is an important part of the process of convicting chop shop operators. If there's any questions, I'd attempt to answer them, but that basically is what we're doing here."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3192. Is there any discussion? Representative Brunsvold."

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

Speaker Breslin: "He will."

Friedrich: "Yes."

Brunsvold: "Representative, how does it change the recyclers in their definition of... in the title of the vehicle?"

Friedrich: "Well. there's a bunch of technical change, but part of it is in the recordkeeping because the recordkeeping now becomes almost impossible. The thing that T think the parts people particularly objected to was the ... all the certificates and papers they had to make out; whereas. now they don't have to get them notarized, signed with the name on it and signed that they... that it is... a part becomes under prosecution the same as the other. But it red lot the tape. That's o f maximum changes. And it excludes rebuilt vehicles sold rebuilder to licensees for a maximum of four vehicles which may be sold legally without a used vehicle dealers It prohibits the rebuilding license. οf any salvage vehicle without a rebuilders license. Reduces the deadline for entering records from two business days to permits a more practical time frame for recordkeeping. Changes the requirement that a licensee inspectee inspects an essential part before acquiring it to a requirement that the licensee inspects the vehicle or part before accepting its delivery. Ιt deletes the language concerning affirmations on uniform invoice form. Deletes the federal

121st Legislative Day

- May 22, 1936
- certification label. Reduces from two years to two months
 the length of time before a dealership may operate on the
 property of a dealer whose license was revoked. I can go
 on. That's the type of thing we're trying to do."
- Brunsvold: "Okay. No. You say the recyclers are supportive of it?"
- Friedrich: "Both the recyclers and the parts people are in favor of this. This is an agreement of all the parties involved, as far as I know."
- Brunsvold: "Thank you, Representative."
- Speaker Breslin: "The question is, "Shall House Bill 3192 pass?"

 All those in favor vote 'aye', all those opposed vote 'no'.

 Voting is open. This is final passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 113 voting 'aye', none voting 'no' and none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 32... excuse me, 3484 was held on Second Reading. Representative O'Connell. Clerk, read the Bill."
- Clerk O'Brien: "House Bill 3484, a Bill for an Act in relation to advisory boards, committees and commissions of State Government. This Bill has been read a second time previously. No Committee Amendments."
- Speaker Breslin: "Any Floor Amendments?"
- Clerk O'Brien: "Floor Amendment #1, offered by Representative
 O'Connell."
- Speaker Breslin: "Representative O'Connell."
- O°Connell: "Thank you, Madam Speaker. Amendment &1 incorporates an Amendment to the Illinois Identification Card Act. Adds specifications for the official Illinois identification card and for the Illinois disabled persons' identification card that would make it more difficult to illegally

121st Legislative Day

- May 22, 1986
- duplicate, manufacturer or sell such cards. It prohibits the use of a photograph... I'm sorry, Madam Speaker. I'm advised that this is grammatically incorrect. I would, at this time, ask leave to withdraw Amendment \$1.00
- Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill... Excuse me, he withdraws Amendment #1. Any... Any further Amendments?"
- Clerk O'Brien: "Floor Amendment $\&2_{f 0}$ offered by Representative Piel."
- Speaker Breslin: "Representative Piel."
- Piel: "Leave to withdraw Amendment #2."
- Speaker Breslin: "Withdraw \$2. Are there any further
- Clerk O'Brien: "Floor Amendment &3, offered by Representative
 O'Connell."
- Speaker Breslin: "Representative O'Connell, on Amendment #3."
- O'Connell: "I'm sorry, Madam Speaker. Amendment #3 is identical to Amendment #1, but it has the... it's grammatically correct. It corrects a typographical error which was on page... line 19... line 19 to letter (sic) '12' is substituted for numeral '2', relating to the size of the ID card lettering. I'd ask for a favorable Amendment... adoption."
- Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to House Bill 3484. Is there any discussion? Hearing none, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Are there any further Amendments?"
- Clerk O'Brien: "No further Amendments."
- Speaker Breslin: "Third Reading. Read the Bill on Third, Mr. Clerk."

121st Legislative Day

May 22, 1986

Clerk O'Brien: "House Bill 3484, a 3ill for an Act in relation to advisory boards, committees and commissions of State Government. Third Reading of the Bill."

Speaker Breslin: "Representative O'Connell."

O'Connell: "Thank you, Madam Speaker. What this Bill does is requires the reporting of the establishment, appointments and expenditures of all... that is, all existing and new Branch boards and commissions. The appointing Executive authority must file a number ofasa ٥f information. Specifically, they must report to the Secretary of State within 30 days of the initial organization indicating authority upon the which the committee or board was established. It must also report to the Secretary of State within 30 days of any member appointments and it must file quarterly expenditure reports to the Legislative Audit And, lastly, all public reports issued by the commission or the board are to be deposited with the State This is in response to an attempt to tighten up Library. the various commissions that were incorporated under the direction of the four legislative Leaders, pursuant to the action we took last Session."

Speaker Breslin: "The Gentleman has moved for the passage Bill 3484. Is there any discussion? Hearing none, the question is, 'Shall House Bill 3484 pass?' All 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 111... 112 voting 'aye', none 'no' and none voting 'present'. This Bill, having received the Constitutional Majority. is hereby declared Mr. Clerk, for an announcement." passed.

Clerk O'Brien: "Supplemental Calendar #3 is being distributed."

Speaker Breslin: "Proceed, Mr. Clerk."

121st Legislative Day

May 22, 1986

- Clerk O'Brien: "Supplemental Calendar 33 is a Consent Calendar.

 In 15 or 20 minutes, you will receive a printout of the synopsis of the Bills on the Consent Calendar and, with that, a change of vote record. A vote will be taken later this evening or tomorrow; and, at that time, you will be allowed to change your vote on the votes on Consent Calendar on Supplemental Calendar 83."
- Speaker Breslin: "Ladies and Gentlemen, we have been informed that the vote will be later this evening. So, as soon as you get that printout, start perusing the Bills to decide which Bills you wish to vote for or against. The next Bill is House Bill 3567, that appears on Second Reading under the Order of Business and State Regulation. House Bill 3567, Mr. Clerk."
- Clerk O'Brien: "House Bill 3567, a 3ill for an Act in relation to community antenna television cable companies. This Bill has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

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

Speaker Breslin: "Representative Cullerton."

Cullerton: "Withdraw, please."

Speaker Breslin: "Withdraw Amendment #1. Are there any further

Amendments?"

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

Vinson."

Speaker Breslin: "Representative Vinson."

Vinson: "Madam Speaker, this has been a jointly done project. I

believe this particular version I wish to withdraw. I'd

like to confirm that with Hr. Cullerton."

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

Clerk O'Brien: "Floor Amendment 83, offered by Representative

121st Legislative Day

May 22, 1986

Piel."

- Speaker Breslin: "Representative Piel. Withdraw #3. Are there any further Amendments?"
- Clerk O'Brien: "Floor Amendment #4, offered by Representative
- Speaker Breslin: "Representative Homer. Withdraw #4. Are there any further Amendments?"
- Clerk O'Brien: "Floor Amendment \$5, offered by Representative

 Mautino and Ryder."
- Speaker Breslin: "Representative Mautino. Withdraw \$5. Are there any further Amendments?"
- Clerk O'Brien: "Floor Amendment #6, offered by Representative
 Vinson"
- Speaker Breslin: "Representative Vinson."
- Madam Speaker, Ladies and Gentlemen of the House, This Bill originated as the result o f controversy between the cable television industry and the public utility industry in Illinois. That problem has now. been resolved due to a consentual agreement and the original subject matter of the Bill is removed bν this Amendment. What the Amendment does is to solve a problem faced by many farmers, people living in rural Illinois who do not have available to them cable television It only makes sense financially for a cable television system to wire a municipality. a dense livina And as a consequence, cable television systems do area. not make available to people living in rural parts of the cable state access to television systems. Δs consequence, a new industry sprang up in this country, what that new industry was, and I'm sure many of you have seen it - it was satellite television dishes which could receive directly from the satellites the transmissions that people living in municipal areas are able to get through

121st Legislative Day

May 22, 1986

their cable system. Now, the cost of a satellite dish two and three thousand dollars and many farmers, many people living in rural areas, have made investment to be able to get those satellite dishes. The Congress last year enacted legislation which will permit... already has permitted, some people beaming signals to cable television systems to scramble their systems so through a normal reception device, a normal satellite dish, you cannot receive that signal in a coherent form and see the picture. One of the things that many farmers and many people living in rural areas are concerned about is how they're going to be able to continue to get television transmission through their satellite dish because of that. As a consequence, we've proposed and the cable television industry in this state agrees that this Amendment is a reasonable solution to that particular problem. What it does is to require the industry to make available, to people who are not served by cable systems, decoders, which descramble those signals, so that people can... the... a coherent picture on their television screen and to make those decoders available at a reasonable price, a price related to the cost of production and distribution. It's an Amendment that primarily deals with people who would otherwise be left behind by the technology and the regulation in this field. It makes public service available to them at a reasonable price. And I would for your favorable consideration of Amendment &6 to 3567."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #6 to House Bill 3567. And on that question.

Representative Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

Speaker Breslin: "He will."

Cullerton: "I just want to clear up one question, Representative.

121st Legislative Day

May 22. 1986

As I understand the way your Amendment's drafted. this would apply to either a situation where the municipality and the county in which a person resides has a franchise to operate or, if there has been a franchise awarded, they do not make cablevision... or cable television services available. Тc thatasa is that correct?"

Vinson: "Yes, that would be correct."

Cullerton: "So, in other words, this would also apply in the City

of Chicago, because we don't have cable services available
in the City of Chicago."

Vinson: "Yes, I understand your problems, too,"

Cullerton: "So, in addition to assisting the rural areas there's no cable services available, it also would help the neonle in the City of Chicago where there's no cable available, as well. And to the Amendment, I fully concur with the Amendment, becomes the Bill. What it means is, if someone has gone to the expense of investing in one of these big satellite dishes, right now and in the near even more of these programmers will be scrambling signal. They are trying to break... trying to break the people who manufacture companies are these dishes by not providing the decoders. What this Bill says is they can't do that. They have to provide the It has to be at a reasonable cost, related to decoders. the cost of the manufacturing and distribution. really, it isn't unfair to the cable operators; because, if they have... if they make the cable service available to those people, then this Bill doesn't apply. So, I think it's an excellent idea. I think Illinois would be the leading state in this issue. ∀e°re not aoina wait for the Federal Government to act. We should go ahead and So, I fully concur it ourselves. with

121st Legislative Day

May 22. 1986

Gentleman's Amendment."

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

Levin: "Would the Gentleman yield for a question?"

Speaker Breslin: "He will."

Levin: "Representative, I think you have a good idea here. Just a question as far as implementation. The way I understand the Amendment, it provides that the charge shall be a reasonable charge, related to the cost. If there is a dispute as to what is reasonable, is there a mechanism in the Bill for somebody to resolve that issue?"

Vinson: "Yes, Sir, Well, there is a mechanism. Part addressed in the Bill and part of it is addressed by current law and our current system. The mechanism... of the mechanism provided by the Bill is that the Legislative Research Unit shall conduct a study of what the actual costs are of production and distribution of devices. That will provide a very authoritative. objective, nonpartisan source for the cost data. law of Illinois, and for that matter, under the law of United States, we have what is available judicial..."

Levin: "Representative, can you speak up, because I can't hear you?"

Speaker Breslin: "Give the Gentlemen your attention, Ladies and Gentlemen."

Vinson: "Do you want me to go back to the beginning?"

Levin: "No."

Vinson: "Okay. We have available already, under the law, a process whereby a plaintiff can sue a defendant to recover from that defendant or get injunctive action, relief against that defendant. And in addition to that, we have what is known as a class action lawsuit. And I would

121st Legislative Day

May 22. 1986

anticipate that if the cable companies resist doing what the law says, that a plaintiff and a plaintiff's attorney will get that information from the Legislative Research Unit that I alluded to and shall file a class action lawsuit to defend the rights of farmers and people in Chicago who can't get this service.

Levin: "So, it is your intention that this Amendment would grant standing to potenti... to owners of dishes to challenge an unreasonable rate in the courts."

Vinson: "Yes, Sir."

Levin: "Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall Amendment #6 be adopted?' Representative Van Duyne, on the question. Representative Van Duyne."

Van Duyne: "I'm perplexed. You don't see my light?"

Speaker Breslin: "I saw your light. I thought you were rising to move the previous question."

Van Duyne: "I'm sorry. I... You did make the admonition that
there were no other conversat... I'd just like to know from
the... Well, will the Sponsor yield to a question?"

Vinson: "Certainly, Sir."

Speaker Breslin: "He will."

Van Duyne: "You say this is a regional Amendment. Will County is a regional area. We have cable in some of our cities. In our rural areas, we do not have cable and I'm wondering whether or not there may... as far as to establish legislative intent, whether or not the city areas that do have cable are in some way, shape or form going to be connected with the paying for these decoders, as you call them."

Vinson: "No. Sir."

Van Duyne: "Okay. Thank you."

Speaker Breslin: "The question is, "Shall Amendment #6 be

121st Legislative Day

- May 22, 1986
- 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. Read the Bill on Third. Ar. Clerk."
- Clerk O'Brien: "House Bill 3567, a Bill for an Act in relation to community antenna television cable companies. Third Reading of the Bill."
- Speaker Breslin: "Representative Vinson."
- Vinson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. We have now described the Bill..."
- Speaker Breslin: "Excuse me. Excuse me. Representative

 Cullerton says he is the lead Sponsor on this Bill. Is

 that correct?"
- Vinson: "I am perfectly willing to pay a very total tribute to him, because he has very substantilly gone out of his way to serve particularly the farmers of Illinois. And I appreciate that."
- Speaker Breslin: "I will recognize Representative Cullerton, on the Bill."
- Cullerton: "Yes, I'd certainly appreciate the opportunity to present my Bill, too, and I thank Representative Vinson for allowing me to go first, since I'm the Sponsor. And let me just give a little background. For those of you who are concerned about this fight between the utilities and the cable companies, that has been resolved. This Bill deals with that issue. You don't have to worry about that issue. They've worked out an agreement. what the Bi 11 does is only what we just debated on the Amendment 26. which Representative Vinson has iust explained. And for that reason, I move for the adoption...

121st Legislative Day

May 22, 1986

- or the passage of the Bill."
- Speaker Breslin: "The question is, 'Shall House Bill 3567 pass?'

 And on that question, the Gentleman from Rock Island,

 Representative Brunsvold."
- Brunsvold: "Thank you, Madam Speaker. Will the Gentleman yield?"

 Speaker Breslin: "He will."
- Brunsvold: "Representative, what is that agreement?"
- Cullerton: "You want to know what the agreement was between the cable company. It's not relevant to this Bill."
- Speaker Breslin: "I'm sorry. I'm sorry. You have to discuss the

 Bill that is before you. Is there any further discussion?"

