

STATE OF ILLINOIS
94th GENERAL ASSEMBLY
HOUSE OF REPRESENTATIVES
TRANSCRIPTION DEBATE

47th Legislative Day

May 24, 1935

Speaker Greiman: "The hour of 9:00 having arrived, the House will now be in Session. The Chaplain for today will be the Reverend Richard Miller, Pastor of First Baptist Church of Morrisonville. Reverend Miller is a guest of Representative Josephine Oblinger. Will the guests in the gallery please rise and join us in the invocation? Reverend Miller."

Reverend Miller: "Let's look to the Lord in prayer. Our gracious Father, we're thankful that we can come to a place like this. We thank the Lord for a great nation where we have leaders who are elected by the people to represent the people. Father, we're thankful for the Salvation that You give us so freely in Christ Jesus. And Lord, it's our prayer that those Members in this Assembly that do not know You as Saviour might know You. Father, we thankful for the admonition of the Scripture that government is set up by... by You and, Lord, that each one of us are responsible to a Holy God for the decisions that we make. And Father, we thank You and ask You for wisdom as these Legislators meet today and deliberate on the affairs and the decisions that may be made, Lord, that they might have wisdom from You in Jesus precious name. Amen."

Speaker Greiman: "Representative Ropp, will lead in the pledge."

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

Speaker Greiman: "Roll Call for Attendance. Alright, Mr. Clerk. Mr. Clerk, take the record. 116 Members having answered to the Call of the Quorum, a quorum is present. Okay. Special Order of Business, Third Reading, State and Local Government. We'll come back to that. Senate Bills First

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Reading."

Clerk O'Brien: "Senate Bills First Reading. Senate Bill 153, Klemm, a Bill for an Act to provide for the organization and operation of county historical museum districts. First Reading of the Bill. Senate Bill 216, McNamara and Flowers, a Bill for an Act in relation to certain technical training programs. First Reading of the Bill. Senate Bill 332, McGann, a Bill for an Act concerning public utilities. First Reading of the Bill. Senate Bill 398, Didrickson, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 447, Giorgi, a Bill for an Act concerning the compensation of individuals for employment related injuries, disabilities and illnesses. First Reading of the Bill. Senate Bill 500, Terzich, a Bill for an Act relating to school districts and board of educations in certain cities. First Reading of the Bill. Senate bill 505, W. Peterson and Woodyard, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 512, Hastert, a Bill for an Act to amend the Illinois Banking Act. First Reading of the Bill. Senate Bill 576, Kubik, a Bill for an Act to amend the Illinois Horse Racing Act. First Reading of the Bill. Senate Bill 617, Churchill and Koehler, a Bill for an Act to amend the Illinois Municipal Code. First Reading of the Bill. Senate Bill 640, Ropp and Brunsvold, a Bill for an Act to amend the Grade A Pasteurized Milk and Milk Products Act. First Reading of the Bill. Senate Bill 659, Braun, a Bill for an Act to amend the School Code. First Reading of the Bill. Senate Bill 724, Laurino, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill. Senate Bill 736, W. Peterson, a Bill for an Act to amend the Illinois Income Tax Act. First Reading of the Bill. Senate Bill 743, Mays and Mautino, a Bill for an Act

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in relation to retailers, servicemen and suppliers maintaining a place of business in Illinois. First Reading of the Bill. Senate Bill 836, Churchill, a Bill for an Act to amend an Act to punish fraud or extravagance in the expenditure of moneys appropriated for public improvements. First Reading of the Bill. Senate Bill 875, Ropp, a Bill for an Act to amend the Grade A Pasteurized Milk and Milk Products Act. First Reading of the Bill. Senate Bill 914, Maurino and Woodyard, a Bill for an Act relating to banking. First Reading of the Bill. Senate Bill 974, Hannig, a Bill for an Act to amend the Illinois Pension Code. First Reading of the Bill. Senate Bill 1416, Parke, a Bill for an Act to amend the Criminal Code. First Reading of the Bill. Senate Bill 1419, Brunsvold, a Bill for an Act to amend an Act in relation to certain airport authorities. First Reading of the Bill."

Speaker Greiman: "Agreed Resolutions."

Clerk O'Brien: "Agreed Resolutions. House Resolution 426, offered by Representative Krska. 427, DeLeo - et al; 428, Krska; 430, Countryman; 431, Laurino; 432, Woodyard; 433, DeJaegher; 434, Levarenz; 435, DeJaegner; 436, DeJaegher; 437, DeJaegher; 438, DeJaegher; 440, Ropp. And House Joint Resolution 56, Panayotovich."

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

Matijevich: "House Resolution 426, Krska, congratulates Sister Mary Rozynek (sic - Mary Concordia). House Resolution 427, DeLeo, commends Nick Sorrentino. 428, Krska, congratulates Sister Mary Concordia (sic - Mary Rozynek). House Resolution 430, Countryman, congratulates Mr. and Mrs. Wes Johnson on their golden wedding anniversary. House Resolution 431, Laurino, congratulates Mark and Susan Bozzell on the birth of their daughter. House Resolution,

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Woodyard... House Resolution 432, Woodyard, commends the International Fellowship Program. House Resolution 433, DeJaegher, congratulates Vera and Raymond VanGoethen. House Resolution 434, Leverenz, gives best wishes to Mr. Eli Ponich of Bellwood. 435, DeJaegher, congratulates Clara Plunkett on her 80th birthday. 436, DeJaegher, congratulates Gladys and Wilkie Davis on their 64th wedding anniversary. 437, DeJaegher, congratulates Mary Mankoski on her 90th birthday. 438, DeJaegher, congratulates Floyd and Alice Huford on their golden wedding anniversary. 440, Ropp, commends 'Matty' Matheson. House Joint Resolution 56, Panayotovich, commends Rich Jendra. I move the adoption of the Agreed Resolutions."

Speaker Greiman: "Gentleman from Lake moves for the adoption of the Agreed Resolutions. All those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Agreed Resolutions are adopted. Death Resolutions."

Clerk O'Brien: "House Resolution 429, offered by Representative Regan, with respect to the memory of Alna Louise Sylvester. House Resolution 439, offered by Representative Countryman, with respect to the memory of Kenneth M. Snyder."

Speaker Greiman: "The Gentleman from Lake moves for the adoption of the Death Resolutions. All those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Death Resolutions are adopted. Good morning, Ladies and Gentlemen. On page 27 of the Calendar, House Bills Third Reading, Senior Citizens - Disabled Persons. Yes, Mr. Panayotovich, for what purpose do you seek recognition?"

Panayotovich: "Thank you, Mr. Speaker. An inquiry of the Chair. Give or take 16 hours and whether I know whether to eat two breakfasts or not, could you... Chair informs us as to what

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hour... within... why you say 16 hours we plan on being here today?"

Speaker Greiman: "Well, the... there was a deadline at 12:00 o'clock, but we probably will be out before then. Hold on just for a second, Mr. Panayotovich."

Panayotovich: "Thank you."

Speaker Greiman: "Alright, Mr. Panayotovich, there is considerable interest in your question, which is the time that one might be expected to finish. Two years ago, we had about 200 and some Bills on the Calendar at this time and we got out at 7:30. The Calendar indicates that we have 477 Bills on the Calendar and it is now 9:15. So, probably the best I can do for you... Yes, Mr. Panayotovich."

Panayotovich: "Thank you, Mr. Speaker. I just want to know if we only have to have one breakfast or if chicken will be here at 6:30."

Speaker Greiman: "Mr. Panayotovich, look at who's in the Chair. I always have two breakfast."

Panayotovich: "And I always have chicken. Thank you, Mr. Speaker."

Speaker Greiman: "Alright. So, we are on page 27 of the Calendar, House Bills Third Reading, Senior Citizens. On that Order appears House Bill 341. Mr. Clerk, read the bill."

Clerk Leone: "House Bill 341, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill."

Speaker Greiman: "The Lady from Cook, Ms. Wojcik, on House Bill 341."