 Cullerton: "Be happy to..."
- Speaker Breslin: "The question is, 'Shall Amendment...' 'Shall House Bill 3567 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 110 voting 'aye', none voting 'no' and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 3568. Read the Bill, Mr. Clerk."
- Clerk O'Brien: "House Bill 3568, a Bill for an Act in relation to state employment. This Bill has been read a second time previously. No Committee Amendments."
- Speaker Breslin: "Are there any Floor Amendments?"
- Clerk O'Brien: "Floor Amendment \$1... Amendments \$1 and 2 lost in Committee."
- Speaker Breslin: "Are there any further Amendments?"
- Clerk O'Brien: "Floor Amendment #3, offered by Representative
- Speaker Breslin: "Representative Barnes."
- Barnes: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Amendment &3 establishes comparable worth. The

- 121st Legislative Day May 22. 1986

 payment of equal wages for jobs of comparable value for all

 state employees..."
- Speaker Breslin: "Excuse me. Representative 3arnes, we understand that 3 is not printed. 4... You were supposed to withdraw 3 and move on to 4."
- Barnes: "Well, the Clerk came and told me that they made a mistake; that they misnumbered this and that this was really number 3?"
- Speaker Breslin: They suggest that if you just withdraw 3 you can go with $4 \cdot 9$
- Barnes: "I'd be very willing to do that, Madam Speaker. Thank you."
- Speaker Breslin: "The Lady withdraws Amendment &3. Are there any further Amendments?"
- Clerk O'Brien: "Floor Amendment #4, offered by Representative
 Barnes."
- Speaker Breslin: "Representative Barnes."
- Barnes: "Madam Speaker, the board says #5. Thank your Thank you, Madam Speaker. Amendment 34 tο House Bill 3568 establishes comparable worth - the payment of equal jobs of comparable value for all state employees. except legislative and Circuit Court employees. Comparable worth is defined as the value of work measured by the skill. effort. responsibility and working conditions normally required in the performance of a job. I would ask for an 'ave' vote."
- Speaker Breslin: "Representative... The Lady has moved for the adoption of Amendment £4 to House Bill 3568. And on that question, the Gentleman from Bureau, Representative
- Mautino: "Thank you, Madam Speaker. Since this is a question of comparable worth and we're addressing 3568, I'd request a ruling on whether or not this Amendment is germane to the

121st Legislative Day

May 22, 1986

issue."

Speaker Breslin: "Representative Mautino, the Chaîr rules that the Amendment is not germane. Are there any further Amendments, Mr. Clerk?"

Clerk O'Brien: "No further Amendments."

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

Barnes: "Madam Speaker, I would like to appeal the ruling of the Chair. I feel that this Amendment is germane."

Speaker Breslin: "The Lady appeals the ruling of the Chair. The question is, 'Shall the Chair be overruled?' The Lady has moved to overrule the Chair. And on that question, the Gentleman from Bureau, Representative Mautino."

Mautino: "Parliamentary inquiry."

Speaker Breslin: "State your inquiry."

Mautino: "I know that the Motion to overrule the ruling of the
Chair is not debatable. My question then is, is my Motion
in order to lay that Motion on the table?"

Speaker Breslin: "Representative Mautino, we believe that the Motion is debatable, as to that issue. And we think it is more appropriate to address the Lady's Motion directly. Do you have an opinion as to the Motion? Representative Mautino."

"Thank you very much. Madam Speaker. Yes, Mautino: do. The question raised in the Amendment #4 is a question which I'm sure is being debated all around this country. This legislation appeared in our Committee and the mere fact that there could be no guarantee that not only would this philosophy of comparable worth be provided the in sector of our society, that there governmental section... was no guarantee that this would not be a hasis condition precedent for the private sector. I find that very difficult to accept, if, in fact, we establish

121st Legislative Day

May 22, 1986

here that says a certain segment of our society precedent in the wage scale is not being addressed through the process of collective bargaining which we have at the state in the many cases. private Therefore, my concern with this type of an Amendment being established as governmental policy, the basis being then laid in the private sector, which it is in most cases not workable, I, therefore, rise in opposition to the Motion as it pertains to the Speaker's decision on this question."

Speaker Breslin: "The Gentleman from DeWitt, Representative

Vinson, on the question."

you, Madam Speaker, Ladies and Gentlemen of the House. The question of the germaneness of an Amendment tο Rill is question that should be debated on its merits. We all offer Amendments from time to time i t important than when an Amendment is germane, that the is Body enforce the rules of the House that the Amendment is germane. Everyone has an interest in that. Now, what this Bill does, the underlying Bill, is to opportunity and to assure equal opportunity for people want jobs. What the Lady's Amendment does is the same It is a comparable worth Amendment as directly germane to an affirmative action Bill as anything one could imagine. t personally do not support the concept of personally would comparable worth, and I probably vote this Amendment if the Amendment is subsequently declared germane by the House and voted on. But the fact that the Lady has presented what I believe and what anybody looks at the issue objectively has to believe is a who germane Amendment to a Bill, then she's got the riaht her idea heard. Then, this Assembly, when the Chair rules it's not germane, has to take the extraordinary 121st Legislative Day

May 22, 1986

action of ensuring that people who come here and are elected here to represent people and to present ideas have the right to have their ideas heard. I believe this Lady has the right to have her idea heard, even though I don't agree with her idea. And I would urge everybody to insist that we have a constitutional, properly functioning, orderly General Assembly that gives everybody the right to their have ideas presented, debated and voted up or down according to the consciences of each Member."

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

"Thank you. Madam Speaker, Members of the House. I * m Currie: of Amendment 4 to House Bill committed to the substance but. unlike the previous speaker. T think 3568 is not the right time, the right unfortunately that this Bill upon which we should debate the merits of pay equity. equal pay, for work of comparable value, committed though I principle. The underlying Bill is not a Bill am to the that establishes new affirmative action requirements, does requirements for iob not deal with state agency entitlement. Basically, the underlying Bill is a reporting one. The Bill deals with the way we report to ourselves and the public about employment programs in State Government deals with the question of how we make information public about jobs available to the general that are State Government purview. The Bi11 available within establishes no new requirements to act in an affirmative or any other kind of way for State Government. And it seems to me the parliamentary... Parliamentarian's ruling on this subject is absolutely correct. So, much as I would enjoy the opportunity to debate the substance of Floor Amendment 4 to House Bill 3568, I'm afraid that this is not the right afternoon to do so."

121st Legislative Day

May 22, 1936

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

McCracken: "Thank you, Madam Speaker, Ladies and Gentlemen of the If this isn't the time and place, then apparently not the people's forum-This is not where the state's business is conducted. What we have here ruling by the Chair which defies all prior precedent relative to its rulings on germaneness or single subject. the Acts that are amended in House Bill 3568. T t amends the Illinois Human... Human Rights Act. 1 + Civil Administrative Code of Illinois. It amends the Personnel Code. It requires reports to be made relative to affirmative action to determine whether minorities underutilized in state employment. This Chair has repeatedly defined germaneness in two... two main one, is the same act being amended; and, two, is there a logical relationship between the subject matter the Amendment and the Bill as unamended. Yeah, I submit to that on either theory of germaneness. Representative Barnes* Amendment meets those criteria. Τt anything that this amend House Bill. unamended, concerns itself with. It is similar subject matter. Although this is a reporting requirement Bill in 3568, to some extent, it also reflects the public policy οf this state that minorities shall underutilized in the personnel of the State of Illinois. This is something that goes far beyond a mere reporting or technical Bill. It expresses the policy of this state comparable worth Bill is relative to the issue. This clearly in the right place at the right time. The Lady, engages in semantics when she says that she is for the substance of the Bill but opposed this ta This falls squarely within the Chair's prior rulings on

121st Legislative Day

May 22, 1986

comp... on germaneness, on both counts. On that basis, we should allow the Lady to have the Amendment heard Secause it, in fact, is germane. The Chair should be overruled."

Speaker Breslin: "Representative Barnes. Representative Jarnes, to close on the Motion."

- Barnes: "Thank you. Hadam Speaker. I definitely feel, since the an Act in relation to state employment, Rill is addresses equal opportunities and affirmative action, I feel that this is the right time to bring this up. former speakers says she believes in the format. but this isn't the time or the place. I was, in good faith, on another Bill with some other women in this Body and was really disappointed when they didnot feel that they should call the Bill down in a Committee meeting and that is why I entered this Amendment, because I feel verv stronalv comparable worth. I think this is the time. I think this is the place, and I would ask for an 'aye' vote"
- Speaker Breslin: "The question is, •Shall the Chair overruled? All those in favor vote *ave*. vote 'no'. Voting is open. Representative Churchill, one minute to explain your vote."
- "Thank you, Madam Speaker. I do not believe in the concept of comparable worth, and I don't necessarily that if that were the issue. would vote for think, as previous speakers have said, that the real whether or not the rulings of the Chair can continue to disenfranchise the Members of this Body from discussing the issues contained in their legislation. Farlier this afternoon. I had a Bill that was word for word exactly the same, an Amendment was exactly the same as Amendment. Ιt was ruled not germane. I think the Chair been abusing its power in using the germaneness argument to keep us from considering these issues. And

121st Legislative Day

- May 22, 1986
- that's why I'm standing up and voting 'aye' on this."
- Speaker Breslin: "Representative Wojcik, one minute to explain your vote."
- Wojcik: "Yes, Madam Speaker, Members of the House, even though I'm not for comparable worth, I have to tell you that I've been here almost four years now and this issue keeps coming up and coming up and coming up. I think we ought to settle it. I think we ought to do it today. I think we ought to get it over with. And that's why I'm voting 'yes', because I want the issue to be taken and to get over with it. Thank you."
- Speaker Breslin: "Representative Hallock, one minute to explain your vote"
- Hallock: "Thank you, Madam Speaker, Members of the House. Yau during all the years that I've been in the General Assembly, one issue always comes up and that's comparable warth. T get questionaires at home from all kinds of groups wanting to know where I stand on this issue as well. It seems to me that now is our time to make a statement. on that side of the aisle who have always VOU espoused a belief in this philosophy have a chance now vote that way. I would urge an *aye* vote."
- Speaker Breslin: "Representative Ryder, one minute to explain your vote"
- Ryder: "Thank you, Madam Speaker. know. during As vou Committee hearing, there was some great controversy about this particular subject matter, as the Madam Speaker previous speakers indicated their Some of us may not agree with this support for this issue. but I would simply indicate to issue. that previous speaker, if not now, when and, if not here, where? This is place to decide the issue. Let's put it on, decide it up or down. But for us to say that the germaneness is

121st Legislative Day

- May 22, 1986
- the question or to trip over constitutional requirements is not the issue. Let... the process should be served, and it is not. I urge an 'aye' vote."
- Speaker Breslin: "Mr. Clerk, take the record. On this question there are 43 voting "aye", 64 voting "no" and 2 voting "present". And the Chair is not overruled. Read the Bill on Third, Mr. Clerk."
- Clerk O'Brien: "House Bill 3568, a Bill for an Act in relation to state employment. Third Reading of the Bill."
- Speaker Breslin: "Representative Flowers."
- Flowers: "Madam Speaker, Ladies and Gentlemen of the House, this Bill amends the Illinois Human Rights Act, require the Department of Human Rights to conduct a biennial compliance audit of state agency compliance with the Human Rights Act, to compile monthly statistics of underutilizations of minority in State Government and to report semi-annually to the General Assembly. It also requires the Department of Central Management Services to list all vacant positions subject to the Personnel Code and make the list available to the public at the Department of Central Management regional offices and at the Job Service Office at the Department of Employment Security. And I urge your "aye" vote. Thank you."
- Speaker Breslin: "The question is, 'Shall House Bill 3568 pass?'

 And on that question, the Lady from DuPage, Representative

 Cowlishaw."
- Cowlishaw: "Madam Speaker, this is a very small thing. But do you suppose we could spell the word "compliance" right on the board?"
- Speaker Breslin: "Ar. Clerk, please attend to that when you can.

 The Gentleman from Cook, Representative Bowman, on the Bill."
- Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the

121st Legislative Day

May 22, 1986

House. I rise in support of the Lady's Motion. This Bill resulted from five days of hearings on this subject, one of most extensive set of hearings that I've been involved in since being in the General Assembly. They meetings between the House Appropriations I Committee and House Appropriations II Committee, and we... we discovered a number of things. We discovered that the plans that are prepared by the departments really have no meaning and the... we discovered that the Department of Human Rights by its lights. apparently. does nat have adequate enforcement powers with respect to departments of State Government and that's why the Bill is proposed. highlight one item which I think every Member of this General Assembly should be interested in because us have people in our districts who are unemployed and who are seeking work. And yet, what happens? They go down to the Department of Central Management Services and take a test and maybe they get an A on the test. And they when do I start work? * Oh • good, Well, the answer is, *Don*t call us. We'll call you. * There might available in State Government, but they can't find out about them, because... Why, because those iobs There is no place where they can go, or where you, a State Legislator, could go or where anybody could go to find out what vacancies there are that... for which the person might be qualified. And I think that's a very significant part of this Bill that everybody on the this House ought to be interested in. I am pleased to support the Lady in her Motion."

Speaker Breslin: "The Gentleman from Kendall, Representative

Hastert."

Hastert: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think we ought to focus our attention on this

121st Legislative Day

May 22, 1986

legislation. First of all, it's a rather unique piece of piece of legislation. It came out of an Appropriations It's the first time I've ever seen a piece of substantive legislation come out of that Committee. a so-called Committee Bill. It came out of Committee on vote, and I'm not sure if this is the correct vote or not, but it was a 12-9 vote. What this Bill does basically up a quota system in the State of Illinois. What this Bill does is say that people, not... you know, some people are going to get jobs and some people arenot going aet What this Bill does is to reproduce the work that iobs. the Central Management Service... Department of Central Management Services already does. It's going to cost almost double the amount of money for hiring people in State of Illinois. It, you know, goes through and it adds onto bureaucracy to try to solve problems that some people perceive we have in State Government. Now, I mean, we've got to... this legislation, you know, didnot go through a regular Committee to hear the process. It went through an I think it's a bad precedent. Appropriations Committee. Ŧ think it's duplication. I think it's legislation needed. certainly ĩs nat And . you know. iust something that we have, we pile on and we pile ០១ government and we put more and more government on the backs And we put more and more government in the people. state bureaucracy. This is a bureaucracy to check bureaucracy to check the bureaucracy. And I think it deserves a 'no' vote. I think it needs an astounding vote and I hope that you would all vote that way."

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

Representative Currie."

Currie: "Thank you, Madam Speaker and Members of the House. This isn't a Bill about adding more bureaucracy. It's a 3ill to

121st Legislative Day

May 22, 1986

let the people know whether State Government is doing the and our state agency departments to do. hires us It's a Bill to let people, ordinary people, know when jobs available in State Government. One of the. I think. Bi 11 particularly valuable pieces in this i 5 postina in state job service offices. People who are right now collecting unemployment compensation, people who have been laid off from state employment them jobs. These people should have an opportunity to find out whether there are jobs available in State Government, these people first of all, the one's we've already laid off from that state payroll, for whom we are paying unemployment compensation claims. Thev have right and а responsibility. We have a responsibility to them, to let them know when and where state jobs are available. This is a job... this is a Bill that's about letting people know what the state record is - do we do the job our say we must, and it's a Bill about letting people know when there are opportunities for employment for all people in State of Illinois governmental employ. The Appropriations and II Committees are regular Committees of the House of Representatives. Nothing unusual or irregular about them. It seems to me quite appropriate for this Bill to have come through the Appropriations Committee after lengthy hearings with many state agencies, hearings that uncovered problems in reporting, in openness in the public record of Illinois State Government employ."

Speaker Breslin: "The Gentleman from Rock Island, Representative

Brunsvold."

Brunsvold: "Thank you, Aadam Speaker. I'd just like to comment —

I'm going to support this Bill. The other day we added in

the budget, monies for 43 new people in this agency. They

were reprimanded in Committee for not doing the job.

121st Legislative Day

May 22, 1986

Thev*re getting statistics now through this process with this Bill, and I think everyone ought to take notice now that next year, if the Human Rights agency doesn't produce, ought to take the jobs away. They have promised already that this is what they need to be a good I think we ought to watch carefully now, because next year in Committee they're going to have to show this has done the job for them and they ve taken care of the backlog of cases and the information that gathered from this Bill will affect a good agency. And so. think right now that I'm going to support this Bill and with the idea that next year, the agency again is going come under scrutiny to see if they really, in fact, have Thank voue Mr. (sic - Madam) Speaker." produced.

Speaker Breslin: "Representative Flowers, to close"

Flowers: "Madam Speaker and Ladies and Gentlemen of the House, this 3ill addresses the weaknesses discovered in the Department of... Human Rights Department. And the hearings with this, we are trying to rectify their problems. It was this Body that enacted the Human Rights Act. Now, let us give it the teeth that it needs to enforce it. I urge an 'aye' vote. Thank you."

Speaker Breslin: "The question is, 'Shall House House 3568 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? This Bill requires votes for passage. Have all voted who wish? Have all voted who wish? The Clerk will take the record. Excuse me. Representative McCracken, for what reason do vou rise? The Clerk will take the record. On this question there are voting 'aye', 53 voting 'no' and 3 voting 'present'. Representative Flowers."

Flowers: "Please... Would you..."

121st Legislative Day May 22, 1986

Speaker Breslin: "Poll the absentees?"

Flowers: "... please poll the absentees?"

Speaker Breslin: "Poll the absentees, Mr. Clerk."

Clerk O'Brien: "Poll of those not voting. Goforth. Klemm.

Leverenz. Mautino. McAuliffe. And Wyvetter Younge."

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

Leverenz: "Vote me 'aye'."

Speaker Breslin: "Vote Representative Leverenz 'aye'. Have all voted who wish? The Clerk will take the record. On this question... Representative Brookins, for what reason do you rise?"

Brookins: "Which way... How am I recorded?"

Speaker Breslin: "You're recorded as voting 'aye'.

Representative McGann, for what reason do you rise?"

McGann: "Would you kindly change, Madam, from 'no' to 'aye'?"

Speaker Breslin: "Change Representative McGann from 'no' to
'aye'. Representative Hartke, for what reason do you
rise?"

Hartke: "How am I recorded as voting?"

Speaker Breslin: "You're recorded as voting 'no'."

Hartke: "Change me to 'aye'."

Speaker Breslin: "Change Representative Hartke to 'aye'.

Representative McCracken, for what reason do you rise?"

McCracken: "If this appears to get the requisite number, a verification."

Speaker Breslin: "On this question there are 60 voting "aye", 51

voting "no", none voting "present". And there has been a

request for a verification. Poll the affirmative, Mr.

Clerk."

Clerk O'Brien: "Alexander. Berrios. Bowman. 3raun. Breslin.
Brookins. Brunsvold."

Speaker Breslin: "Excuse me. Representative Braun."

121st Legislative Day May 22, 1986

Braun: "Ask leave to be verified."

Speaker Breslin: "The Lady asks leave to be verified. Proceed.

Mr. Clerk."

Clerk O'Brien: "Capparelli. Christensen. Cullerton. Curran. Currie. Dalev. DeJacober. Dunn. Farlev. Flinn. Giglio. Giorgi. Greiman. Hartke-Floware. Hannig. Hicks. Homer. Huff. Keane. Wreka. Kulas. Laurino. Martinez. LeFlore. Leverenz. Levin. Matijevich. McGann. McNamara. McPike. O'Connell. Panavotovich. Preston. Pangle. Phelps. Rea. Richmond. Ronan. Satterthwaite. Shaw. Steczo. Stern. Saltsman. Sutker. Terzich. Turner. Van Duyne. Washington. White. Wolf. Anthony Young. And Mr. Speaker."

Speaker Breslin: "Do you have any questions of the Affirmative Roll? Representative Capparelli asks leave to be verified.

Does he have leave? He does. Proceed, Representative.

Representative McCracken."

McCracken: "Thank you, Madam Chairman. Representative Hannig."

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

McCracken: "Representative Preston."

Speaker Breslin: "Representative Preston. Representative Lee

Preston. The Gentleman is in the chamber."

McCracken: "Representative Leverenz."

Speaker Breslin: "The Gentleman's in the chamber."

McCracken: "Representative Krska."

Speaker Breslin: "The Gentleman's in his chair."

McCracken: "Representative Ronan."

Speaker Breslin: "Representative Ronan. Representative Al Ronan.

The Gentleman is in the chamber."

McCracken: "Representative Keane."

Speaker Breslin: "The Gentleman's in his chair."

McCracken: "Representative..."

Speaker Breslin: "Representative Jesse White asks leave to

121st Legislative Day

May 22. 1986

verified, Representative. That is granted. Proceed."

McCracken: "Representative Kulas."

Speaker Breslin: "Representative Kulas. Representative Myron Kulas. Is the Gentleman in the chamber? Remove him from the Roll Call."

McCracken: "Representative Mautino."

Speaker Breslin: "Representative Mautino is in the chamber.

Excuse me. He's not recorded as voting, however."

McCracken: "Representative O'Connall."

Speaker Breslin: "Representative Kulas has returned to the chamber. Add him to the Roll Call. Representative O'Connell is in the chamber."

McCracken: "Representative Terzich."

Speaker Breslin: "Representative Terzich. Representative Bob

Terzich. The Gentleman is not in the chamber. Remove him

from the Roll Call."

McCracken: "Representative Flinn."

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

McCracken: "Representative Richmond."

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

McCracken: "Representative Christensen."

Speaker Breslin: "Representative Ray Christensen. Ray

Christensen. He is not in the chamber. Remove him from
the Roll Call."

McCracken: "Representative Hicks."

Speaker Breslin: "The Gentleman is in the chamber."

McCracken: "Representative Laurino."

Speaker Breslin: "Representative Laurino is in the nurses station."

McCracken: "Representative Hartke."

Speaker Breslin: "Representative Hartke. Representative Chuck

121st Legislative Day

May 22, 1986

Hartke. Is the Gentleman in the chamber? He is not.

Remove him from the Roll Call."

McCracken: "Representative Brunsvold."

Speaker Breslin: "He's in his chair."

McCracken: "Representative Steczo."

Speaker Breslin: "He's in his chair."

McCracken: "Representative Berrios."

Speaker Breslin: "He's in his chair. Representative Terzich has returned to the chamber. Add him to the Roll Call voting 'ave'."

McCracken: "Representative Hyvetter Younge."

Speaker Breslin: "The Lady is not in the chamber. Remove her from the Roll Call. Excuse me. She's not recorded as voting."

McCracken: "Nothing further. Take it."

Speaker Breslin: "On this question there are 56 voting 'aye", 51

voting 'no' and none voting 'present'. Representative

Flowers, for what reason do you rise?"

Flowers: "Hadam Speaker, I would like to put this Bill on Postponed Consideration."

Speaker Breslin: "That will be granted. This Bill will be placed on the Order of Postponed Consideration. Consent Calendar the has been passed out and sheets have been passed out for you to vote. We will allow until 7:20 for you to look over those Bills and vote. Has everybody gotten their Consent Calendar so that they can vote? You know what we're doing now. You have 25 minutes look over these Bills and vote accordingly. understand that there are two Bills on this Order that are on Second Reading that need to be moved to Third. We will not do that at this time. He have one more Bill this O D Order of Reading, which we will do first, and then we will go back to the others. Representative Vinson, for

121st Legislative Day

May 22, 1986

reason do you rise?"

- Vinson: "Madam Speaker, I think that the 25 minute period should run after those Bills are moved to Third so that in any event are they amended while they're still on Second, that Hembers will have the opportunity to see what they're actually voting on on Third."
- Speaker Breslin: "Very well. Wa'll do the two Bills immediately then. They are House Bill 1676, sponsored by Anthony Young. Ar. Clerk, read the Bill."
- Clerk O'Brien: "House Bill 1676, a Bill for an Act to amend an Act concerning working cash funds and amending certain Acts therein named. Second... This Bill has been read a second time previously. No Committee Amendments."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. House Bill 3525, Representative Didrickson. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3525, a Bill for an Act to add Sections to the Cannibus Control Act. This Bill has been read a second time previously."

Speaker Breslin: "Any Motions filed or Floor Amendments?"

Clerk O'Brien: "Amendment #1 was adopted in Committee. And no Motions filed."

Speaker Breslin: "Any Floor Amendments?"

Clerk O'Brien: "No Floor Amendments."

Speaker Breslin: "Third Reading. Representative Friedrich, for what reason do you rise?"

Friedrich: "Madam Speaker, a while ago we passed 3192 which is on the Consent Calendar. I don't know if I want to run the risk of having it reconsidered or not, but we had to do that because I had to read something into the record. But it is on the Consent Calendar."

Speaker Breslin: "We also understand that there are two Bills on

121st Legislative Day

- Hay 22, 1986
- the Consent Calendar that are on Third Reading that have to brought back to Second for the purposes of an Amendment.

 So, we will go to those Bills now. House 3ill 2596, Representative Nolf. Clerk, read the Bill.
- Clerk O'Brien: "House Bill 2596, a Bill for an Act to amend the
 Uniform Criminal Extradition Act. Third Reading of the
 Bill."
- 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 none, the 3111... Gentleman has leave. Read the Are there Amendments. Mr. Clerk? Representative Wolf. for reason do you rise?"
- Wolf: "Madam Speaker, it's for the purpose of a Motion."
- Speaker Breslin: "I see. It's for the purpose of a Motion.

 State your Motion, Representative Wolf."
- Wolf: "Would the Chair now recognize Representative Churchill, please?"
- Speaker Breslin: "Representative Churchill, on a Motion."
- Churchill: "Thank you, Madam Speaker. I would move to withdraw

 Amendment 82."
- Speaker Breslin: "Was it adopted at one time?"
- Churchill: "Yes, I believe it was."
- Speaker Breslin: "Then it has to be tabled. The Gentleman moves to..."
- Churchill: "Yes, I would table... move to table Amendment 82."
- Breslin: **** table Amendment #2. Is there any discussion? Hearing none, the question is. 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 anv further Amendments or Motions?"
- Clerk O'Brien: "No further Motions or Amendments."

121st Legislative Day

May 22, 1986

- Speaker Breslin: "Third Reading. House Bill 3059, Representative Steczo. Clerk, read the 3ill."
- Clerk O'Brien: "House Bill 3059, a Bill for an Act to amend the School Code. Third Reading of the Bill."
- Speaker Breslin: "The Gentleman asks leave to return this 3ill to
 the Order of Second Reading for the purposes of an
 Amendment. Does he have leave? Hearing no objections, he
 has leave. Are there any Amendment filed, Mr. Clerk?"
- Clerk O'Brien: "Floor Amendment 32, offered by Representative
 Steczo."
- Speaker Breslin: "Representative Steczo."
- Steczo: "Thank you, Madam Speaker, Members of the House. Amendment #2 is offered by myself and Representative relates to a problem that the private schools had had with the Bill. The Bill deals with the transfer of student records within a certain number of days and the private indicated that they had a problem with those schools because some of those records are held back so they could get that's... tuition and maybe other fees that tuition have not been paid. Amendment #2 indicates that upon the student, the private school would provide an unofficial transcript within the 10 days. official transcript only after all... all fees and tuition had been paid. I would move for the adoption."
- Speaker Breslin: "Question is, 'Shall Amendment #2 to House Bill 3059 be adopted?' Is there any discussion? Hearing none, the question is, 'Shall Amendment #2 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment's adopted. Are there any further Amendments?"
- Clerk O'Brien: "No further Amendments."
- Speaker Breslin: "Third Reading. Ladies and Gentlemen, there is one Bill left on the Order of Business and State

121st Legislative Day

May 22, 1986

Regulation. That is House Bill 3298, Representative McPike. Clerk, read the Bill."

Clerk O'Brien: "House Bill 3298,..."

Speaker Breslin: "While we're waiting, Ladies and Gentlemen..."

Clerk O'Brien: "... a Bill..."

- Speaker Breslin: "We'll be cutting off the voting on the Consent

 Calendar at 7:30. So, work towards that deadline. Mr.

 Clerk."
- Clerk O'Brien: "House Bill 3293, a Bill for an Act to amend the Private Detective, Private Alarm and Private Security Act.

 Third Reading of the Bill."
- Speaker Braslin: "Representative McPike."
- McPike: "Thank you, Madam Speaker. I'd like leave to return this
 to Second Reading for an Amendment."
- Speaker dreslin: "The Gentleman asks leave to return House 3ill 3298 to Second Reading for an Amendment. Is there any objection? Hearing none, the Gentleman has leave. The Bill is on Second Reading. Are there any Amendments filed. Mr. Clerk?"
- Clerk O'Brien: "Floor Amendment #1, offered by Representative

 McPike."
- Speaker Breslin: "Representative McPike."
- McPike: "Floor Amendment #1 puts a definition into the Act of a burglar alarm system or alarm system. It means any system which triggers an audible, visible or remote signal that requires a response. That is currently the Department's interpretation of the present law. He want it in there for clarification only. The Amendment removes from the Act the installation of fire detection and alarm systems. So those contractors that have been concerned those or contractors electrical contractors specialty contractors that install fire alarm systems will no come under the purview of this Act. I move the adoption of

121st Legislative Day

Hay 22, 1986

the Amendment."

Speaker Breslin: "The Gentleman has moved the adoption Amendment #1 to House Bill 3298. Is there any discussion? Hearing none, the question is, •Shall Amendment #1 be adopted?* All those in favor say 'aye', all those In the opinion of the Chair, the "ayes" have it say 'nay'. and the Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Read the Bill, Ar. Clerk."

Clerk O'Brien: "House Bill 3298, a Bill for an Act to amend Sections of the Private Detective, Private Alarm, Private Security Act of 1983. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

- McPike: "Thank you, "adam Speaker. Representative Hastert and I are Cosponsors of this Bill and the purpose of the Bill was to provide some relief to the electrical contractors who have for years installed fire alarm systems. This takes them out from underneath the Bill, clarifies the definition that was discussed a minute ago on Amendment #1. I move for the passage of the Bill."
- Speaker Breslin: "The Gentleman has moved for the passage of House Bill 3298. And on that question, the Gentleman from Kendall, Representative Hastert".
- Hastert: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I stand in support of Representative McPike's Bill.

 The problem... created people before electricians who installed fire alarms prior to this Bill or at the present time had to go get registered almost as a private detective before they could put in a fire alarm. It was tedious, it was burdensome, it wasn't needed. It's a good piece of legislation, and I'd ask for your support."

Speaker Breslin: "Is there any further discussion? Hearing none,

121st Legislative Day

Hay 22, 1936

the question is, 'Shall House Bill 3298 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 104 voting 'aye', 5 voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Human Services which appears on page 11 on your Calendar, there appears House Bill 1332, Representative Pangle. Clerk, read the Bill."

Clerk D'Brien: "House Bill 1332, a Bill for an Act to amend

Sections of the Emergency Medical Services System Act.

Third Reading of the Bill."

Speaker Breslin: "Representative Pangle."

Pangle: "Thank you, Madam Speaker. I ask leave to move House
Bill 1332 to Second Reading for Amendments."

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

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

Speaker Breslin: "Representative Pangle."