Wojcik: "Yes, Mr. Speaker and Members of the House, what this Bill does, it expands the senior citizens homestead exemption to include persons who reside in a life care facility and who are liable for payment of property taxes

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on their unit. The current law, in 1970, the Illinois Constitution provided for homestead exemptions to the local property tax. A senior citizen's homestead exemption was enacted in 1972. Illinois law already allows the senior citizens' homestead exemption to be applicable to persons who reside in apartment buildings owned and operated as cooperatives. House Bill 341 which specify that life care facilities are to be treated as cooperative apartments. I move for its favorable passage. I move for its favorable passage."

Speaker Greiman: "Lady from Cook moves for the passage of House Bill 341. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, Representative Wojcik, this morning when I got here, I went over the list of Bills that were originally on the Second Consent Calendar but were knocked off. And much to my surprise, I found this Bill which was knocked off. Now, our analysis indicates that this is an excellent Bill. It should have a Democratic cosponsorship."

Wojcik: "We do have Democratic cosponsorship."

Cullerton: "And we do. We have Representative O'Connell. I think that was what... that was my idea, as a matter of fact. Now, the reason why I say this is because I rise in support of the Bill, but I want you to know that somebody knocked off this Bill from the Consent Calendar and it wasn't anybody over on this side of the aisle. So..."

Wojcik: "I thank you for that information."

Cullerton: "Right. 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. Cu

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this question there are 96 voting 'aye', 9 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Senior Citizens, appears House Bill... Let the... let the record show that Mr. LeFlore wishes to vote 'aye'. That'll be journalized. On the Order of House Bills Third Reading, Senior Citizens, appears House Bill 383. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 383, a Bill for an Act to amend the Senior Citizens and Disabled Persons Property Tax Relief and Pharmaceutical Assistance Act. Third Reading of the Bill."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 383 is a Bill which I introduced as a result of a constituent problem. A woman that my office has been helping for a number of years with her circuit breaker forms came into my office last year, having moved into a subsidized senior citizen project, and we computed her circuit breaker award and found that she was not entitled to anything. And in the previous years, she had been getting about \$500 a year. The problem arose because she moved into the subsidized housing unit during the course of the year. I introduced the Bill to try and establish for some kind of proration scheme so that she would at least get part of her grant. The Department of Revenue had difficulty with the Bill as it was originally introduced. I met with the Director. He agreed that the problem deserves correction and pledged his best efforts to providing language to deal with the issue. 383 is the result of the Department of Revenue's work on this legislation. It does solve the problem that the Bill... original Bill intended to solve and does it in a very clean efficient way. So, I

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am pleased to now ask the House to join me in support of 383. I move its passage."

Speaker Greiman: "The Gentleman from Cook moves for the passage of House Bill 383. And on that, is there any discussion? The Gentleman from Edgar, Mr. Woodyard."

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

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

Woodyard: "Representative, is Amendment #1 on the Bill?"

Bowman: "Yes, Sir, it is. We adopted it yesterday. We did it on a voice vote at the time when the printing machine was down, and it was an agreed Amendment since... so the Department could come up with the language itself."

Woodyard: "Who agreed to it?"

Bowman: "Well, I mean, when I say agree, I mean, the Department came up with the language and there was no objection to it."

Woodyard: "Well, in the example that you cited about the lady that came to your office wanting to... the circuit breaker and was not entitled to it because she was living in public housing, don't you imagine the reason she was not entitled to it is because she was living in subsidized housing."

Bowman: "Well, that's precisely correct. She had moved in about six months after the year began and under the present law, if you live in public house even one day in the course of the year, you're not entitled to your circuit breaker benefits for the entire year. And so the Bill, as I originally introduced it, set up a proration scheme. The language that the Department provided, Amendment #1, does permit that if... people who live in public housing to get the circuit breaker benefit regardless of how many days they're in there. However, it's the Department's estimates that there will be very little affect, except for people who do move in during the course of the year because

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frankly, public housing rents are so low and the circuit breaker benefit is a function of the... the inverse function of the rent that most people who live public housing wouldn't get anything unless they moved in during the course of the year."

Woodyard: "What... what is the revenue loss on this? What does it cost?"

Bowman: "The... It... Representative Cullerton advises me this is the game for the taxpayers. The Department provided a fiscal note that said that it probably would not exceed 1.5 million, but it's hard to estimate by the way."

Woodyard: "Well, Mr. Speaker, to the Bill. I want all of you to know that there is a revenue loss of this, if this Bill is to pass of at least a million and half dollars. Excuse me. In addition to that, it's a dramatic departure in policy of what we've always had with circuit breakers. The reason people living in public housing have not been entitled to the circuit breaker is because they are getting that benefit through the subsidization of the public housing. And I think it's a bad policy matter; and also, because of the revenue loss, I certainly stand in opposition to the Bill."

Speaker Greiman: "Further discussion? The Gentlemen from Marion, Mr. Friedrich."

Friedrich: "Well, I was under the impression that the circuit breaker was to help senior citizen income, pay their rent or their taxes. If they're living in public housing, they're paying a low rent and not paying any taxes for the place they live in. Now, if this theory expands, I ought to give everybody over 65 who has a low income a subsidy, rather they rent or rather they're living their rent free. I can see there is no end to this because it can go on and on and on, and there is a limit to what the state can pay."

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

Vinson: "Thank you, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker Greiman: "Indicates that he will."

Vinson: "Representative, did I hear somebody say that this Bill provides circuit breaker relief for people who live in public housing?"

Bowman: "Or subsidize housing, yes. That's precisely right. That's the point of the Bill, Sir."

Vinson: "Is that really true?"

Bowman: "That is the whole point of the Bill. Yes, Sir."

Vinson: "That is the Bill?"

Bowman: "You got it."

Vinson: "Well, I think, to the Bill, Mr. Speaker, that this Bill should truly make our day. This is the Bill that has to be the worst single Bill of the Session, of House Bills. I can't imagine how this Bill has escaped my attention until today. Until today I had not discovered that this Bill was on the Calendar. Just so everybody understands, this Bill provides property tax relief for people who live in subsidized housing or public housing. Property tax relief for people in public housing. I don't want to discuss the merits of that. I just want everybody to know that that's what this Bill does."

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

McCracken: "Well the... the point we want to make and we don't want to make light of the attempts to help persons in need of it, but the point we're trying to make is that we're mixing our metaphors. We're talking about property tax relief for persons who do not necessarily own property or if they do, it's subsidized. So, it just doesn't seem to make any sense. We are talking about property tax relief for nonproperty owners or subsidized property owners."

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Typically, it would be a renter in a subsidized home. So, I suggest that we save the property tax relief for property tax owners and look for other ways to help those in subsidized housing."

Speaker Greiman: "The Lady from Champaign, Ms. Satterthwaite."

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

Speaker Greiman: "Indicates he will."

Satterthwaite: "Representative Bowman, even though this is dog day property tax relief program, isn't it true that renters already qualify under the program under certain conditions?"

Bowman: "That is correct, Representative Satterthwaite. And by the way, I would say that people in public housing already qualify for the \$80 minimum grant. This is... provides the... this grant is a function of their income and the rent they pay."

Satterthwaite: "And so, all you're doing really is to bring the people who are in the subsidized housing into line with a renter who without in the public market in some other housing in terms of them having to qualify relative to their income and relative to their expenditures for their rental payments."

Bowman: "That is precisely correct, Representative Satterthwaite. At the present time, if we have two different senior citizens both of whom have incomes of \$9,000 a year and they both pay rents of \$4,000 a year, but one of them lives in a public housing project and another one lives in private housing, the one who lives in private housing gets the grant and the one who lives in public housing does not, although their incomes and rental payments are exactly the same."

Satterthwaite: "And, in fact, if someone moved late in the year, they might end up having less benefit from any decrease of

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rental from their subsidization than they would get if they had stayed longer in private housing and were able to qualify under this program."

Bowman: "That's correct."

Satterthwaite: "Well, Mr. Speaker and Members of the House, we try to be equitable in what we do with our benefits to people across the state, and it certainly is not equitable to penalize those senior citizens who move into subsidized housing, and therefore, disqualify themselves from a program that would remain available to them if they stayed in the community, even if their rental payments were exactly the same. And so, I think this is simply a matter of equity for those people who have gone into subsidized housing. And I urge your support."