Pangle: "Madam Speaker, I'd like to withdraw Amendment #2."

Speaker Breslin: "The Gentleman makes a Motion to withdraw

Amendment #2. Are there any further Amendments?"

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

Speaker Breslin: "Representative Pangle."

Pangle: "Thank you, Madam Speaker and Ladies and Gentlemen of the
House. Amendment #3 will, in fact, become the Bill, and
before this House, before these Members today, we have

121st Legislative Day

May 22, 1986

probably one of the most important pieces o f legislation that will pass this year. It deals with the problem that we've had throughout the State of Illinois for the last ten years in the designation of trauma centers. It's one that. without a doubt will, within the next year passed, can save as many as 1850 lives. There's been a lot of hard work put into this legislation. There's been hearings held throughout the state. We have met with the Illinois Hospital Association, the Department of Public Health, the Illinois Nurses' Association. It's a piece legislation that I feel has been worked out, and I move for the adoption of Amendment #3."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #3 to House Bill 1332. And on that question, the Gentleman from Paoria, Representative Tuerk."

Tuerk: "Would the Sponsor yield?"

Speaker Breslin: "He will."

Tuerk: "I haven't had an opportunity to really study this Amendment which is the Bill, but I do know my hospital in Peoria was concerned about this whole issue at one time relative to the various categories, and I forget... the level one, two and so forth, and the big concern was that perhaps they, as a trauma center in Peoria, would be relegated to a lower level and therefore, would have to transport certain patients as far as Chicago, and, that was a real concern. Now, is that addressed in this Amendment?"

Pangle: "That problem has been worked out with the Illinois
Hospital Association, and there is no doubt that... what
your problem is has certainly been discussed, and I would
imagine that with the legislation that we have today and
the fact that you are now a designated trauma center, that
that consideration certainly would be followed when the new
designation of trauma centers should take place."

121st Legislative Day

- May 22, 1986
- Tuerk: "Well, how and when will these designations be determined the levels, for example the level one, two and so on? Does that come at a later time?"
- Pangle: "Yeah, the rules will be promulgated by the Department, the MS Council, and there will be a year in that period for the designation. An application will be filed with the Department as to the qualifications of a hospital to be designated a trauma center."
- Tuerk: "Well, what you're telling me, in effect, is there will be other trauma centers outside the City of Chicago who will be designated as level one hospitals. Is that correct?"
- Pangle: "No question about that, Representative. We have addressed that problem and there certainly will be."
- Tuerk: "Thank you."
- Speaker Breslin: "The Gentleman from Lake, Representative Matijevich."
- Matijevich: "I only want to rise quickly to command the Sponsor of this Amendment and the legislation. I was here when Governor Ogilvie, I think, was the first Governor to try to put Illinois in the forefront in providing emergency medical services, and at that time, I believe through Governor Ogilvie's efforts, we led the nation in providing those services. Since then, we have slipped, and I believe through this Amendment and legislation, we can again have Illinois in the forefront. So, I commend Representative Pangle and I appreciate the support of the Hembers in this Amendment."
- Speaker Breslin: "The Gentleman from McLean, Representative Ropp."
- Ropp: "Thank you, Madam Speaker. Hould the Sponsor yield, please?"
- Speaker Breslin: "He will."
- Ropp: "Representative, can you explain how does this Amendment

121st Legislative Day

May 22. 1986

affect those trauma centers currently in operation?"

- Pangle: "It won't affect the trauma centers that are currently in operation until the designation process should begin. The designated trauma centers today will have to apply for the designation of a trauma center to meet the criteria that will be established by the... the rules through the Department, through the MS Council and so forth."
- Ropp: "Well, are you... Are you attempting, by this Amendment, to establish new criteria that the current trauma centers may or may not now have?"
- Pangle: "There will be, in fact, some upgrading of the criteria. I think, Representative, that you're aware of the fact when the trauma center designation happened in approximately the criteria for designation was one that had a lot of pitfalls, shall I say. There will be---The criteria and I'm sure that any existing trauma be upgraded. center now would certainly have a leg up on the designation simply because, over the years, they have... if they have good trauma center, in fact, they have increased their staffing, their ability to actually deal with What we will do will weed out some of the trauma centers, in fact, that aren't really qualified serve as trauma centers."
- Ropp: "In other words, will every hospital that meets the qualification, then, automatically become a trauma center?"
- Pangle: "Well, every one that would meet the criteria would be come at least a level two trauma center. Yes."
- Ropp: "Okay. Thank you."
- Speaker Breslin: "Any further discussion? The Gentleman from Cook, Representative White."
- White: "Mr. Speaker and Ladies and Gentlemen of the House, I took

 part in some discussions pertaining to this matter in the

 form of a series of hearings that were held across the

121st Legislative Day

Hay 22, 1986

State of Illinois, and we found that there were a number of hospitals that call themselves trauma centers but no longer possess the staff or the ability to respond to an emergency, and so I stand in support of the Bill, and I commend the Sponsor for bringing to this Body this wonderful piece of legislation."

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

- Wojcik: "Yes, Madam Speaker and Members of the House, I, too, rise in support of this Amendment and commend the Sponsor for taking the bull by the horns, here. I think in this era of modern medicine, we need to upgrade our trauma centers, and I think what we will be doing now is maintain a higher level of care that people truly expect from trauma centers. I have called up to my own district to speak with some of my hospital people, and they think that it's really an excellent Amendment and an excellent proposal, and so I urge favorable passage of this Amendment."
- Speaker Breslin: "The Gentleman from St. Clair, Representative Flinn. Representative Flinn."
- Flinn: "Hadam Speaker. I move the previous question."
- Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Pangle, to close."
- Pangle: "Yes, Hadam Speaker, I move for the adoption of this

 Amendment, and if adopted, I move to suspend Rule 37(c) and

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

121st Legislative Day

May 22, 1986

Clerk Leone: "There are no further Amendments."

Speaker Breslin: "Third Reading. Representative Pangle now asks
leave for immediate consideration for this Bill to be heard
on Third Reading as amended. Does he have leave? Hearing
. no objection, he has leave. Read the Bill on Third, Mr.
Clerk."

Clerk Leone: "House Bill 1332, a Bill for an Act to amend Sections of the Emergency Medical Services Systems Act. Third Reading of the Bill."

Speaker Breslin: "Representative Pangle."

Pangle: "Thank you, Madam Speaker. I think in closing on this Bill. I would like to say that if, in fact, trauma center designation does happen in the State of Illinois, it fact that it... the minimum - 40 percent of the trauma center deaths in the State of Illinois will decrease. In Orange County, there was a study done before trauma center designation took place. Out of a hundred fatal car accidents after trauma center gesignation took 73 percent of those deaths could have been saved. place. If, in fact, we spend billions of dollars per year correct the cure for cancer, we have today, with this trauma center legislation, the ability to save 40 t he people in the State of Illinois that die at trauma I think it's a good piece of legislation. centers. It's one that we should have done a long time ago. The State of Illinois used to lead the nation in trauma center In the last 10 to 12 years, legislation. we've fallen I think again, if this legislation should pass, and in fact, signed by the Governor, the State of Illinois proud because we again will lead the nation in trauma center legislation, and I move for the passage House Bill 1332."

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

121st Legislative Day

May 22, 1986

House Bill 1332. Is there any discussion? Hearing none, the question is, 'Shall House Bill 1332 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final passage. Have all voted who wish? Representative Mautino, did you seek recognition?"

- Mautino: "Yes, I just wanted to compliment the Sponsor since this has become a extremely important statewide issue, and I know that he's been working it for about four weeks, and this is the end result and rightly so. So, congratulations, Chuck."
- Speaker Breslin: "The Clerk will take the record. this question, there are 109... The Clerk will take the record. question, there are 109 voting 'aye', none voting On this 'no', and none voting 'present. This Bill, having received a Constitutional Majority. is heraby declared Ladies and Gentlemen, with regard to the Consent Calendar, please note that House 3ill 2409 has been removed from the Consent Calendar, so you need not concern yourself about House Bill 2409 at this time. Representative Cullerton is recognized for the purposes of a Motion."
- Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of the House, I move to suspend Rule 37(g), the Third Reading deadline with regard to House Bills 3263, 3264 and 3265 until Thursday, June 12, 1986 at the hour of 11:59 p.m."
- Speaker Breslin: "The Gentleman has moved to suspend Rule 37(g),
 the Third Reading deadline, with regard to three Bills,
 House Bill 3263, 3264 and 3265 until June 12 at 11:59 p.m.
 And on that question, the Gentleman from DuPage,
 Representative McCracken."
- McCracken: "Thank you, Madam Speaker. I rise in opposition to this Motion. These three Bills are the three shell Bills which the Speaker has put out in... relative to the insurance crisis, and he would ask that this Body allow the

121st Legislative Day

May 22, 1936

life of these Bills to be extended into June in order that the summit process may reach fruition. It's been our posture over here that the summit process is merely a... an avoidance of the real issue, which is, let's get the Bills on the floor and vote them. Yesterday, the Senate voted in favor of 10 out of the 11 ICIC measures, and it seems to me that we don't need more time. We just need to let that Senate Bill out of Rules and act on that, up or down. Let's just give it a vote."

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

Speaker Madigan: "Madam Speaker, Ladies and Gentlemen, these three Bills are the three vehicle Bills which have been placed on the Calendar for the purpose of the summit on the price and availability of liability insurance. To date. I think the summit has shown good progress. We have moved toward a resolution of the difference among the various sectors of the banking industry, and there is an agreement the Banking Coordinating Committee between and the Attorneys Coordinating Committee. In addition, there have been negotiations between local government and the trial lawyers relative to a 27 page Amendment local governments. To date, there is an agreement on 20 of 27 pages of that Amendment. In addition, there have been very good faith negotiations between the attorneys and the . . . and the business community relative to matters before those two coordinating Committees. I am pleased with the progress of the summit to date. However, we will need more time. That is very apparent, and after there is a final agreement, then we'll need a certain number of days to draft the product of the negotiations. And for I rise in support of the Gentleman's Motion that that... that the deadline for consideration of these three

121st Legislative Day

May 22. 1986

Bills be postponed until June 12, which would be a three week extension for these three Bills. Thank you, Madam Speaker."

- Speaker Breslin: "The Gentleman from Livingston, Representative Ewing."
- Ewing: "Madam Speaker and Ladies and Gentlemen of the House. also rise in... to oppose this Motion. The real charade of insurance crisis has become somewhat tiresome. introduced in this House, a package of Bills which experts around this state indicated would have some effect on the of insurance crisis. But the Speaker. the maker Saw fit to keep all of those Bills in the Rules Committee and to put out only his own shell Bi 11 with his hearings on his proposed plan to solve the insurance crisis. We, on this side of the aisle. been effectively - at least from his standpoint - shut out of that deliberation, out of the process of trying to solve the greatest and biggest problem facing the State Illinois this time. And now, he comes to us when his at procedure for handling this has broken down and asks us give it three more weeks. I say it's not fair. let us have three of our Bills out to address this maybe then we would support his Hotion to extend. T+ is nothing more than more political charades on his part without any intention of solving the insurance crisis. suggest a *no* vote.#
- Speaker Breslin: "The Gentleman... the Gentleman from Champaign,
 Representative Johnson."
- Johnson: "In all fairness, Mr. Speaker... or Madam Speaker,

 Members of the House, those weren't the only Bills... the

 'package' quote, unquote, that stayed in Rules Committee.

 There were other Bills that were bipartisan Bills, one to

 create a joint underwriting authority, the other to... to

121st Legislative Day

Hay 22, 1936

deal with the problems of local government, and the other to deal with insurance rate regulation that in all fairness also maintained in a Rules Committee and are in the same status that this beloved package that we all letters about is in-In addition to that, these quote, unquote, 'shell Bills' that are really designed to be able address the problem of consensus and the problem of insurance coverage and the various other issues are before us. aren't Democratic Bills in whole. hyphenated Chief Sponsor of all three of those Bills, and really want to solve the problem, all the diatribe and all the arguments be... back and forth aisle really don't make a lot of sense. The problem is there, and the question is whether we're going to solve it. I don't think we've been treated unfairly. Our Bills same status as quote, "their" Bills. These Bills are bipartisan Bills. I think it's fair, and if we really want to address the problem, we're not going to be able to do it by Friday, and I would urge... urge support for Motion."

"The Gentleman from Will, Representative Davis." Speaker Breslin: Davis: "Thank you. Hadam Speaker and Members of the House. To one must have have a summit. some cooperation and There hasn't been any cooperation from this agreement. so-called single Hember summit in the last three weeks. Yes, there's been progress in the local government Committees, all behind closed doors away from the so-called summit, and only recently were the Republicans monitor - just monitor - the discussions that were going The speaker who makes the Motion has been directing every step of the way with his particular bias for the advocates of the opposition to civil justice reform civil justice change in this state. Now, it's just very 121st Legislative Day

May 22, 1986

simply said that while his sham and farce summit was being conducted behind closed doors at his direction, yes, the local governments and the bankers came to some agreement on a few items, but even the local governments know it's not enough. Even they know that you have and they have not agreed to anything beyond some partial tort immunity and some sovereignty questions. And that's the 27 page Amendment that Ar. Speaker speaks of when he talks about agreement. There is no agreement anything. The only agreement that's been reached on this issue so far is the agreement that was reached Illinois Senate yesterday afternoon when eight Bills of the so-called package another speaker spoke to passed on to Third Reading with Democrat votes and will nass the Illinois Senate tomorrow with Democrat votes and be in this chamber next Tuesday where the current Speaker of our House will promptly kill all those Bills as he did the Republican House Bills, as he did the Democrat House Bills that tried to deal with this issue. He wants to extend the deadlines he wants to have the final imprimatur because that satisfies his friends in the plaintiffs bar. And he does not want to solve this issue. What he wants to do is stonewall the process to strengthen his hand to produce the product that he wants to solve a problem that's the largest single business issue in this state since 1975 when his Party created the other major business issue in this state. Businesses will close. While the Speaker fiddles, Rome is already burning out there. Let's not extend this. The package is coming over for open debate, and he can put them out of his Rules Committee and we can have a reasonable discussion on Bills and the true summit that wi 11 ultimately come on June 25th can proceed, and we will all come out of this with a resolution, if reasonable

121st Legislative Day

Hay 22, 1986

are reasonable. This is nonsense to extend deadlines on three Bills for three weeks when nothing is happening because I've been in every one of those summits."

Speaker Breslin: "The Gentleman from Cook, Representative
O'Connell."

O'Connell: "Thank you, Madam Speaker. Thank you, Madam Speaker, Ladies and Gentlemen of the House. I would support the Motion for the extension of the deadline. I would submit to the Members that the issues that are... are subject... subject of these packages of Bills are extremely the complex, extremely diverse as to the principles that being affected by each piece of legislation and extremely far-reaching. The true and only responsible way Rody to intelligently discuss these issues is to have the principles that are most affected sit down in the quiet. objective, non-political forum of a closed room and hammer out their differences. I would disagree with the previous speaker in that there have been substantial progress being made in these talks. The 20 pages of the 27 page Amendment were not mundane and not merely cursory agreements. Thev were detailed analyses of the Illinois Tort Immunity Act. which has not been evaluated for some 15 years. Жe spent hours going through a litany of Amendments that were submitted by the local governments, and the give and take the trial lawyers and the local governments were reflective of the true process of negotiation and Ιf this Body wants political rhetoric and political debate without substance, then it should let Bills be discussed now on the floor of this House. submit we would be talking in a vacuum. The real issues should be decided as a compromise between the parties. There is no clear certainty that any of these Bills, if they were to be brought for a vote on this House. would

121st Legislative Day

May 22. 1986

clear cut indication as to passage or failure. have So should continue, the that the negotiations negotiations The other side of the aisle has been have been productive. welcome tο attend these sessions. They have represented by the staff people from the Republican side of the aisle. and they will continue to be welcome and present at these hearings that should continue to be continue and hopefully will continue."

- Speaker Breslin: "Ladies and Gentlemen, I would remind you that
 you have five more minutes to peruse the Consent Calendar
 Bills and get your votes in. Five more minutes to vote on
 the Consent Calendar. The Gentleman from DuPage,
 Representative Daniels, on the Motion."
- "Thank you, Madam Speaker. I have listened with great interest t o the reasoning behind the Motion to extend. a Motion, by the way, that you should all know is... has been resisted at every occasion in the past three years by the Speaker and also by me, because I think the deadlines have been created for a reason, and the reason being that must continue to move our legislative process forward. the past, when we've dealt with such matters of issue as we did last year in medical malpractice, or do you in 1983 in the area when we dealt with the income tax extension? We held those meetings after there considerable and lengthy debate on the House floor and in Committee regarding whether or not we should have tax increase, and if so, under what conditions. nermanent After that was done, the various Leaders got their Committee Chairmen and Spokesmen. and created what was at that time called, for the second And the summit process then, or in history. а summit. summit bv government was then developed after the successful first summit dealing with the RTA. Now we have

121st Legislative Day

May 22 • 1986

utilized and we have seen the division of what we call the new definition of what a summit is. The new definition that the previous speaker would like us to believe, and I quote, 'Using that in a nonpolitical forum in a closed door room. is the type of summit that the previous wants us to believe is the best kind. He apparently had his remarks written for him, because he was reading from a written script, which means he thought carefully about what and carefully in picking his words dealing was saving with this nonpolitical forum in a closed room. it's Well. That's exactly what's happened on the other side of truethe aisle. They've created a forum. They've created their definition and the new definition in Illinois Government of a summit and they've closed that process public because they feel the outside public doesn't understand, nor can it understand exactly what is meant the legislative process. Hell. I suggest to you through that in the last two and a half years, we've accomplished a lot in this Body with a great deal of pride, and we've done that through open participation of both Parties. But seems now to be, kill the matters in Rules Rule the Bills nongermane so you can't allow and then, of course, stop overriding the debate on them. Chair. hecause if you do that. then your ruling Throw your meetings into a private ungermaneness stands. process behind a closed door, keep out the public, and then keep out the public interest, because we don't want t o he confused by what the public interest may be. Don't consider the jobs issue because it's just too confusing the overall insurance issue. So you see, we kill, towards we hide, we hide in private meetings and now. now above all, we do what Scarlett O'Hara did in 'Gone with the Wind' when she said, 'I think I'll deal with that problem

121st Legislative Day

May 22, 1986

And that's what, Mr. Speaker, you are doing. tomorrow*. deal with that problem tomorrow. f think I'll Well. I guess you can, because your office is big enough, Scarlett. Your office is big enough to deal with this private. hiding from the public and delaying this for another time. Why not deal like the Senate did? Put it up on a Roll Call tomorrow, run the Bills, see what kind support is in the House, see if there support's for caps on noneconomic losses, and see whether or not the people of this state want to stand behind some tort reform and whether or not your voices speak for their voices and don't be afraid of what they say, because I'll tell you, they got some good information for you, so bring it back out in public and eliminate that closed door room."

- Speaker Breslin: "The Gentleman from Madison, Representative Wolf."
- Wolf: "Madam Speaker. I move the previous question."
- Speaker Breslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Cullerton to close."
- Cullerton: CO T didn*t think that it was going to that controversial when I made the Motion. It seems to me that last year we had a similar situation. We had a crisis last year. We did extend the deadline, and we came up with that only had, I think, 7 negative votes. agreement think the same thing will undoubtedly occur this time, for those reasons, I would think this is the best course of action to take. I'd appreciate a favorable vote."
- Speaker Breslin: "The question is, 'Shall the House suspend Rule 37(g) with regard to House Bills 3263, 3264 and 3265 until Thursday, June 12, 1986, at 11:59 p.m.?' All those in

121st Legislative Day

May 22. 1986

favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Friedrich, one minute to explain your vote."

- Friedrich: Speaker and Members of the House, I spent a *Madam year of my life reading the the old Constitution and helped write the new one. It never contemplated that laws were going to be made in a closed room like Mr. O'Connell said. It proposed they be done by the Members of this House. represent 100,000 people, just like Representative Madigan I can tell you that I'm their voice here, and I want to be heard on these Bills on the floor of this don't want to have it come out of a closed room like Representative O'Connell says. This is a lawmaking Body, and you're part of it, and you represent 100,000 people and you have a right to be heard, and you're not going to be in that closed room if that Bill passes."
- Speaker Breslin: "The Gentleman from Cook, Representative

 Preston, one minute to explain your vote."
- "Thank you, Madam Speaker and Ladies and Preston: Gentlemen Λf Ţ think there's some confusion the Houses over the rhetoric on this Motion. The closed room that have heard referred to was a room in which representatives from the insurance industry participated, where representatives the banking industries participated. where representatives ٥f consumer organizations. where representatives of the organized bar, both the plaintiffs, bar and the defense bar participated... as well as business organizations, consumer organizations and every other kind organization you can think of. Democrats were Republican staff represented. saw members these and it was open to anyone who hearings. wanted participate, and to think that this was some sort of closed secret process is just not correct and not the truth. and

121st Legislative Day

May 22, 1986

some... some attempt to pull the wool over the eyes of the public or the media. That's not what has been taking place. This has been an open, deliberative process over... over legislation that has been the existing law... that is going against the existing law in Illinois that's been on the books for over 100 years. That can't be done lightly. That has to be done deliberatively and with input from all factions, and that's exactly what the Speaker has tried to do and done successfully. It's not yet accomplished. It's going to take a few more weeks. This should... This Motion should be voted 'aye'."

Speaker Breslin: "Representative Preston, your time is up."

Preston: "Thank you."

- Speaker Breslin: "The Gentleman from Hinnebago, Representative Hallock, one minute to explain your vote."
- Hallock: "Thank you. Madam Speaker and Members of the House. know. we've been in Session six months this year so far. and I think over those six months, most of us have had the time to form some opinions about this issue. For the past two months we've been in Springfield, plenty of time actually put those resolutions into action and pass the Bill, but instead we've spent the past two months voting on other Bills which really aren't emergencies. For the weeks, we've spent debates on 400 Bills, none of which are really emergency legislation. There really is only one emergency issue this Session, and that's the insurance deal with it now and be done with it. I crisis. Let's urge a 'no' vote."
- Speaker Breslin: "Representative Greiman, one minute to explain your vote."
- Greiman: "Yes, thank you. I just wanted to note for the

 Gentleman from Marion who served in the Constitutional

 Convention that the Constitution has this provision that

121st Legislative Day

May 22, 1986

pass both Houses savs the 3i11s must of the General and they have to be signed by the Governor. Assembly Madigan, even the Speaker even... even Mr. cannot send Bills directly from his office to the Governor's Office. Even he must bring them to this room. So. Mr. don't worry. Don't worry. You will probably be there as part of that conduit. Thank you."

- Speaker Breslin: "Representative Levin, one minute to explain your vote."
- Levin: "Thank Madam Speaker, Ladies and Gentlemen of the House. The insurance crisis is far and away the most before us, and the public expects real important issue solutions, not rhetoric, not what one side or the other say is a solution, but real solutions. The first hearing task force which traveled around the the insurance companies admitted that these tort reforms will do nothing as far as making insurance more available or cheaper. What we are doing now is a process to come uр with meaningful solutions that involve all sectors of the community in an open process the way major issues should be dealt with by the Legislature, and this is a good
- Speaker Breslin: "Rapresentative Friedrich, on a point of personal privilege, one minute."
- Friedrich: "Yes, my name was used in debate, and I hope that
 means that I have a guarantee of being in that closed room.

 I was just going to suggest the Speaker could call the new
 Party for his candidate, 'The Closed Door Party'."
- Speaker Breslin: "Representative Vinson, one minute to explain your vote."
- Vinson: "Now, Madam Speaker, a point of parliamentary inquiry."
- Speaker Breslin: "State your inquiry."
- Vinson: "Is this going to be the last opportunity the House has to vote on meaningful tort reform?"

121st Legislative Day

May 22, 1936

- Speaker Breslin: "Absolutely not. Mr. Clerk, take the record.

 On this question, there are 71 voting 'aye', 44 voting 'no', and none voting 'present', and the Motion is adopted.

 House Bills Third Reading, State Budget and Appropriations.

 They appear on page five on your Calendar. The first Bill is House Bill 2586. Out of the record. House Bill 2627,

 Representative Leverenz. Clerk, read the 3ill."
- Clerk Leone: "House Bill... On page five... House Bill 2627, a

 Bill for an Act making appropriations to the DuPage County

 Water Commission. Third Reading of the Bill."
- Speaker Breslin: "Representative Leverenz. Representative Leverenz on the Bill."

Leverenz: "Now?"

Speaker Breslin: "Now."

- Leverenz: "It's the one you've all been waiting for. House Bill
 2627 would appropriate 100,000 dollars... 100 million,
 rather... small mistake, to the DuPage County Water
 Commission for the planning and construction of a water
 pipeline over the next five years. Twenty million dollars
 a year. I'll try to answer your questions if I can."
- Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2627. Is there any discussion? The Gentleman from DuPage. Representative Stange."
- Stange: "Thank vou. Thank vou. Madam Chairman. Why do I always get standing ovations when I speak? First of all, DuPage County has a very serious problem with DuPage water. He need your vote. It's 100 million dollars. It's anina t o be divided into five years at 20 million dollars a year. DuPage County gives the State of Illinois approximately 660 million dollars a year in taxes and receives approximately ... 120 million dollars in return. It's the lowest county in the state of services rendered from the state in dollars and cents. Without this legislation, the average... the

121st Legislative Day

May 22. 1986

average resident taxpayer will be paying from 25 dollars a month to an estimated 100 dollars a month i f thev this 100 million dollars in five years. This pipeline represents precisely the kind of regional that State Government has traditionally accepted responsibility for in other parts of the state. in water treatment centers, in sewer projects, in lakes and so forth. It is very, very, very important, and the various editorials from the <u>Iribune</u> saying that DuPage County is don't realize thev the richest county in the state, they have senior citizens that cannot afford paying 100 dollars a month or over for water. In the City of Chicago, City of Chicago will generate revenue from Lake Michigan, DuPage County - approximately revenue from 27 dollars the first year and approximately 50 million dollars revenue from DuPage County for buying the water from Cook And several of the towns in DuPage - for example, Countv. Naperville - Naperville was very serious on running out of and also this water last year year. In Villa Park. Elmhurst, Oak Brook, water contamination, radium levels now exceed Environmental Protection Agency standards. available through this pipeline, costs will rise, but the increase can be cut by one-third. I strongly. strongly. I strongly urge your vote. Why is everybody standing up back there? I strongly urge for your vote. Thank you. Madam Chairman."

Speaker Breslin: "The Gentleman from Cook, Representative Ronan." Ronan: "Thank you, Madam Speaker. I rise in support of this I've had numerous delegations legislation. from mv district come in week after week telling me that they want water in DuPage County. Some day. they may move there. This is the kind of progressive legislation that we have to 1111 proudly put an 'aye' on the board for this support.

121st Legislative Day

May 22, 1986

fine concept. Congratulations."

Speaker Breslin: "The Gentleman... the Gentleman from Cook, Representative Parke."

you. Madam Chairman. Ladies and Gentlemen of the Parke: #Thank House, I rise also in support of this. I serve a part DuPage County, and I believe that we all have the right and obligation to look to the whole state, not just looking at in... isolated by itself. There are senior a county citizens and people on fixed incomes that need the relief that this kind of legislation can provide. I ask that seriously consider all of the Bills that we pass day after day that support all segments of the state. I think Bill is one that can be applied in the same manner that we look at all of the other things that we come down here bring back to our districts. I think that this is to not unreasonable. I think that this is something that this Assembly can provide. I ask for your support."

Speaker Breslin: "The Gentleman from Cook, Representative

Madam Speaker, I'm sure that we can all feel sorry Bowman: "Yes, for DuPage County. I was out in Oak Brook the other I saw the polo fields. They are turning brown. said. 'God made polo fields to be green and to thrive. besides, this Bill has the dual purpose of helping us lower the level of Lake Hichigan. As you all know. we're having a terrible erosion problem along the lake, and if we to DuPage County, our beaches will not ship more water erode as quickly. My only problem with this Bill is it's much too expensive. It would be cheaper to lower the City of Chicago by two feet and let the water flow westward. I'm going to vote 'no'."

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

121st Legislative Dav

May 22 • 1986

Stephens: "Thank you, Madam Speaker. I thinks... that last good suggestion. had a Lowering the City of Chicago would not be a bad idea. The... I'm sure Stange asked why you were all standing over Representative guess maybe you think that we're there. and 1 a11 this, but I think that what you'll find is embarrassed by 1986 is a united Republican Party. I mean. Leader. We have several Leaders. and our house is in order, and if... if you think that we're all embarrassed by this, well maybe that's... that's something that you need ponder, because you certainly have plenty embarrassed about on that side of the aisle. but it's entirely appropriate that a downstate Legislator look at legitimate projects. When the City of Caseyville wanted water improvements, this fine Body decided to amend budget and include one million dollars of improvements for the City of Caseyville, and I think that maybe it might entirely appropriate for this Body to look at the populous area of DuPage, and if, indeed, they need this water for next generation and generations to come, that it's appropriate that we consider that, so I stand as a downstate Legislator, of this project. Thank vous

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

Farley: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I also rise in support of this piece of legislation. The Sponsor indicated that there would be a definite revenue benefit to the City of Chicago. Another Representative also mentioned that the lake and the erosion problem, the lake level. The Army Corps of Engineers, which has determined the lake level, came out with a report that it would take at least 15 years to drop the lake water level three inches. So, Ar... Madam Speaker and Ladies and

121st Legislative Day

May 22 1986

Gentlemen of the House, the man does have a good idea. And when we talk about a new toll road through DuPage County and the corridor and the increased business, I think that we are going to provide much needed water for... for not only business but residents and lowering water bills out there for residents, and I also think that the Sponsor is no novice Sponsor, but a good Legislator trying to do something for those people out there, and I would hope that... this Bill passes."

- Speaker 3reslin: "The Gentleman from St. Clair, Representative Flinn."
- Flinn: "Madam Speaker, I move the previous question."
- Speaker areslin: "The Gentleman moves the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Representative Leverenz, to close."
- Leverenz: "I'd ask for your 'ave' vote for this worthy Bill."
- Speaker Breslin: "The question is, "Shall House Bill 2627 pass?"

 All those in favor vote "aye", all those opposed vote "no".