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

Bowman: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I presume that the people who rose and spoke in opposition to this legislation, own their own homes and expect one day to retire in them and be able to cash in on the circuit breaker program. I'm disappointed that people who spoke against this and who own their own homes do not have any sympathy for people who rent and for people whose incomes force them into subsidized housing units. I hope they were listening to the question and answer exchanged between me and Representative Satterthwaite. Because at the present time, you can have two different senior citizens with the same income and the same rental payment; but, if one of them lives in a Section 8 apartment somewhere and another one lives in private housing without any public support whatsoever and yet, they're paying the same amount of money out of their own pockets and they have the same income to pay it with, right now, they don't get the same benefits from the State of Illinois. This

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particular Bill is design to give equal treatment to people who find themselves in exactly the same situation. That's what the Bill does. It's equitable. I urge your support."

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 final action. Have all voted who wish? Mr. Bowman, to explain his vote, one minute."

Bowman: "Thank you, Mr. Speaker. I would just like to explain that we have 58 votes and a couple more would get us started off today the right way. That this Bill, its intent was arose because of a real life situation. A woman, who I've been helping with her circuit breaker forms for years, who for years have been... whose income was so meager, was getting about \$500 back from the circuit breaker benefit. One year she moved into a subsidized unit. She still had to pay a significant amount of rent, but she got absolutely zero because she moved into this unit during the course of the year and she wasn't eligible for the whole year. I also want to stress that the language in this Bill was developed by the Department of Revenue itself in response to the problem I brought to them. I discussed this with Director Jonnson personally. He agreed there was a problem and this was the Department's solution to it. So, I urge everyone to support it."

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

Vinson: "Only to request a verification should it appear to get the requisite number of votes."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 61 voting 'aye', 52 voting 'no', none voting 'present'. And Mr. Bowman, the Gentleman from Cook, requests a Poll of

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the Absentees."

Clerk Leone: "Poll of the Absentees. John Dunn. Huff. Klemm. Krska and Leverenz. No further."

Speaker Greiman: "Mr. Clerk, proceed to... with the verification of the Affirmative Roll Call."

Clerk Leone: "Poll of the Affirmative. Alexander. Berrios. Bowman. Braun. Brookins. Bullock. Capparelli. Christensen. Cullerton. Currie. DeJaagner. DeLeo. Deuchler."

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

Giglio: "Mr. Speaker, could I have leave to be verified?"

Speaker Greiman: "Mr. Vinson, leave to verify Mr. Giglio and Mr. Panayotovich? Mr. Vinson, leave? Alright. Also, Mr. Huff, were you seeking recognition? Mr. Huff."

Huff: "Yes. Yes, Mr. Speaker, I had lost my console key. I just found it. I'd like to be voted 'aye' on this measure."

Speaker Greiman: "Mr. Huff votes 'aye'. Proceed."

Clerk Leone: "Continuing with the Poll of the Affirmative. Farley. Flinn. Flowers. Giglio. Giorgi. Greiman. Hannig."

Speaker Greiman: "Excuse me, Mr. Clerk. Mr. Dunn votes 'aye'. Proceed."

Clerk Leone: "Hartke. Hicks. Homer. Huff. Keane. Kirkland. Kulas. Laurino. Leflore. Levin. Matijevich. McGann. McNamara. McPike. Nash. Oblinger. O'Connell. Panayotovich. Pangle. Phelps. Preston. Rea. Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw."

Speaker Greiman: "Excuse me, Mr. Clerk. Ms. Younge requests leave to be verified. She has leave. Proceed, Mr. Clerk."

Clerk Leone: "Soliz. Steczo. Stern. Sutker. Terzich. Turner. Van Duyue. Vitek. Washington. White. Wolf. Anthony Young. Wyvetter Younge. Mr. Speaker."

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Speaker Greiman: "Mr. Brookins asks leave to be verified. You have leave, Sir. Mr. Vinson, do you have questions of the Affirmative Roll Call?"

Vinson: "Yes, Mr. Speaker. Representative Capparelli."

Speaker Greiman: "Mr. Capparelli is in his Chair."

Vinson: "Representative Christensen."

Speaker Greiman: "Mr. Christensen. Mr. Christensen. Is Mr. Christensen in the chamber? How is the Gentleman recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Greiman: "Remove the Gentleman."

Vinson: "Representative Currie."

Speaker Greiman: "Representative Currie is in the Speaker... is at the Speaker's desk. Mr. Steczo asks leave to be verified. You have leave, Mr. Steczo."

Vinson: "Representative DeLeo."

Speaker Greiman: "Mr. DeLeo. Is Mr. DeLeo in the chamber? How is Mr. DeLeo recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Greiman: "Remove Mr. DeLeo."

Vinson: "Representative Deuchler."

Speaker Greiman: "Representative Deuchler is in the middle aisle."

Vinson: "Representative Giorgi."

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

Vinson: "Mr. Hartke."

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

Vinson: "Mr. Hicks."

Speaker Greiman: "Mr. Hicks. Mr. Hicks. How is Mr. Hicks recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Greiman: "Remove Mr. Hicks from the Roll Call."

Vinson: "Mr. Kirkland."

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

Vinson: "Representative LeFlore."

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

Vinson: "Representative Levin."

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

Vinson: "Representative McNamara."

Speaker Greiman: "Mr. McNamara. Mr. McNamara in the chamber?

How is Mr. McNamara recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Greiman: "Remove Mr. McNamara."

Vinson: "Mr. Nash."

Speaker Greiman: "Mr. Nash. Mr. Nash. Is Mr. Nash in the chamber? How is Mr. Nash recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Greiman: "Remove Mr. Nash. Mr. Bullock asks leave to be verified. You have leave, Sir. Proceed, Mr. Vinson."

Vinson: "Mr. Phelps."

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

Vinson: "Mr. Rea."

Speaker Greiman: "I'm sorry. What was that?"

Vinson: "Rea. R E A."

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

Vinson: "Mr. Richmond."

Speaker Greiman: "Mr. Richmond. Mr. Richmond. Mr. Richmond in the chamber? How is Mr. Richmond recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Greiman: "Remove Mr. Richmond from the Roll Call."

Vinson: "Mr. Terzich."

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

Vinson: "Mr. Van Duyne."

Speaker Greiman: "Mr. Van Duyne is in his chair."

Vinson: "Mr. Sutker."

Speaker Greiman: "Mr. Sutker. Mr. Sutker in the chamber? Mr.

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Sutker. How is Mr. Sutker recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Greiman: "Remove Mr. Sutker."

Vinson: "Mr. Farley."

Speaker Greiman: "Mr. Farley. Mr. Farley. Mr. Richmond has returned to the chamber. Add Mr. Richmond to the Roll Call. Mr. Farley. I haven't finished. Mr. Farley in the chamber? Mr. Farley. How is the Gentleman recorded?"

Clerk Leone: "The Gentleman is recorded as voting 'aye'."

Speaker Greiman: "Remove Mr. Farley."

Vinson: "Mr. Leverenz."

Speaker Greiman: "Mr. Leverenz. Mr. Leverenz in the chamber?"

Clerk Leone: "Gentleman's not recorded as voting."

Speaker Greiman: "Mr. Leverenz did not vote."

Vinson: "No further questions."

Speaker Greiman: "On this question there are 56 voting 'aye', 52 voting 'no', and none voting 'present'. Mr. Bowman."

Bowman: "Postponed Consideration and dump the Roll Call."

Speaker Greiman: "Pardon me, Mr. Bowman?"

Bowman: "Do take Postponed Consideration and vanish the Roll Call, thank you."

Speaker Greiman: "Mr. Bowman asks leave to place the Bill on the Order of Postponed Consideration and it will be so ordered. Alright. Mr. Bowman. For what purpose do you seek recognition, Mr. Bowman?"

Bowman: "You know I've got the next Bill on the call."

Speaker Greiman: "Pardon me? Yes, Mr. Bowman, that's why I'm calling on you. Mr. Bowman, did you wish to put a motion?"

Bowman: "Yes. Mr. Speaker, Ladies and Gentlemen of the House, House Bills 888, 889, 890, 891, 892, 893, 894, 896, 897 and 898 are all part of a package that's bipartisan that was produced by the Commission on the status of disabled persons that this House established. I would move that we

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take all of these Bills on one Roll Call. I've discussed this with the other side of the aisle and there is no objection from Mr. Vinson."

Speaker Greiman: "Mr. Bowman asks leave of the House that House Bills 888, 889, 890, 891, 892, 893, 894, 896, 897 and 898 be heard and voted upon on a single Roll Call. Does the Gentleman have leave? There being no objection. Mr. Clark, read the Bills."

Clerk Leone: "House Bill 888, a Bill for an Act concerning environmental barriers in public facilities and multi-story housing units. Third Reading of the Bill. House Bill 889, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 890, a Bill for an Act to amend an Act relating to the prevention of developmental disabilities. Third Reading of the Bill. House Bill 891, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 892, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 893, a Bill for an Act to amend the School Code. Third Reading of the Bill. House Bill 894, a Bill for an Act to amend an Act in relationship to the installation of telecommunication devices. Third Reading of the Bill. House Bill 896, a Bill for an Act in relationship to rehabilitation and disabled persons. Third Reading of the Bill. House Bill 897, a Bill for an Act in relationship to the rehabilitation of disabled persons. Third Reading of the Bill. And House Bill 898, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

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

Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. These Bills are the product of a bipartisan effort to address the... in a comprehensive way the problems of our disabled community in the State of Illinois. There was

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a conference that was held in Chicago under the auspices of the Speaker's Office at which 250... excuse me, disabled persons attended and gave us an agenda of about 45 items, and then the Commission, which contained legislative members and public members, sat down and sifted through these items - determined those which were appropriate for state legislation as opposed to say federal legislation or some administrative remedy. And I came up with this package of Bills. I will very briefly indicate the subject of each Bill. 898, which was drafted by the staff of the Attorney General, by the way, and we worked out Amendments with the realtors and with the engineers and the architects and other parties of interest - revises the facilities for the handicapped Act and creates a new Act, the Environmental Barriers Act, to enhance accessibility of public facilities and multi-story housing units for disabled persons. House Bill 899 establishes a pilot program for services to handicapped children from the ages of 0 to 3 years to fill in the gap that now exists in such programs. 890, amends the Act with respect to the prevention of developmental disabilities to require the Department of Public Aid to develop hospital standards of perinatal care and provide that children who are born with birth defects are referred to appropriate services. 891, amends the School Code and provides that the State Board of Education shall actively recruit applicants for hearing officers to determine the special education placement of a students. 892, amends the School Code - requires the advisory council in education of handicapped children. Actually, that was amended to the Governor's Planning Council to develop a state plan by January 1, 1987 for the identification assessment evaluation and referral of all handicapped children to appropriate adult services when

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they age out of the system. 893, amends the School Code - requires school boards to provide notification of parental rights and rights of handicapped children. 894, amends an Act to require installation and maintenance of telecommunication devices for the deaf and major public transportation terminals in the state. 896, amends an Act in relation to rehabilitation disabled persons and requires the Department of Rehab Services to coordinate a study of housing needs of persons with disabilities and to establish a mechanism of study of the feasibility of a mechanism for matching housing... accessible housing space with people who need the space. 897, amends the Disabled Persons Rehabilitation Act and Employment Auspices Act and arranges for the Department of Rehab Services and the Department of Employment Security to enter into agreements for job placement and job referral services. 898, amends the Civil Administrative Code, changes references of handicapped persons to disabled persons in relation to transportation grants. This Bill, frankly, is a vehicle Bill which is intended for use... for Amendment when the Governor's Task Force on Transportation issues for disabled persons... and make this report. We expected... we had expected this report by this date. We don't get... have it, but we believe that its eminent and when that report is released, we will take this Bill and implement that report. So, I now move for the passage of these Bills that were read numbered 885 through 898 with the exception of 895 which has already passed."

Speaker Graiman: "The Gentleman from Cook moves for the passage of these bills. All... And on that, is there any discussion? The Lady from Cook, Ms. Deuchler. The Lady from Kane, Ms. Deuchler."

Deuchler: "Mr. Speaker, Ladies and Gentlemen of the House, these

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Bills were participated in in a bipartisan fashion. Many of them came out of the Conference on the disabled that was held earlier this year. I think that we put in a great deal of work commending and working with them, and I just want to stand in support of the Bills that Representative Bowman has listed."

Speaker Greiman: "Further discussion? The Gentleman from Rock Island, Mr. DeJaegher."

DeJaegher: "Thank you, Mr. Chairman and Members of the Committee (sic - Mr. Speaker and Members of the House). I am not objective to these Bills per se. These Bills basically deal with those people that are handicapped and trying to provide accessibility for these people that have these particular handicaps, but it's rather tragic as we go into the private market and encourage more and more people to provide accessibility for people that have problems when it comes to accessibility of a facility. And just the other day I took it upon myself to walk to a restroom in this chamber, and I seen a lady sitting in a wheel chair wanting to be a part of this illustrious Body and she was restricted from doing so because of the steps that we have leading into this chamber. I think if we're going to promote accessibility for the handicapped in the private sector, then we also must look to the accessibility that we provide for the handicapped in our own state facilities. Thank you."

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

Bowman: "Thank you. I will very brief in closing. I would just like to say in response to the last Gentleman's remark that House Bill 988 does impose the same standard on the public sector as in the private sector. I believe this is a step forward. We do want to make sure that we have our own

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house in order, and I do want to assure the Gentleman that the public sector will bare the same burden as the private sector under this legislation. I think that is appropriate. And finally in conclusion, I would just like to thank everybody who worked on this legislation. It was a true bipartisan effort. Many Legislators were involved and did an outstanding job. And I want to thank everyone for their effort in developing this package. Thank you. I move its passage."

Speaker Greiman: "The question is, 'Shall these Bills 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. Excuse me. Mr. Peterson, were you seeking recognition. Alright. Mr. Clerk, take the record. On this question there are 114 voting 'aye', none voting 'no', 1 voting 'present', and these Bills, having received the Constitutional Majority, are hereby declared passed. On the Order of House Bills Third Reading, Senior Citizens, appears House Bill 1476. Mr. Clerk, call the Bill."

Clerk Leone: "House Bill 1476, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

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

Soliz: "Mr. Speaker, Ladies and Gentlemen of the House, this is a Bill which is design to provide and facilitate legal services for the aged, the elderly, the handicapped when they seek benefits under the Social Security Act. At the present time, there are thousands of individuals that are denied benefits when they apply for social security benefits. Consequently, during this time, they apply for public assistance and are granted public assistance. What this Bill seeks to do is to encourage attorneys and other

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legal services providers to provide legal services when these benefits are denied to the social security applicants. This Bill would amount to a substantial savings to the state because it would encourage... it would encourage attorneys and other legal services providers to take these case to represent these individuals and... if successful, they would be allowed 25% of the... award at the maximum for legal services expenses. This would mean that we.. then we would be able to rely upon federal monies for these subsistence of the aged, the blind and the disabled throughout the state and would amount to a one time, perhaps, expense to the state, but a substantial savings in as much as the federal government would pick up the bill for the rest of these subsistence of these individuals. And I, therefore, move for a favorable vote in this Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Soliz, moves for the passage of House Bill 1476. Is there any discussion? The Gentleman from Jersey, Mr. Ryder."

Ryder: "Thank you, Mr. Chairman (sic - Speaker). This is a good Bill. I am proud to stand up and indicate my support for the Bill. I think the Sponsor should be encouraged in this form to provide a revolving fund for these attorneys fees that will then be paid out of the amounts that they're able to claim. There are some initial costs, but overall, it will not be an annual drain. It deserves support and the Sponsor should be commended."

Speaker Greiman: "The Gentleman from DeKalb, Mr. Countryman."

Countryman: "Will the Sponsor yield? Will the Sponsor yield?"

Speaker Greiman: "Yes, he indicates he will."

Countryman: "Representative Soliz, will the attorney receive a fee if he's unsuccessful in a case?"

Soliz: "No, he wouldn't."

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Countryman: "So, this is pretty much a contingent fee. Is that right?"

Soliz: "Pretty much."

Countryman: "And the state just starts the program going. Is that right?"

Soliz: "That's correct."

Countryman: "And there is some seed money and then from there on it takes off by itself and we get the federal reimbursement. Is that right?"

Soliz: "No. There is no appropriation in this Bill. It's only on collections."