 Voting is open. This is final passage. Have all voted who wish? Representative Panayotovich, one minute to explain your vote."
- Panayotovich: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. So Representative Stange doesn't need a life preserver, I vote 'aye'."
- Speaker Breslin: "The Lady from Cook, Representative Didrickson, one minute to explain your vote."
- Didrickson: "Thank you, Madam Speaker. On behalf of the residents in the 37th Legislative Suburban Cook District who get back 38 cents to the dollar which is equal to the 37 cents to the dollar that DuPage residents get back, and because in the Village of Flossmoor, Glenwood, Chicago

121st Legislative Day

- May 22, 1986
- Heights, Madison, Homewood, et cetera, where we're financing our Chicago water at two percent water and sewer charge and 9.5 percent property tax to finance that department for water service, I will yote 'no'."
- Speaker Breslin: "The Lady from Champaign, Representative Satterthwaite, one minute to explain your vote."
- Satterthwaite: "Madam Speaker and Members of the House, I think an alternative suggestion might be to take this money and give it to the Department of Public Aid so that they could pay the people on workfare to start a bucket brigade from Lake Michigan out to DuPage County and do it at a savings to the state."
- Speaker Breslin: "The Lady from Cook, Representative Wojcik, one minute to explain your vote."
- Wojcik: "Yes, Madam Speaker and Members of the House, even though the Sponsor is well intended. and I can understand his thoughts towards DuPage County, I happen to represent half of DuPage County and half of Cook County. And, what I'd point out is that the residents of DuPage County like to has voted overwhelmingly, 3 to 1, for a five cents their water bills and also to bring in the They're taking this into consideration, pipeline. it, they're doing it themselves. I think we can put this money to better use. There's a lot of people this state that are very poor, and I'd like to see that they get help there."
- Speaker Breslin: "Representative Leverenz, one minute to explain your vote."
- Leverenz: "Yes, T would ask for more 'aye' votes for a few I'll recite them, here. In Knoxville. reasons. water improvements for two million dollars; Mundelein, water main replacement, five million dollars; next town over, Gray's Lake, 737 thousand dollars, water and sewer lines; a

121st Legislative Day

May 22. 1986

tower in Mt. Pulaski; water improvements in Caseyville—he's aboard. I would like to cite, in North Riverside Water Commission water improvements, a million dollars, for a little town. This is a whole county represented by, I understand, ... 7 people in the General Assembly. So, I think there are a number of other... City of Des Plaines, a couple of million dollars, Des Plaines, water tank, three million dollars by someone that apparently is voting 'no'. From one little town. This has multiple towns and a whole county, and I think there's good reason to provide this assistance."

- Speaker Breslin: "Representative Peterson, one minute to explain your vote."
- Peterson: "Thank you, Madam Chairman. On behalf of the people in my area from Buffalo Grove, Palatine, Arlington Heights and Wheeling, that are paying 85 million dollars out of their own revenues to get water from Lake Michigan via Evanston, I'm proud to vote 'no'."
- Speaker Breslin: "Have all voted who wish? The Gentleman from Saline, one minute to explain your vote. Representative Phelps."
- Phelps: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. To show my consideration for the Gentleman who supported... something less than desperate... this calls... jails, I'll give Stange 'aye'."
- Speaker Breslin: "The Gentleman from Cook, Representative

 Leverenz, for what reason do you rise?"
- Leverenz: "Nothing yet. We're still working the floor."
- Speaker Breslin: "Have all voted who wish? This Bill requires 60

 votes for passage. Have all voted who wish?

 Representative Stange."
- Stange: "Can we put this on postponement?"
- Speaker Breslin: "I'm sorry, Sir. You are not the lead Sponsor

121st Legislative Day

May 22. 1986

on this Bill. Have all voted who wish? Representative Cullerton, for what reason do you rise?"

- Cullerton: "Yes, I just wanted to declare a possible conflict of interest, since my understanding is that this will lower the cost of water to people living in DuPage County, and my family still lives there. I wanted to make sure just that by voting 'yes', that I'm not perhaps benefitting them slightly on their water bill. I wanted to indicate that I may have a potential conflict of interest. Vote my conscience."
- Speaker Breslin: "The Gentleman from Madison, one minute to explain your vote."
- McPike: "Thank Madam Speaker. I recall you, last year that Representative Vinson was a little upset because the Ladv from St. Clair had a Bill that had no limits on it, so he wanted to limit her to a hundred... no, a trillion dollars, as I recall. And I thought it was a little unreasonable, think the Amendment was defeated. but this isn't... this isn't open ended. In fact, it's not even near what Representative Vinson wanted to put on his Amendment. This isn't a trillion dollars. This is only a hundred million. Now, we could give these people a hundred million dollars a year for a hundred thousand years, and we would only Representative Vinson's limit of a trillion. So. I think this is reasonable. I don't think this Gentleman came here and asked for something that's not affordable or not doable, he asked only for 100 million dollars for his if this... this is a very responsible idea. countv. Now. Now, if Representative Wolf from Granite City had asked for 100 million dollars for Madison County. Ŧ certainly vote against it. even... even though... Even though it would benefit Granite City, it would also benefit mv area. If Representative Younge came in with a Bill for

121st Legislative Day

May 22, 1936

- a hundred million which she does every day many of her Bills pass this House, and last year one was signed. I believe. But I didn't think that those people that live in DuPage County that would turn down a hundred million dollars simply because they live in a very. area and they think their constituents make so much money that they don't need a hundred million dollars. T think they'll be surprised when they go home and talk to their neighbors and say, 'Well, what the heck. Ιt hundred million. I think some of their neighbors are going They can say, 'Well, you know, to get a little upset. Jack. A hundred million's not a lot to you. but it could have helped a little. Well, so... so I think you should help Representative Stange and some of the poor. people in DuPage that simply can't afford another couple of bucks for water.
- Speaker Breslin: "Representative Vinson, one minute to explain your vote."
- Vinson: "Just to point out to Representative McPike that there are farmers in DuPage County."
- Speaker Breslin: "The Gentleman from Cook, Representative Kulas, one minute to explain your vote."
- Kulas: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I think this is a good 3ill. I think it just doesn't go far enough. I think when this 3ill passes and it goes over to the Senate, that it should be amended, that all retailers in DuPage County that use water from Lake Michigan will get a tax credit."
- Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question, there are 57 voting 'aye', 48 voting 'no', and 5 voting 'present'. Representative Leverenz requests a Poll of the Absentees. Poll the absentees, Mr. Clerk."

121st Legislative Day

- May 22, 1986
- Clerk Leone: "Poll of those not voting. Barger. Goforth.

 Klemm. McAuliffe. Stern and Myvetter Younge."
- Speaker Breslin: "Representative Leverenz, for what reason do you rise?"
- Leverenz: "I'd ask the Chair to send out the State Police to find

 Myvetter Younge. I have voted for her constantly. Maybe

 we could buy her a house in DuPage. Put it on Postponed."
- Speaker Breslin: "The Gentleman requests Postponed Consideration.

 The Bill will be put on the Order of Postponed Consideration. At this time, Ladies and Gentlemen, we will take the Roll Call for the Bills on the Consent Calendar.

 Mr. Clerk, take the... Representative Braun, for what reason do you rise?"
- Braun: "Thank you, Madam Speaker. While the Clerk is reviewing the Consent Calendar, I would like to point out to the Members that Representative... former Representative Sharon Warkette is with us today. She's standing here right next to Representative Alexander."
- Speaker Breslin: "Welcome. Ladies and Gentlemen... Mr. Clerk, the voting is closed on the Consent Calendar. We will take the record on the Consent Calendar, and we will read the Bills on Third Reading for the Consent Calendar in Perfunctory Session. Representative Hallock, for what reason do you rise?"
- Hallock: "I don't believe you took a Roll Call on the Consent

 Calendar."
- Speaker Breslin: "We've decided to take the Roll Call tomorrow because of the time that is involved. Representative Cullerton... Representative Madigan, for what reason do you rise?"
- Madigan: "Madam Speaker, for the purpose of an announcement. The plan now is to adjourn to take further consideration of the Consent Calendar in a Perfunctory Session. Tomorrow will

121st Legislative Day

May 22. 1986

last day for House consideration of House Bills in the the House. My plan is to adjourn at 5:00 D.M. to call every Bill on the Calendar, but I think realistically you have to understand that not will. be called. But the plan will be to adjourn at 5:00 Next week, there will be no Session, so that we had D = M = originally scheduled Session days for May 28th and 29th. The Session for those days will be cancelled. However, the Rules Committee will meet on Wednesday to consider Bills for possible consideration in the following two weeks. In addition, there will be meetings of certain the coordinating Committees of the insurance summit, and then we will return for Session on June 3rd. So to repeat. the plan tomorrow is to adjourn at 5:00 p.m. no Session next week, but there will be a meeting Rules Committee on Wednesday, meetings of certain of the coordinating Committees of the insurance summit Wednesday, and we will return on June 3rd. And with that. Madam Speaker, I move that we adjourn."

Speaker Breslin: "Out you first move to read... to continue the Special Orders from today until tomorrow. Is that correct? The Gentleman so moves. So all Special Orders that we have not completed today are being continued until tomorrow. Is there discussion on that question? Representative Vinson, on that question."

Vinson: "Yes, Madam Speaker, Ladies and Gentlemen of the House,
just so the Speaker will understand, we would not resist
any effort to suspend the posting requirements so that
Senate Bills that were reported out of Rules Committee
earlier this week or that could be handled tomorrow in a
Rules Committee meeting could be posted for Committee
action so that progress could be made on the legislative
workload next week."

121st Legislative Day

May 22, 1986

- Speaker Breslin: "Very good, thank you. The question is, "Shall the House continue the Special Orders from today until tomorrow?" All those in favor say "aye", all those opposed say... Representative Friedrich, on this question?"
- Friedrich: "Madam Speaker, I don't know how you're going to count
 the votes on the Consent Calendar is you don't take a...
 take the..."
- Speaker Breslin: "We have announced that we are going to take the

 Consent Calendar Roll Call tomorrow because of the time
 involved."

Friedrich: "Okay, I'm sorry. Thank you."

- Speaker Breslin: "The question before us is to continue the Special Orders from today until tomorrow. A11 favor say 'ave', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. and the Motion carries. Representative... Speaker Madigan moves that this House... Ladies and Gentlemen, we are going to allow time for Perfunctory Session for the Clerk, at which time a11 approp Bills on Second Reading will be read into the record and all other Bills on Second Reading will be read into the and held. And then he can... And the Clerk will also read the Consent Calendar on Third Reading and hold them for tomorrows action. Speaker Madigan moves that the House stand adjourned until 9:00 a • m • tomorrow morning. those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The House stands adjourned until 9:00 a.m. tomorrow morning."
- Clerk O'Brien: "Reading of the Consent Calendar. House Bill 2693, a Bill for an Act in relation to the simultaneous tenure of certain public offices. Third Reading of the Bill. House Bill 3476, a Bill for an Act to amend an Act in relation to funds or receiving monies pursuant to the income tax check off system. Third Reading of the Bill.

121st Legislative Day

May 22, 1986

House Bill 3527, a Bill for an Act to amend the law in to grain dealers and grain warehouses. Third Reading of the Bill. House Bill 3548, a Bill for an Act to require the study of solid waste management in Illinois. Third Reading of the Bill. House Bill 2601, a Bill for an Act relating to life saving organ transplant procedures. Third Reading of the Bill. House Bill 3346. a Bill for an Act to establish the Rheumatic Disease Treatment Authority. Third Reading of the Bill. House Bill 3521, a Bill for Act to amend the Mental Health and Developmental Disabilities Code. Third Reading of the Bill. Bill an Act to for amend the Critical Health Problems and Comprehensive Health Education Act. Reading of the Bill. House Bill 2958, a Bill for an Act to amend an Act concerning direct deposit of public assistance payments. Third Reading of the Bill. House Bill 2971, a Bill for an Act to amend an Act concerning homeless youths. Third Reading of the Bill. House Bill 3017, a Bill for amend an Act transferring certain functions of the Administrative Office of Illinois Courts to the Illinois Third Reading of the Bill. House 3ill Supreme Court. 2044, a Bill for an Act to amend the State Mandate's Act... Bill... a Bill for an Act... House Bill 2044, a Bill for an Act to amend the School Code. Third Reading of House Bill... House Bill 2279, a Bill for an Act to amend the School Code. Third Reading of the Bill. House 8;11 2866, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 2868, a Bill for an Act to amend the School Code. Third Reading of the Bill. Bill 3059, 3111 for an Act to amend the School Code. Third Reading of the Bill. House Bill 3175, a Bill for Public Community College Act. Third to amend the Reading of the Bill. House Bill 2596, a Bill for an Act to

121st Legislative Day

May 22. 1986

amend the Uniform Criminal Extradition Act. Third Reading Bill. House Bill 2969, a Bill for an Act to amend Third Reading of the Bill. the Criminal Code. House Bill 1676, a Bill for an Act to amend an Actass House Bill 1676, a Bill for an Act to amend an Act 1676 ... concerning working cash funds. Third Reading of the B:11. House Bill 3588, a Bill for an Act to amend the State's Attorneys Appellate Prosecutors Act. Third Reading of the Bill. House Bill 500. a 3ill for an Act to amend the Third Reading of Criminal Code. the Bill. House Bill 3525, a Bill for an Act to amend the Cannabis Control Reading of the Bill. These Bills will be held on the Calendar on the Order of Third Reading Consent Calendar. Second Readings. House Bill 2712. a Bill for an Act making appropriations Illinois to the Community Board for the Probation Challenge Program. College Second Reading of the 3ill. House Bill 2989, a Bill for making appropriations to the Department of Commerce and Community Affairs. Second Reading of the Bill. House Bill 3071, a Bill for an Act making appropriations Department of Transportation. Second Reading of the Bill. House 3ill 3397, a Bill for an Act making appropriations to the Department of Commerce and Community Affairs. Second of the Bill. House Bill 768... Delete that. [+ * c Reading been read a second time previously. House Bill 1233. Bill for an Act to amend the Illinois Community College Finance Corporation Act. Second Reading of the Bill. House Bill 1451, a Bill for an Act to amend an Act in relation to River Conservancy Districts. Second Reading of House Bill... House Bill 2585, a Bill for an Act the Bill. to amend an Act to create the Southwest Illinois Development Authority. Second Reading of the Bill. House Bill 2667, a Bill for an Act in relation to the Department 121st Legislative Day

May 22. 1986

Second Reading of the Bill. House Bill 2670. a Bill for an Act to amend the Illinois Antitrust Second Reading of the Bill. House Bill 2680, a Bill for an Act in relation to economic adjustment Second Reading of the Bill. House Bill 2715, a Bill for an Act amend an Act relating to the Chicago State Second Reading of the Bill. House Bill 2757. University. a Bill for an Act to amend the Revenue Act. Second Reading of the Bill. House Bill 2875, a Bill for an Act to Illinois Highway Code. Second Reading of the 3ill. House Bill 2880, a Bill for an Act to amend an Act relating to the Chicago Lakefront Authority. Second Reading of Bill. House Bill 3034, a Bill for an Act to create the Small Business Litigation Expenses Act. Second Reading Bill. House Bill 3183, a Bill for an Act to amend the Illinois Municipal Code. Second Reading of 3237. a Bill for an Act in relation to persons House Bill sentenced to the county jail. Second Reading of the House Bill 3263, a Bill for an Act to amend the Illinois Insurance Code. Second Reading of the Bill. House Bill a Bill for an Act to amend the local governmental... Governmental Employees Tort Immunity Act. Second House 3ill 3265, a Bill for an Act to amend the Code of Civil Procedure. Second Reading of the Bill. House 3ill 3268, a Bill for an Act in relation to the Metro East Mass Transit District. Second Reading of the Bill. House Bill 3327, a Bill for an Act in relation to Third... Second Reading of the Bill. House 6111 3452, a Bill for an Act t o amend an Act in relation the collection of fees and the instituting of liens by sanitary Second Reading of the Bill. districts. House Bill 3455. a Bill for an Act relating to sanitary districts. Reading of the Bill. House Bill 3458, a Bill for an Act to