Countryman: "Well, we don't even need the seed money."

Soliz: "That's correct."

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

Speaker Greiman: "Yes."

Countryman: "To the Bill. I second with Representative Ryder had said, and I admire Representative Soliz. I think this is a good piece of legislation and I think it's a good thing that he brought it before us. And I recommend all the Members to vote 'aye' on this."

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 114 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen of the House, on page 31 of the Calendar, appears the Special Consent Calendar - additional Bills which will be voted on as a Consent Calendar. It is the intention of the Chair to move to that Order of Business at about 10:30. There are several Bills on the Order of

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Consent Calendar that need Amendment. So, we will now take those Bills on the Special Consent Calendar that require Amendment. Alright. Special Consent Calendar - Bills requiring Amendment. On that Order of Business appears House Bill 231, Mr. Nash. Out of the record. Special Consent Calendar appears House Bill 298. Mr. Cullerton. Mr. Cullerton moves... asks leave of the House to return House Bill 298 to the Order of Second Reading for the purposes of Amendment. Gentleman has leave. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Amendment #2, Cullerton, amends House Bill 298 as amended."

Speaker Greiman: "Gentleman from Cook, Mr. Cullerton, on Amendment #2."

Cullerton: "I would like to withdraw Amendment #2, please, with your permission. You don't want me to withdraw, and I'll ask that it be defeated."

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

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

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

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a product of, again, negotiations between two groups. One being a breweries and the other being distributors of liquor and the... Amendment #3 is a compromise that has been worked out to the agreement of both of those parties. It basically says that an importing distributor or a distributor which is owned by a brewer on January 1, 1985, the Bill would apply only to those types of distributors and basically allows them to acquire ownership in a winery. I move for the adoption of Amendment #3."

Speaker Greiman: "The Gentleman from Cook, moves for the adoption

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of Amendment #3. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Do we have leave to stay on the... remain on the Special Consent Calendar? Leave is hereby granted. On the Order of House Bills Special Consent Calendar appears House Bill 1192. Mr. Kirkland. Mr. Kirkland asks leave of the House to return the Bill to the Order of Second Reading for purposes of Amendment. There being no objection? Mr. Clerk, are there any Amendments?"

Clerk Leone: "Amendment #1, Kirkland, amends House Bill 1192."

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

Kirkland: "Thank you, Mr. Speaker. Just a moment. Amendment 1192 simply makes clear that when a county acquires a deed for property pursuant to a petition for a tax deed that that does not relieve the original owner of the property tax liability. I ask for approval."

Speaker Greiman: "Gentleman from Kane moves for the adoption of Amendment #1 to House Bill 1192. Is there any discussion? There being none... I'm sorry. The Gentleman from McDonough, Mr. Slater. There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. On the Order of... With leave of the House for the Bill to remain on Special Consent Calendar. On the Order of House Bills Consent... Special

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Consent Calendar appears House Bill 1208, Mr. Pangie. Out of the record. On the Order of House Bills... On the Order of Special Consent Calendar appears House Bill 1518. Mr. Peterson. Mr. Peterson asks leave of the House to return the Bill to the Order of Second Reading. There being no objection, the Bill is... will be so returned. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Amendment #3, Giorgi, amends House Bill 1518."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Giorgi, on Amendment #3."

Giorgi: "Mr. Speaker, I move for the adoption of Amendment #3. And Amendment #3 allows the lottery... lottery of superintendent's office and control office to advertise for bids, but they are under the low bid law, but they have such a peculiar need for tickets that they can be confined to these state bidding rules. So, I urge the adoption of Amendment #3."

Speaker Greiman: "The Gentleman from Winnebago moves for the adoption of Amendment 3 to House Bill 1518. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Amendment is adopted. Further Amendments?"

Clerk Leone: "Amendment #2, Giorgi, amends House Bill 1518."

Speaker Greiman: "Alright, Amendment #2. Withdrawn, Mr. Giorgi. Alright, Amendment #2 will be withdrawn. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. With Leave of the House to remain on the Order of Special Consent Calendar. On the Order of Special Consent Calendar appears House Bill 1578. Mr. Peterson asks leave of the House to return this Bill

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to Order of Second Reading. Yes, Mr. Cullerton, for what purpose do you seek recognition?"

Cullerton: "Yes, before we give the Gentleman leave, I wonder if he is aware of the Amendment that's been filed and whether he really wants leave because the Amendment... I wanted to know if he's in favor of the Amendment. If he's not..."

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

Cullerton: "Is he requesting that the Bill be brought back to Second Reading?"

Speaker Greiman: "I will ask him. Mr. Peterson, am I correct that you are moving that the House give you leave to return the Bill to the Order of Second Reading? Is that correct?"

Peterson: "That's correct, Mr. Speaker."

Speaker Greiman: "Alright, Mr. Cullerton. The Gentleman has leave to return the Bill to Order of..."

Cullerton: "Well... I'll let him do it."

Speaker Greiman: "...to the Order of Second Reading for the purpose of an Amendment. Mr. Clerk, are there... The Gentleman has leave. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Amendment #1, McCracken - William Peterson, amends House Bill 1578."

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

McCracken: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #1 would allow clerks in counties other than Cook to charge an annual \$36 fee for their duties in providing support and maintenance payments when the payments are made through their office. The current practice in Cook County is to charge this \$36 fee. This would authorize that in other counties the Amendment makes it clear that this would not affect the net pay figure of the respondent that it would be a \$30 fee. It's a one time annual fee for this service. I move its adoption."

Speaker Greiman: "The Gentleman from DuPage moves for the

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adoption of Amendment #1 to House Bill 1578. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, Representative McCracken, I understand that the Amendment amends the title, which would mean that pursuant to the rules anyone could bring the Bill back to First, Second Reading, First Legislative Day which would, in effect, kill the Bill. So, I'm wondering why you would want to do this. And secondly, doesn't the Bill delete the original Bill that Representative Peterson had?"

McCracken: "No, I don't think so. It's certainly not my intention to delete his Bill."

Cullerton: "Well, it deletes everything after the enacting clause. So, that's one thing it does. Maybe it incorporates the original Bill in it, but I don't see that happening."

McCracken: "To be candid with you, I would have to look at it, but I believe it incorporates his Bill and adds mine."

Cullerton: "The way I read it, it really guts the original Bill and I just think that perhaps if you're in favor of the original Bill, you may want to find another vehicle to put this Amendment on... on a Senate Bill because otherwise, you're killing both Bills."

McCracken: "Well, are you saying that if we adopt this Amendment, you're going to move it back to Second Day, First... Second Reading, First Legislative Day?"

Cullerton: "Well, I haven't decided yet, but I think somebody might."

McCracken: "Well then, I'll adopt it and we'll see. The Sponsor is in favor of it and then you can hold it."

Speaker Greiman: "Alright, is there further discussion? Yes, the Gentleman from Knox, Mr. Hawkinson."

Hawkinson: "Thank you, Mr. Speaker. Will the Sponsor yield for a

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question?"

Speaker Greiman: "Indicates he will."

Hawkinson: "Representative McCracken, will this PB assess against the pay or of the obligation or... I believe you said it would not affect the net amount to the children or the spouse."

McCracken: "That's correct. It would be a fee in addition to that so that it would not affect the net pay out to the fee... spouse or child."

Hawkinson: "Thank you."

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

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Leave of the House, the Bill will remain on the Order of Special Consent Calendar. On the Order of Special Consent Calendar appears House Bill 1849. Ms. Currie. Ms. Currie asks leave of the House to return this Bill to the Order of Second Reading for the purpose of an Amendment. There being no objection. The Bill will be so returned. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Amendment #1, Currie, amends House Bill 1849."

Speaker Greiman: "The Lady from Cook, Ms. Currie, on Amendment #1."

Currie: "Thank you, Mr. Speaker and Members of the House. The Amendment to House Bill 1849 incorporates some of the provisions that were originally part of House Bill 1848. Cleans up technical problems and narrows the scope of the entire proposal. The underlined Bill deals with land, resource planning... resource management at the local level

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and the Amendment, as I say, is mostly technical - narrows the scope of the Bill - deals only with municipal and with shared municipal and county plannings. I'd be happy to answer questions. I would appreciate your support."