121st Legislative Day

May 22, 1986

amend an Act concerning officers and employees of sanitary districts. Second Reading of the Bill. House Bill 3460. a Bill for an Act to amend an Act relating to the powers authority of boards of trustees of sanitary districts. Second Reading of the Bill. House Bill 3534, a Bill for an Act concerning the determination of death. Second Bill. House Bill 3569, a Bill for an Act to amend οf the to revise the law in relation to Act oaths and affirmations. Second Reading of the Bill. House Bill 3582 • a 3ill for an Act to amend the East St. Second Reading of the Bill. Act. House Bill 3612, a 3ill for an Act to amend the Civil Administrative Code of Illinois. Second Reading of the Bill. House Bill 3613. 8111 for an Act to amend the **Environmental** Protection Act. Second Reading of the Bill. Committee Representative Terzich, Chairman of the Committee on Executive to which the following referred, action taken May 22, 1986, reported the same back the following recommendation: • be adopted House Joint Resolution 172. Messages from the Senate: A Message from the Senate by Mr. Wright, Secretary. *Mr. Speaker. am directed to inform the House of Representatives that 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 Bills #1562, 1581, 1589, 1603, 1604, 1605, 1606, 1607, 1609, 1610, 1611, 1612, 1615, 1624, 1626, 1627, 1628, 1639, 1659, 1661, 1666, 1700, 1709, 1728, 1734, 1735, 1736, 1737, 1738, 1739, 1740, 1742, 1744, 1745, 1746, 1750, 1751, 1754, 1755, 1747, 1749, 1756, 1757, 1758 1759 1760 1761 1762 1764 1765 1766 1767 1769 1770, 1771, 1772, 1773, 1774, 1775, 1776, 1777, 1778, 1779, 1798, 1804, 1808, 1809, 1565, 1608, 1634, 1814, 1815, 1816, 1822, 1825, 1826, 1841, 1915, 1929, 1930, 1931, 1934, 1945,

121st Legislative Day

May 22, 1986

1946, 1955, 1957, 1961, 1985, 1991, 1992, 2000, 2002, 2003, 2006, 2008, 2018, 2019, 2020, 2022, 2025, 2037, 2038, 2042, 2044, 2051, 2074, 2076, 2077, 2081, 2082 and 2084, Senate May 22, 1986. Kenneth Wright, Secretary.* the Messages from the Senate by Mr. Wright, Secretary. Speaker, ១៣ directed to inform the House of Representatives that the Senate has passed a Bill of the following title. the passage of which I am instructed to ask concurrence of the House of Representatives, to wit: Senate Bill 1873. passed by the Senate May 22, 1986 by a Three-Fifths Vote. Kenneth Wright, Secretary. Bills First Reading. Senate Bill 1548, Hartke, a Bill for an Act to amend the Illinois Police Training Act. Reading of the Bill. Senate Bill... Supplemental Calendar Senate Bill 1519, Keane, a Bill for an Act appropriations to the Auditor General. First Reading of the Bill. Senate Bill 1520, Ewing, a Bill for to the School Code. First Reading of the Bill. Senate Bill 1522, Mulcahey, a Bill for an Act to amend the School Code-First Reading of the Bill. Senate Bill 1552. Giglio, a Bill for an Act to amend an Act in relation conductng charitable games. First Reading of the Bill. 3111 1562. Homer, Bi 11 а for ลก Act appropriations for job training. First Reading of the Bill. Senate 3ill 1565, Preston, a Bill for an Act t o the Unified Code of Corrections. amend First Reading of the Bill. Senate Bill 1581, Hoffman, a Bill for an Act repeal the Vehicle Emissions Inspection Law. First Reading Bill. Senate Bill 1589, McCracken, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 1603. Hastert. **Bill** а for an Act making appropriations to the State Universities Civil Service Svstem. First Reading of the 3i11. Senate Bill 1604.

121st Legislative Day

May 22, 1986

Hastert, a Bill for an Act making appropriations to certain retirement systems. First Reading of the Bill. Bill 1605, Keane, a Bill for an Act making appropriations 3oard of Governors of state colleges universities. First Reading οf the Bill. Senate Bi 11 a Bill for an 1606-Richmond. Act to provide for the ordinary and contingent expense of the Southern Illinois First Reading of the Bill. Senate Bill 1607. Matijevich, a Bill for an Act making certain appropriations Illinois State Scholarship the Commission. First of the Bill. Senate Bill 1608, Cowlishaw, a Bill Reading for an Act to amend the School Code. First Reading of Senate Bill 1609, Satterthwaite, a Bill for an Act making certain appropriations to the Board of University of Illinois. First Reading of the Bill. Senate Bill 1610. Hasara, a 3111 for an Act making appropriations to the Board of Regents. First Reading of the Bill. Senate Bill 1611, Hastert, a Bill for an Act appropriations to the Illinois Community College Board and the Board of Trustees of the State Community College of East St. Louis for fiscal year 1987. Reading of the Bill. Senate Bill 1615, Hoffman, a Bill for an Act to amend the School Code. First Reading o f the Senate Bill 1624, Keane, a Bill for an Act relating Rill. to procurement by the State Government. First Reading Bill. Senate Bill 1626, Madigan, a Bill for an Act to provide for the ordinary and contingent expense General Assembly. First Reading of the Bill. Senate Bill 1627, Madigan, a Bill for an Act making appropriations to Assembly. First Reading of the Bill. General Bill 1628, Madigan, a Bill for an Act making appropriations to various legislative support agencies. First Reading Senate Bill 1634, Kubik, a Bill for an Act the Bill.

121st Legislative Day

May 22, 1986

relating to home repair fraud. First Reading of the Bill. Senate Bill 1639, Leverenz, a Bill for an Act making appropriations to the Office of State Treasurer. First Reading of the Bill. Senate Bill 1661, Terzich, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the Bill. Senate Bill 1666, Hoffman, a Bill for an Act to amend the School Code. First Reading of the Bill."

Clerk Leone: "Senate Bill 1700, Keane, a Bill for an Act to amend an Act in relationship to municipal tax incremental First Reading of the Bill. financing. Senate Bill 1728. Deuchler• a Bill for an Act relating to the Illinois Mathematics and Science Academy and its employees. Reading of the Bill. Senate Bill 1734, Leverenz -**Rill** for an Act making reappropriations to the Court of Claims. First Reading of the Bill. Senate Bi 11 1735. Cullerton, a Bill for an Act to amend the Illinois Horse Racing Act. First Reading of the Bill. Senate Bill 1736-Barnes, a 3ill for an Act to provide for the ordinary and contingent expenses of the Office of Lieutenant Governor. Reading of the Bill. Senate Bill 1737, Hastert, a Bill for an Act making appropriations for the ordinary contingent expenses to the Department on Aging. Senate Bill 1738, Hastert, a Bill for Reading of Bill. appropriations for the ordinary and contingent making expenses to the Department o f Mental Health and Developmental Disabilities. First Reading of the Bill. Senate 8ill 1739, Barnes. a Bill for an Act appropriations for the Abandoned Mines (sic - Mined) Land Reclamation Council. First Reading of the Bill. 1740, Barnes, a Bill for an Act making appropriations Bill to the Illinois State Lottery. First Reading of the H:11-Bill 1742. Barnes. a Bill for an Act making appropriations to the General Obligation Bond Act. First

121st Legislative Day

May 22, 1986

of the Bill. Senate Bill 1745, Barnes, a Bill for Reading an Act making appropriations to the Judiciary Inquiry Board. First Reading of the Bill. Senate 3ill 1746, Barnes, a Bill for an Act to provide for the ordinary of the Office of the Governor. contingent expenses Reading of the Bill. Senate Bill 1747, Barnes, a Bill for making appropriations for the ordinary an Act and contingent expenses of the Department of Agriculture. First Reading of the Bill. Senate Bill 1749, Hastert, a Bill for an Act making appropriations for the ordinary contingent expenses of the Department of Children and Family Services. First Reading of the Bill. Senate Bill Barnes, a Bill for an Act making appropriations for the ordinary and contingent expenses to the Department Employment Security. First Reading of the Bill. Bill 1751, Barnes, a Bill for an Act making appropriations for the ordinary and contingent expenses to the Department of Corrections. First Reading of the Bill. Senate Hill 1754. a Bill for an Act making appropriations for Barnes. the ordinary and contingent expenses to the Department First Reading of the Bill. Senate Bill 1755, Barnes, a Bill for an Act making appropriations and contingent expenses to the Department of Labora First Reading of the Bill. Senate Bill 1756. Barnes. a Bill for an Act making appropriations for the expenses to the ordinary and contingent Department Nuclear Safety. First Reading of the Bill. Senate Bill 1757, Barnes, a Bill for an Act making appropriations ordinary and contingent expenses to Department of Revenue. First Reading of the Bill. Senate 3ill Barnes, a Bill for an Act making appropriations for the ordinary and contingent expenses to the Department of State Police. First Reading of the Bill. Senate 3111

121st Legislative Day

May 22. 1986

Bill for an Act making appropriations for the Hastert. ordinary and contingent expenses to the Department First Reading of the Bill. Veteran Affairs. Senate Bill 1760, Barnes, a Bill for an Act making appropriations the ordinary and contingent expenses to the commissioner of banks and trust companies. First Reading of the Bill. Bi11 Senate Bill 1761. Barnes. a for an Act making appropriations for the ordinary and contingent expenses to the Bureau of the Budget and the Executive Office First Reading of the Bill. Senate Bill 1762. Barnes, a Bill for an Act making appropriations to Reading of the Bill. state agencies. First Senate Bill 1764, Barnes, a Bill for an Act making appropriations ordinary and contingent expenses of the Illinois Criminal Justice Information Authority. First Bill. Senate Bill 1765. Barnes, a Bill for an Act making appropriations for the ordinary and contingent expenses to the Court of Claims. First Reading of the Senate Bill 1766, Barnes, a Bill for an Bill. Act making appropriations to the Environmental Protection Trust Fund First Reading of the Bill. Commission. Senate Bill 1767, Barnes, a Bill for an Act making appropriations Metropolitan Fair and Exposition Authority. Senate Bill 1769, Barnes, a Bill for of the Bill. making appropriations for the ordinary and contingent expenses to the Illinois Arts Council. First Reading Senate Bill 1770, Barnes, a Bill for an Act the Bill. appropriations for the ordinary and contingent expenses of the Pollution Control Board. First Reading of the Bill. Senate Bill 1771. Barnes. a Bill for Act the ordinary making appropriations to and contingent expenses of the Prairie State 2000 Authority. of the Bill. Senate Bill 1772, Barnes, a Bill for Reading

121st Legislative Day

May 22, 1986

an Act making appropriations for the ordinary and contingent expenses tο the Prisoner Review Board. First Senate Bill 1773, Barnes, a Reading of the Bill. Bill for making appropriations for the contingent expenses to the Property Tax Appeal Board. First Reading of the Bill. Senate Bill 1774. Barnes. Bill for an Act making appropriations for the ordinary and contingent expenses of the Office of the Commissioner and Loan. First Reading of the Bill. Senate Bill 1775. Barnes. a Bill for an Act making appropriations for contingent expenses of ordinary and the State Employees Retirement System. First Reading of the 3ill. Senate Bill 1776. Barnes. a Bill for an Act appropriations for the ordinary and contingent expenses General Assembly Retirement System. First Reading of the Bill. Senate Bill 1777, Barnes, a Bill for an Act making appropriations for the ordinary and contingent expenses of the Judicial Retirement System. First the Bill. Senate Bill 1778, Barnes, a Bill for an Act appropriations for the ordinarv and contingent the Local Governmental Law Enforcement expenses Officers* Training Board. First Reading οf the Bill. Senate 8111 1779. Hastert. a Bill for an Act making appropriations for the ordinary and contingent expenses Public School Teachers' Pension and Retirement First Reading of the Bill. Senate Bill 1798, McPike, a Bill for an Act making appropriations... Bill for an Act to amend the Illinois Vehicle Code. First Reading of the Bill. Senate Bill 1804. Levin. a Bill for an Act to amend the Asbestos Abatement Act. First Reading o f the Senate Bill 1808, Leverenz, a Bill for an Act making Bill. appropriations of the Office of the State's Appellate Prosecutor. First Reading of the

121st Legislative Day

May 22. 1986

a Bill for an Act in relationship to Bill 1814, Phelps, county jails. First Reading of the Bill. Didrickson, a Bill for an Act to amend the Illinois Control Substance Act. First Reading of the Bill. 1817. Levin, a Bill for an Act in relationship to the immunity of alcoholism and drug addiction. 1815. Didrickson. a 3ill for an Act to amend the Illinois Controlled Substance Act. Senate 3ill 187... 1816. Levin. a Bill for an Act in relationship to the immunity of alcoholism and drug addition. First Reading of the Bill. Senate Bill 1822, Leverenz, a 3ill for an Act making appropriations of the Court of Claims. First Reading of the Bill. Senate Bill 1825, Bowman, a Sill for an Act appropriations to the Department of Mental Health making and Developmental Disabilities. First Reading of the Bill. Senate Bill 1826, Bowman - Leverenz, a Bill for an appropriations to the Board of Higher Education. First Reading of the Bill. Supplemental Calendar 22-Senate Bills First Reading. Senate Bill 1752. Barnes. a Bill for an Act making appropriations for the ordinary contingent expenses of the Department of Energy and Natural Resources First Reading of the Bill. Supplemental #2. Senate Bills First Reading. Senate Bill 1838, an Act to amend an Act in relationship to for limitation of partnership and corporations. First Reading Bill. Senate Bill 1846, Capparelli, a Bill for an the Act making appropriations for the Metropolitan Fair and Exposition Authority. First Reading of the Bill. Senate Bill 1848, Steczo, a Bill for an Act relationship to indemnification and defense of response action contractors. Senate Bill 1848, Steczo. a Bill an Act in relationship to indemnification and defense of response action contractors. First Reading of the Bill.