Speaker Greiman: "The Lady from Cook moves for the adoption of Amendment #1 to House Bill 1849. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Leave of the House for the Bill to remain on Special Consent Calendar. On the Order of House Bills Special Consent Calendar appears House Bill 1934. Mr. Davis. Mr. Davis. Alright, out of the record. On the Order of House Bills Consent Calendar, Special Consent Calendar, appears House Bill 2004. Mr. Mautino. Mr. Mautino. Mr. Mautino moves... Mr. Mautino moves to return this Bill to the Order of Second Reading for the purpose of Amendment. There being objection? So ordered. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Amendment #1, Mautino, amends House Bill 2004."

Speaker Greiman: "Gentleman from Bureau, Mr. Mautino, on Amendment #1."

Mautino: "That's Representative Cullerton's knowingly Amendment. I move for adoption."

Speaker Greiman: "The Gentleman from Bureau, Mr. Mautino, moves for the adoption of Amendment #1 to House Bill 2004. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

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Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Leave of the House, the Bill will remain on the Order of Special Consent Calendar. On the Order of Special Consent Calendar appears House Bill 2132. Mr. Ryder. Mr. Ryder asks leave of the House to return this Bill to the Order of Second Reading, for the purpose of Amendment. Gentleman has leave. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Amendment #2, Ryder - Countryman, amends House Bill 2132."

Speaker Greiman: "The Gentleman from Jersey, Mr. Ryder, on Amendment #2."

Ryder: "Thank you, Mr. Speaker. This Amendment would allow us the benefit of GSA pricing on certain standard items of office equipment. There was some language change recommended by Representative McPike, which has been incorporated in this Amendment. And I would urge its adoption."

Speaker Greiman: "The Gentleman from Jersey moves for the adoption of Amendment 2 to House Bill 2132. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. With leave of the House, the Bill will remain on the Order of Special Consent Calendar. The Gentleman has leave. On the Order of Special Consent Calendar appears House Bill 2220. Mr. Mautino asks leave of the House to return this Bill to the Order of Second Reading. There being no objection, the Bill will be so returned. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Amendment #2, Mautino, amends House Bill 2220."

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

Mautino: "I'd like to withdraw #2."

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

Clerk Leone: "Floor Amendment #3, Mautino, amends House Bill 2220."

Speaker Greiman: "The Gentleman from Bureau, Mr. Mautino, on Amendment 3."

Mautino: "This Amendment clarifies the intention of the legislation which would allow as a category for a funding proposal the issue of moving equipment from another state or facility into the State of Illinois. It allows for that a grant to be provided if, in fact, they qualify for those moving expenses. We've found that it did work well with a company and industry in my legislative district. It was very important to them, and it was the basic reason for them to come into the State of Illinois from the State of Indiana. Therefore, I feel that this should be in the statute and I move for the adoption of Amendment #3."

Speaker Greiman: "The Gentleman from Bureau moves for the adoption of Amendment #3 to House Bill 2220. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. With leave of the House, the Bill will remain on the Order of Special Consent Calendar. Now, Ladies and Gentlemen, we will be going to the Order of Special Consent Calendar within the next 20 minutes or half hour or so. Still on that Order, Bills to be returned to the Order of Second Reading, appears House Bill 83. Mr.

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Wait, the Gentleman from Boone, moves to return this Bill to the Order of Second Reading for the purpose of an Amendment. Gentleman has leave and the Bill will be so returned. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Amendment #3, O'Connell, amends House Bill 83."

Speaker Greiman: "Gentleman from Cook, Mr. O'Connell, on Amendment 3 to House Bill 83."

O'Connell: "Mr. Speaker, may I have leave to table Amendment #2 which was adopted yesterday?"

Speaker Greiman: "The Gentleman from Cook, Mr. O'Connell, moves to table Amendment #2 to House Bill 83. And on that, is there any discussion? There being none, the question is, 'Shall Amendment #2 be tabled? All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and Amendment #2 is tabled. Further Amendment?"

Clerk Leone: "Floor Amendment #3, O'Connell."

Speaker Greiman: "Gentleman from Cook, Mr. O'Connell, on Amendment #3."

O'Connell: "Thank you, Mr. Speaker. Amendment #3 does the same thing as Amendment #2, only it takes into consideration the fact that Amendment #1 had replaced the original Bill and Amendment #2 was placed on the original Bill. So, therefore, was out of order. Amendment #3 includes special service area taxes into the portion that will be included in the Senior Citizens Property Tax Deferral Act. And I'd ask for it's adoption."

Speaker Greiman: "The Gentleman from Cook asks for the adoption... moves for the adoption of Amendment #3 to House Bill 83. Is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted."

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Further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. With leave of the House, the Bill will remain on the Order of Special Consent Calendar. The Gentleman from Cook, Mr. Kulas, for what purpose do you seek recognition?"

Kulas: "Thank you, Mr. Speaker. I have House Bill 2250 on this Order which needs to be brought back for an Amendment."

Speaker Greiman: "Alright. The Gentleman from... On the Order of Special Consent Calendar appears House Bill 2250. The Gentleman from Cook, Mr. Kulas, asks leave of the House to return this Bill to the Order of Second Reading for the purpose of an Amendment. There being no objection, it will be so ordered. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Amendment #1, Mr. Kulas, amends House bill 2250."

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

Kulas: "Thank you, Mr. Speaker. Amendment #1 just brings the legislation into compliance with the federal regulations. And I would move for its adoption."

Speaker Greiman: "Yes. Gentleman from Cook moves for the adoption of Amendment #1 to House Bill 2250. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Leave of the House, the Bill will remain on the Order of Special Consent Calendar. The Gentleman from Madison, Mr. McPike, moves that all of the Bills that had been amended today may be heard on the Order of Third Reading, Special Consent Calendar, by waiving rule

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37 (c). There being no objection, we will use the Attendance Roll Call. And leave is hereby granted. Alright. Page 28 of the Calendar, we will return to the Order of House Bills Third Reading, Senior Citizens - Disabled Persons. On that Order of Business appears House Bill 1479. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1479, a Bill for an Act to amend the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Greiman: "Gentleman from Cook, Mr. LeFlore, on House Bill 1479."

LeFlore: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1479 will reply the Illinois Department of Public Aid to disregard as income for the medical assistance program, cost of living increase, 'COLIN', received by individuals under Old Age Survival Disability Insurance Program which makes them ineligible for supplemental security income. This Bill, however... However this Bill will... with this Bill, the people who receive a cost of living increase from the Old Age Survivor Disability Program would still be eligible for supplemental security income or option state supplemental by deducting excess amount from the old age security disability income which would have made them ineligible for SSI option state supplemental. I will like to get a favorable vote on this particular legislation."

Speaker Greiman: "Gentleman from Cook moves for the passage of House Bill 1479. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor say... 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 68 voting 'aye', 43 voting 'no', 2 voting 'present', and this

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Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Senior Citizens, appears House Bill 2217. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2217, a Bill for an Act relating to the abuse of disabled adults. Third Reading of the Bill."

Speaker Greiman: "The Lady from Sangamon, Ms. Oblinger."

Oblinger: "Mr. Speaker and Members of the House, we last year passed the elderly abuse Bill. DORS has decided that this is a problem that they should become involved in. So, they have already started on a project of doing the research and at the end of the research in April of next year, they will report to the General Assembly and then will take into consideration the pilot project in this Bill. There is no money attached to this because of the fact that they already have their grant. They're already working on it. The State Protection and Advocacy Board is the one that is doing the study."

Speaker Greiman: "The Lady from Sangamon moves for the passage of House Bill 2217. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 104 voting 'aye', 2 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Senior Citizens, appears House Bill 2273. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2273, a Bill for an Act to amend an Act in relationship to the creation of golden illini card program for aged and disabled persons. Third Reading of

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the Bill."

Speaker Greiman: "The Lady from Sangamon, on House Bill 2273."

Oblinger: "Mr. Speaker and Members of the House, this will introduce the silver passport program, which is being underwritten by Southwestern Bell, which will provide all seniors over 60 years of age with a card which they can use in discount places. The firms that will participate doing so on a voluntary basis. Southwestern Bell is contacting them now. They will have a decal in their window and you can use your card. The Bill provides that the Secretary of States Office should see to it that the cards are distributed in downstate Illinois, particularly where Southwestern Bell is not working yet through senior centers, nutrition sites. You also may call in for a card or write for a card and then the Secretary shall see that we have a downstate directory. This is part of his responsibility."

Speaker Greiman: "Lady from Sangamon moves for the passage of House Bill 2273. And on that, is there any discussion? The Gentleman from Macon, Mr. Dunn."

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

Speaker Greiman: "Indicates she will."

Dunn: "Some time ago, a week or ten days ago, in my mail, I received a correspondence in a form of a notification from the Secretary of State that he will be supplying certain things to Southwestern Bell for this program. What is the Secretary of State supplying for this program?"

Oblinger: "The reason he's involved, Representative Dunn, is that they want to use the computer print out of those people who have ID cards and drivers licenses of the people 60 and over so Southwestern Bell can contact them and provide them with the cards."

Dunn: "Are those list being provided free of cost?"

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Oblinger: "I believe so, because Southwestern Bell is assuming the whole cost of the printing of the cards, the distribution of the cards, the gathering of the information for the directory, the printing of the directory and its dissemination."

Dunn: "Well, that's a magnanimous thing on the part of Southwestern Illinois Bell, but I... this is without precedent to my knowledge that an agency of state government provides a promotional tool to private industry free of cost. I've never heard of that. So..."

Oblinger: "I've just been advised that there will be a fee paid for the list through the money collected from the suppliers in the directory. That will be covered."

Dunn: "So, the Secretary of State will charge the same fee to Southwestern Bell they would charge anybody else."

Oblinger: "Yes. Yes."

Dunn: "Then that's fine. 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 112 voting 'aye', 1 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, Senior Citizens, appears House Bill 2290. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2290, a Bill for an Act to amend Sections of the Probate Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Knox, Mr. Hawkinson."

Hawkinson: "Thank you, Mr. Speaker. House Bill 2290 does two things that effect the right of grandparents to have

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visitation. Number one, under the present Probate Act there is a presumption in favor of grandparents visitation rights where both legal parents have died, except for the minor has consequently been adopted. This Bill would provide that if that adoption is by a close relative that that adoption will not preclude the grandparents from having visitation rights. The second situation that this Bill applies to involving grandparents visitation rights is where both parents have died and the adoption has been by a new spouse of an original parent, and it would simply allow the court to consider whether to continue allowing the grandparents to have visitation rights. I'd be happy to answer any questions and I would move for the passage of this Bill."

Speaker Greiman: "The Gentleman from Knox moves for the passage of House Bill 2290. 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 now open and this is final passage... action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question there are 113 voting 'aye', none voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Senior Citizens, appears House Bill 2358. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2358, a Bill for an Act to amend Sections of the Nursing Home Care Reform Act. Third Reading of the Bill."

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

Leverenz: "Sorry, Mr. Speaker."

Speaker Greiman: "Proceed, Mr. Leverenz."

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Leverenz: "Thank you. On House Bill 2358 would amend the Nursing Home Care Reform Act of 1979 and would require the Department of Public Health to prescribe a minimum standard for the protective masks used by... in the facility by the residents in the event of a fire or smoke emergency. I'm sure that everyone remembers the problems that we had last summer up in the north end of the state in the City of Chicago. Answer any questions that you might have. I would ask for your 'aye' vote to pass House Bill 2358."

Speaker Greiman: "The Gentleman from Cook moves for the passage of House Bill 2358. And on that, is there any discussion? The Lady from Cook, Ms. Wojcik."

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

Speaker Greiman: "Indicates he will."

Wojcik: "Could you tell me what has prompted this legislation?"

Leverenz: "Death in a nursing home under smoke and fire conditions."

Wojcik: "Has there ever been a case of someone dying because they did not have a mask?"

Leverenz: "No, but we want to protect them from the smoke."

Wojcik: "Do you... Do you realize what the cost would be per nursing home if this Bill were to pass?"

Leverenz: "No, that would be determined by the department who must prescribe the minimum standard, and I would be very happy to help them put the money in the tube to pay the bill."

Wojcik: "Representative, is this a vehicle Bill?"

Leverenz: "No. This has all the wheels and hubcaps on it that you will see in the House and in the Senate."

Wojcik: "Thank you. I have nothing further to say."

Speaker Greiman: "Further discussion? There being none, Mr. Leverenz to close. Yes? Sorry, Mr. Barger. The Gentleman from DuPage, Mr. Barger."

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Barger: "Thank you, Mr. Speaker. I have a few questions I would like... "

Speaker Greiman: "Proceed, Sir."

Barger: "Thank you. Mr. Leverenz, do... is there a design for these masks, at present?"

Leverenz: "Thank you for turning me on. No, there is no design, yet."

Barger: "I was wondering, do they include tanks of air or oxygen or something of that nature so that if a person does breathe... breathe poisonous fumes through the mask, that they will still be able to live?"

Leverenz: "Yes, there are masks that are designed that way for use of... to exit a burning building already on the market. I would suggest that the department would pick one of those and prescribe those minimum standards. It would not be a self-contained breathing device."

Barger: "It would not be a self-contained breathing device."

Leverenz: "As you know the firemen wear."

Barger: "I know they're very, very expensive, and I know the other type is very, very ineffective. Thank you very much, Mr. Leverenz."

Leverenz: "We're somewhere in between."

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 71 voting 'aye', 43 voting 'no', 2 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading - Senior Citizens appears House Bill 2450. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2450, a Bill for an Act to amend

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go to the inability to use the bow itself, not... You couldn't have someone who is, as I indicated before, was blind."

Parke: "Right. He'd have to be able to have some way of using that bow. If he was blind, obviously he couldn't see the deer or whatever... the deer that he was hunting."

Cullerton: "Fine. Well, as long as you, you know, make sure that this Bill doesn't have other things added to it when it comes back from the Senate, along the lines that I have mentioned, I certainly would support it."

Parke: "Thank you very much. I will tell you that there is no intention of doing anything other than serving these handful of citizens of Illinois. Thank you."

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

Giglio: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just rise to... on a point of order pertaining to this legislation. It was brought to my attention by a group of people who live in my district that belong to the bow society, and the Gentleman who is the Sponsor of the Bill somewhat answered some of my questions that I was going to ask. And the reason what I'm going to say is because this Bill did not get a fair hearing, and these people that belong to the society wanted to come down. This is a very dangerous weapon, and to put it in the hands of the handicapped, which these people have no problem with, but they did want to be able to make their point and say why they were against this. I believe the proper vote would be a 'present' vote, put this back in Interim Study, let these people come down and testify and really clear the air what this piece of legislation is going to do."

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

Friedrich: "Mr. Speaker and Members of the House, I was absolutely amazed how many of these people there are that

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

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

Parke: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill is not very important compared to a lot of the legislation that we've gone over the last few days, but for about 10, 15, 20 people, citizens of this State of Illinois, they have a problem, and they've asked the Department of Conservation to help them, and they've turned to me to introduce legislation that I think has merit for passage. Currently, there is this handful of people that cannot hunt because of disability, and all this Bill asks is that you allow them the right to be able to take deer with a crossbow. Now currently, it has been brought to my attention that some people who belong to some... a hunting organization have expressed dissatisfaction with this. The problem, as I understand it, was that there was a hearing to be held on this, and they were not notified, so they've gotten their nose bent out of shape on it. But quite frankly, it was taken and put on a Consent Calendar where the hearing would never have been held in the first place on this Bill. I think this Bill has merit. We are going to allow 15-20 people, 20 citizens of our state to be able to use a crossbow to take deer, and I ask for the passage of this Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Parke, moves for the passage of House Bill 2450. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

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

Cullerton: "Representative Parke, as I understand this Bill, it would allow about 10 to 15... there's about 10 to 15 people in the state who make a request every year who are handicapped, and this Bill would allow them to hunt deer

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with a crossbow?"

Parke: "That's correct."

Cullerton: "Okay. Now, I don't have any problem with this particular Bill, but I'm just wondering if we're not setting a dangerous precedent. Perhaps people with bad eyesight might wish to be able to use, like, a machine gun when they go hunting."