121st Legislative Day

May 22, 1986

a Bill for an Act to amend the Senate Bill 1861. Homer. First Reading of the Bill. Senate Bill 1871, School Code. Bernard Pedersen - Wojcik, a Bill for an Act to Illinois Municipal Code. First Reading of the Senate Bill 1873, Nash, a Bill for an Act in relationship driver... taxicabs and liveries. First Reading of the Bill. Senate Bill 1875, Churchill, a Bill for an Act relationship to crimestoppers programs. First Reading of the Bill. Senate Bill 1910. AcCracken. a Bi 11 for an to amend the Illinois Horse Racing Act. First Reading of the Bill. Senate Bill 1913. Nash. a Bill for an concerning the review of state regulation and licensure. First Reading of the Bill. Senate Bill 1917, Nash, a an Act in relationship to the General Assembly. First Senate Bill 1921. Reading of the Bill-Hoffman. A111 Act in relationship to airport authorities. First an Reading of the Bill. Supplemental \$4. Senate Bills First Senate Bill 1929, Steczo, a Bill for an Act in Reading relationship to energy efficient storage hot water heaters. First Reading of the Bill. Senate Bill 1930, Harris, for an Act to amend the Intergovernmental Cooperation Bill. First Reading of the Senate Senate Bill 1934, DeJaegher, a Bill for an Act Correction. relation to school holidays and school student records. First Reading of the Bill. Senate Bill 1945, Ryder, a Bill for an Act to amend the Illinois Public Aid Code. First Reading of the Bill. Senate Bill 1961, Nash, a Bill for an Act to amend the Election Code. First Reading of the Bill. 1985, Greiman, a Bill for an Act to amend an Senate Bill Act to create the Illinois Local Government Risk Management and Pooled Insurance Act. First Reading οf the Bill. Supplemental #5. Senate Bills First Reading. Senate Bill 1991, Steczo, a Bill for an Act to amend the

121st Legislative Day

Nay 22, 1986

of the Bill. Senate 3i 11 1992. Dwight Friedrich, a Bill for an Act to amend the Illinois First Reading of the Bill. Senate Bill 2000, Greiman - McPike. a Bill for an Act in relationship to regulation of insurance rates. First Reading of the Bill. Senate Bill 2002, Greiman, a Bill for an Act to amend the Illinois Insurance Code. First Reading of the R:11. Senate Bill 2003, Cullerton, a Bill for an Act to amend the First Reading of the Bill. Criminal Code. Senate Bill Greiman - Preston, a Bill for an Act to amend an Act to establish a Military and Naval Code for Illinois Military and Naval Department. First Reading of the Bill. Senate Bill 2019, Stephens - Kubik, a Bill for an Act First Reading of the concerning the abuse of elderly. Senate Bill 2020, Churchill, a Bill for Rill. an Act the Illinois Public Aid Code. First Reading of the amend Senate Bill 2037, Mays - Dwight Friedrich, Act relating to the imposition of state occupation and use taxes. First Reading of the Bill. Senate Bill 2042, Daley - Bowman, a Bill for an Act to amend the Senior Citizens* and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act. First Reading of the Bill 2044, Giorgi, a Bill for an Act to amend the First Illinois Horse Racing Act. Reading of the Bill 2076, Churchill, a Bill for an Act to amend an Act in relationship to the adoption of persons. First Reading of the Bill. Senate Bill 2077, Churchill, a Bill for an Act in relationship to the adoption of Reading of the Bill. Senate Bill 2082, Nash -Berrios, a Bill for an Act to amend the Election Code. First Reading o f the Bill. And Senate **5111** 2084. 3111 for Capparelli. a an Act to amend an Act in relationship to trust, trustees and trust companies.

121st Legislative Day

May 22, 1986

Reading of the Bill."

Clerk O'Brien: "No further business, the House now stands adjourned."

03/09,687 14:22

STATE OF ILLINOIS 84TH GENERAL ASSEMBLY HOUSE OF REPRESENTATIVES DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 1

MAY 22. 1986

		_	
H3-0500	THIRD READING	PAGE	330
	SECOND READING	PAGE	330
	RECALLED	PAGE	299
	THIRD READING	PAGE	299
	THIRD READING	PAGE	304
	THIRD READING SECOND READING	PAGE PAGE	174 330
	RECALLED	PAGE	13
	THIRD READING	PAGE	22
	SECOND READING	PAGE	219
H3-1675	THIRD READING	PAGE	220
	SECOND READING	PAGE	294
	THIRD READING	PAGE	329
	THIRD READING THIRD READING	PAGE PAGE	329 329
	THIRD READING	PAGE	
	SECOND READING	PAGE	330
	THIRD READING	PAGE	. 330
H3-2596	RECALLED	PAGE	295
HB-2596	THIRD READING	PAGE	294
	THIRD READING	PAGE	329
	THIRD READING	PAGE	226
	THIRD READING	PAGE	226
	THIRD READING	PAGE	328
	SECOND READING	PAGE PAGE	317 330
	SECOND READING	PAGE	330
	SECOND READING	PAGE	330
HB-2685	THIRD READING	PAGE	250
	THIRD READING	PAGE	328
	SECOND READING	PAGE	330
	SECOND READING	PAGE	330
	SECOND READING SECOND READING	PAGE PAGE	331 220
	THIRD READING	PAGE	222
	RECALLED	PAGE	183
HB-2821	THIRD READING	PAGE	185
	THIRD READING	PAGE	8
	THIRD READING	PAGE	10
	THIRD READING THIRD READING	PAGE PAGE	329 329
	SECOND READING	PAGE	331
	SECOND READING	PAGE	331
	SECOND READING	PAGE	224
	THIRD READING	PAGE	224
	THIRD READING	PAGE	186
	THIRD READING	PAGE	329
	THIRD READING THIRD READING	PAGE PAGE	330 329
	SECOND READING	PAGE	330
	THIRD READING	PAGE	329
	THIRD READING	PAGE	187
	THIRD READING	PAGE	48
	RECALLED	PAGE	198
	THIRD READING	PAGE	199
	SECOND READING THIRD READING	PAGE PAGE	331 251
	THIRD READING	PAGE	87
	RECALLED	PAGE	296
	THIRD READING	PAGE	295
	THIRD READING	PAGE	329
	THIRD READING	PAGE	252
HB-3071		PAGE	330
	THIRD READING RECALLED	PAGE	49 3
U0-3018	RECALLED	PAGE	3

STATE OF ILLINGIS 84TH GENERAL ASSEMBLY HOUSE OF REPRESENTATIVES DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 2

HB-3078	THIRD READING	PAGE	5
	THIRD READING	PAGE	25
	THIRD READING	PAGE	53
	THIRD READING	PAGE	254
	RECALLED	PAGE	136
	THIRD READING	PAGE	137
	THIRD READING	PAGE	329
	SECOND READING	PAGE PAGE	31 331
	SECOND READING	PAGE	47
	SECOND READING	PAGE	264
	THIRD READING	PAGE	264
HB-3200	THIRD READING	PAGE	32
H3-3217	THIRD READING	PAGE	202
	THIRD READING	PAGE	69
	THIRD READING	PAGE	60
	SECOND READING	PAGE	331
	THIRD READING	PAGE	45
	SECOND READING	PAGE	331
HB-3263	SECOND READING	PAGE PAGE	305 331
HB~3264		PAGE	305
	SECOND READING	PAGE	331
HB-3265		PAGE	305
	SECOND READING	PAGE	331
HB-3271	THIRD READING	PAGE	93
HB-3290	THIRD READING	PAGE	71
	RECALLED	PAGE	297
	THIRD READING	PAGE	29 7
	THIRD READING	PAGE	298
	THIRD READING	PAGE	154
	RECALLED THIRD READING	PAGE PAGE	203
	SECOND READING	PAGE	204 33 l
	THIRD READING	PAGE	94
	THIRD READING	PAGE	329
	THIRD READING	PAGE	102
HB-3394	THIRD READING	PAGE	107
	THIRD READING	PAGE	206
	SECOND READING	PAGE	330
	THIRD READING	PAGE	33
	THIRD READING SECOND READING	PAGE	73
	SECOND READING	PAGE PAGE	331 331
	SECOND READING	PAGE	331
	SECOND READING	PAGE	331
	THIRD READING	PAGE	328
HB-3480	THIRD READING	PAGE	75
H3-3484	SECOND READING	PAGE	267
	THIRD READING	PAGE	268
	THIRD READING	PAGE	207
	THIRD READING	PAGE	76
	THIRD READING	PAGE	256
HB-3521	THIRD READING THIRD READING	PAGE PAGE	158
	SECOND READING	PAGE	329 294
	THIRD READING	PAGE	330
HB-3527		PAGE	328
	THIRD READING	PAGE	329
HB-3534	SECOND READING	PAGE	331
	THIRD READING	PAGE	328
	THIRD READING	PAGE	35
	THIRD READING	PAGE	79
	THIRD READING	PAGE	80
no~3005	THIRD READING	PAGE	81

STATE OF ILLINOIS 84TH GENERAL ASSEMBLY HOUSE OF REPRESENTATIVES DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 3

HB-3567 SECOND READING	PAGE	270
HB-3567 THIRD READING	PAGE	276
HB-3568 SECOND READING	PAGE	277
H3-3568 THIRD READING	PAGE	285
HB-3568 HOTTON	PAGE	279
HB-3569 SECOND READING	PAGE	
	_	332
HB-3573 THIRD READING	PAGE	108
H3-3574 THIRD READING	PAGE	46
H3-3575 THIRD READING	PAGE	82
HB-3582 SECOND READING	PAGE	332
HB-3584 THIRD READING	PAGE	117
H3-3585 THIRD READING	PAGE	127
HB-3588 THIRD READING	PAGE	330
H3-3590 RECALLED	PAGE	118
HB-3590 THIRD READING	PAGE	125
HB-3596 THIRD READING	PAGE	132
HB-3612 SECOND READING	PASE	332
HB-3613 SECOND READING	PAGE	332
H3-3619 THIRD READING	PAGE	38
HB-3619 DISCUSSED AND POSTPONED	PAGE	45
Sa-1519 FIRST READING	PAGE	333
SB-1520 FIRST READING	PAGE	
SB-1522 FIRST READING		333
	PAGE	333
SB-1548 FIRST READING	PAGE	333
SB-1552 FIRST READING	PAGE	333
SB-1562 FIRST READING	PAGE	333
S3-1565 FIRST READING	PAGE	333
SB-1581 FIRST READING	PAGE	333
SB-1589 FIRST READING	PAGE	333
SB-1603 FIRST READING	PAGE	333
SB-1604 FIRST READING	PAGE	333
SB-1605 FIRST READING	PAGE	333
SB-1606 FIRST READING	PAGE	333
SB-1607 FIRST READING	PAGE	334
SB-1608 FIRST READING	PAGE	334
SB-1609 FIRST READING	PAGE	334
SB-1610 FIRST READING	PAGE	334
SB-1611 FIRST READING	PAGE	334
SB-1615 FIRST READING	PAGE	334
SB-1624 FIRST READING	PAGE	334
SB-1626 FIRST READING	PAGE	334
SB-1627 FIRST READING	PAGE	334
SB-1628 FIRST READING	PAGE	334
SB-1634 FIRST READING	PAGE	334
SB-1639 FIRST READING	PAGE	334
SB-1661 FIRST READING	PAGE	
SB-1666 FIRST READING		334
	PAGE	334
SB-1700 FIRST READING	PAGE	335
SB-1728 FIRST READING	PAGE	335
SB-1734 FIRST READING	PAGE	335
SB-1735 FIRST READING	PAGE	335
SB-1736 FIRST READING	PAGE	335
SB-1737 FIRST READING	PAGE	335
SB-1738 FIRST READING	PAGE	335
SB-1739 FIRST READING	PAGE	335
SB-1740 FIRST READING	PAGE	335
SB-1742 FIRST READING	PAGE	335
SB-1745 FIRST READING	PAGE	335
SB-1746 FIRST READING	PAGE	335
SB-1747 FIRST READING	PAGE	335
SB-1749 FIRST READING	PAGE	336
SB-1750 FIRST READING	PAGE	336
SB-1751 FIRST READING	PAGE	336
SB-1752 FIRST READING	PAGE	339
SB-1754 FIRST READING	PAGE	336

STATE OF ILLINOIS 84TH GENERAL ASSEMBLY HOUSE OF REPRESENTATIVES DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 4

SB-1755 FIRST READING	PAGE	336
SB-1756 FIRST READING	PAGE	336
SB-1757 FIRST READING	PAGE	336
SB-1758 FIRST READING	PAGE	336
SB-1759 FIRST READING	PAGE	336
SB-1760 FIRST READING	PAGE	336
S3-1761 FIRST READING	PAGE	337
,		
SB-1762 FIRST READING	PAGE	336
SB-1764 FIRST READING	PAGE	336
SB-1765 FIRST READING	PAGE	337
SB-1766 FIRST READING	PAGE	337
SB-1767 FIRST READING	PAGE	337
SB-1769 FIRST READING	PAGE	337
SB-1770 FIRST READING	PAGE	337
SB-1771 FIRST READING	PAGE	337
SB-1772 FIRST READING	PAGE	337
SB-1773 FIRST READING	PAGE	337
SB-1774 FIRST READING	PAGE	337
SB-1775 FIRST READING	PAGE	338
SB-1776 FIRST READING	PAGE	338
SB-1777 FIRST READING	PAGE	338
SB-1778 FIRST READING	PAGE	338
SB-1779 FIRST READING	PAGE	338
SB-1798 FIRST READING	PAGE	338
SB-1804 FIRST READING	PAGE	338
SB-1808 FIRST READING	PAGE	338
SB-1814 FIRST READING	PAGE	338
SB-1815 FIRST READING	PAGE	338
SB-1816 FIRST READING	PAGE	339
SB-1817 FIRST READING	PAGE	338
SB-1822 FIRST READING	PAGE	339
SB-1825 FIRST READING	PAGE	339
SB-1826 FIRST READING	PAGE	339
SB-1838 FIRST READING	PAGE	339
SB-1846 FIRST READING	PAGE	339
SB-1848 FIRST READING	PAGE	339
SB-1861 FIRST READING	PAGE	339
SB-1871 FIRST READING	PAGE	339
SB-1873 FIRST READING	PAGE	339
SB-1875 FIRST READING	PAGE	339
SB-1910 FIRST READING	PAGE	340
SB-1913 FIRST READING	PAGE	340
SB-1917 FIRST READING	PAGE	340
SB-1921 FIRST READING		
	PAGE	340
SB-1929 FIRST READING	PAGE	340
SB-1930 FIRST READING	PAGE	340
SB-1934 FIRST READING	PAGE	340
SB-1939 FIRST READING	PAGE	340
SB-1945 FIRST READING	PAGE	340
SB-1961 FIRST READING	PAGE	340
SB-1985 FIRST READING	PAGE	340
SB-1991 FIRST READING	PAGE	340
SB-1992 FIRST READING	PAGE	340
	PAGE	340
SB-2002 FIRST READING	PAGE	340
SB-2003 FIRST READING	PAGE	341
SB-2006 FIRST READING	PAGE	341
SB-2019 FIRST READING	PAGE	341
SB-2020 FIRST READING	PAGE	34 L
SB-2037 FIRST READING	PAGE	341
SB-2042 FIRST READING	PAGE	341
SB-2044 FIRST READING	PAGE	341
SB-2076 FIRST READING	PAGE	341
SB-2077 FIRST READING	PAGE	341
SB-2082 FIRST READING	PAGE	341

STATE OF ILLINOIS 84TH GENERAL ASSEMBLY HOUSE OF REPRESENTATIVES DAILY TRANSCRIPTION OF DEBATE INDEX

PAGE 5

SB-2084 FIRST READING	PAG	€ 341
SUBJECT MATTER		
REPRESENTATIVE MCPIKE - HOUSE TO ORDER	PAGE	1
REVEREND HOWARD MILKMAN - PRAYER	PAGE	1
PLEDGE OF ALLEGIANCE	PAGE	2
ROLL CALL FOR ATTENDANCE	PAGE	2
AGREED RESOLUTIONS	PAGE	2
DEATH RESOLUTIONS	PAGE	3
GENERAL RESOLUTIONS	PAGE	3
MESSAGE FROM SENATE	PAGE	6
TMAKMAUDLDA	PAGE	328
PERFUNCTORY SESSION	PAGE	328
COMMITTEE REPORTS	PAGE	332
MESSAGES FROM SENATE	PAGE	332
PERFUNCTORY SESSION - ADJOURNMENT	PAGE	341