Parke: "Well, I certainly think that I'll allow you the opportunity to say 'no' when that Bill is presented. My Bill strictly is related to crossbow for handicapped people, nothing more, nothing less."

Cullerton: "Why are they prohibited from getting... from using a crossbow right now? Is that the law, that you can't use a crossbow to go hunting deer?"

Parke: "That is correct. It is forbidden by all the citizens of Illinois to take deer or hunt with a crossbow at all, and... "

Cullerton: "What is... What's the theory behind that?"

Parke: "Well, it's my understanding that it's a powerful weapon, and that it... the hunters... the longbow hunters have been opposed to it for a long time because it's a sport. The longbow has become a sport, and they've developed a following and a membership to it, and that that is something that they want to keep for themselves, and they don't want it infringed upon in any way. And they see this as maybe a door opener that could hurt the things that they hold so dear to them, and I can understand that."

Cullerton: "Alright. And how do you define 'handicapped' in the... "

Parke: "Well, according to the Bill, it defines a handicapped person, 'those persons who, due to physical handicap, are unable to pull a long, reserve or compound bow.'"

Cullerton: "Okay. So it doesn't... So that the handicap has to

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want to get out and have an opportunity to hunt deer. It is true that a crossbow is a very powerful weapon, but if you've ever hunted deer, you're not going to get close enough in a wheelchair to shoot them with a longbow. So this is an opportunity to help some people that really enjoy Illinois and sporting in Illinois, and I hope you'll give them that break."

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

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I want to rise in support of this fine legislation, and I think it's commendable of the Sponsor to have consideration of citizens of our society that would have very much of a problem coming to my area, which Pope County, the deer capitol of the world, and you don't get to these places to hunt deer with the kind of incapacitation that they would have, so I rise in support."

Speaker Greiman: "The Lady from Champaign, Ms. Satterthwaite."

Satterthwaite: "Will the Sponsor yield, please? Representative, would this provide for a time separate from the regular deer hunting season when the disabled people could be out there with their crossbows?"

Parke: "No, Ma'am. We want... There is a set time, a proper time, to hunt deer. They would be in the same season as any other person who wishes to take deer in the State of Illinois. We would not preempt the... "

Satterthwaite: "Isn't there currently... Isn't there currently a specific time when bow hunting occurs?"

Parke: "Absolutely, and this is the time that they would be allowed to hunt also."

Satterthwaite: "So they would be included along with the other bow hunters, but not with the rifle hunters."

Parke: "That is correct."

Satterthwaite: "Thank you."

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

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

Speaker Greiman: "The Gentleman from St. Clair, Mr. Flinn, moves the previous question be put. Those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the previous question will be put. Mr. Parke to close."

Parke: "Thank you... Thank you, Mr. Speaker. I would just like to say that we're well aware of the concerns of our longbow hunters in Illinois, and we have shown good faith with them by mentioning and working on an agreement with them that when this Bill goes to the Senate, that they will be specifically notified by the Department of Conservation when that hearing will be heard so that they could have all the time and the ability to express their concerns and their interest in this legislation. So in the Senate, they will be notified and heard. Jack Long was a man that hunted deer for 15 years, became disabled, was put in a wheelchair, and for the last seven years, he has not been able to get up in the morning, smell the coffee, walk across the frosted field and have the excitement that the other people currently have. I ask for a passage of this legislation. Thank you."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Ms. Currie, 'present'. Have all... Mr. Clerk, take the record. On this question, there are 97 voting 'aye', none voting 'no', 19 voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of Special Order of Business, House Bills Third Reading - State and Local Government appears House Bill 604. Mr. Ropp? Yes, Mr.

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Ropp?"

Ropp: "Mr. Speaker, I would normally consider to call this, but since you have a major portion of this Bill and... Speaker's table, I... take it out of the record."

Speaker Greiman: "Mr. Ropp, Mr. Matijevich is prepared to come on the podium, so if you wish to call the Bill, we'll accommodate you, Sir."

Ropp: "I'll kindly take it out of the record, please."

Speaker Greiman: "You wish to take it out of the record. Well, we're going to give you another opportunity during the day, from time to time, Mr. Ropp. On page 23 of the Calendar on the Order of House Bills Third Reading - Counties appears House Bill 377. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 377, a Bill for an Act to amend an Act relating to exemptions from jury service. Third Reading of the Bill"

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, on House Bill 377."

Cullerton: "Yes, I would ask leave to bring the Bill back to Second Reading for the purposes of an Amendment."

Speaker Greiman: "The Gentleman has leave of the House to return the Bill to the Order of Second Reading. There being no objection, leave is granted. Mr. Clerk, are there any Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, on Amendment #2."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment was suggested by Representative Hawkinson and Homer in the Committee. What it does, the Bill deals with the issue of eliminating the jury duty exemptions, and it sets up a system whereby the county

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board or the jury commissioners may excuse certain prospective jurors if it determines that certain hardships exist. What this Amendment does is to subject their authority to a prior approval by the Chief Judge of the judicial circuit in which the county board or jury commissioners are situated. I would move for the adoption of Amendment #2."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves for the adoption of Amendment 2 to House Bill 377. And on that, is there any discussion? The Gentleman from Macon, Mr. Dunn."

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

Speaker Greiman: "Indicates he will."

Dunn: "If I understand... I don't have a copy of the Amendment in front of me, but if I understand the Amendment as you presented it and as it is analyzed, the Chief Judge of the circuit is the only one, then, who can authorize... really authorize the excuse of... the exemption of jurors... excusing of jurors?"

Cullerton: "No. The way it would work is that the Chief Judge would have to give permission to the county board or the jury commissioners. You know, they can give blanket permission to allow for them to have the authority to exempt."

Dunn: "The key is that the... Does the Amendment say that the Chief Judge can give a blanket authorization to the county board and/or the commissioners, or does it have to be juror by juror?"

Cullerton: "Oh, no. It's not meant to be juror by juror. It says, 'upon prior approval by the Chief Judge of the judicial circuit in which a county board or jury commissioners are situated, the county board or jury commissioners may excuse a prospective juror from jury

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service. So it's drafted by our staff to indicate that it's a blanket approval, not juror by juror."

Speaker Greiman: "Further discussion? Being... The Gentleman from Lee, Mr. Olson."

Olson: "Would the Sponsor yield?"

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

Olson: "John, in downstate circuits, as you said, that authority rests with the Chief Judge, and he quite frequently extends that authority to the circuit clerk within the given norms of the original statute. Are you saying now that the county boards or the jury commission would exercise that in lieu of the Judge or would be an extension of his authority."

Cullerton: "Well, my understanding is that the juries are... in some counties are controlled by the county board, and then I think it's over 40,000 then they have a jury commission, and all we're saying here is that Representative Hawkinson said he didn't want to give all this authority to the county board or the jury commissioner without the Judge having some input. So the purpose of the Amendment is to say that the Judge has to give prior approval before the jury commissioner or the county board may... may excuse jurors. Now, if the county board... You're saying that the county board sometimes gives that to the clerk?"

Olson: "Well, I'm thinking of the 15th Circuit, where I come from. The Judge is still the last word, but he would quite often just say to the circuit clerk, 'Use your discretion.' I'm wondering if this would muddy up the waters or would make it clear in some places."

Cullerton: "Well, do you have a jury commissioner, or do you have a... "

Olson: "We have a jury commission."

Cullerton: "Commission. Okay."

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Olson: "They meet to select the panels, but they do not have an office, in many counties."

Cullerton: "Right."

Olson: "They just meet periodically."

Cullerton: "And you're saying the clerk does most of the work that the jury commission... "

Olson: "After the panels are drawn and put in place, then the Judge will say to the circuit clerk, 'Use your discretion if Mary Jones calls up, please.'"

Cullerton: "That... That system would remain the same. This does not affect that. But the statute says that the jury commissioners are the ones that have the ultimate... "

Olson: "Right."

Cullerton: "Have the authority to administer it, so what we're saying is the Judge tells the jury commissioners that they can do this. The jury commissioners then give it to the circuit clerk, as in your case, and then the circuit clerk is the one that ends up doing it."

Olson: "Thank you very much."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall Amendment #2 be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Further Amendments."

Clerk O'Brien: "No further Amendments."

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

Speaker Matijevich: "The Gentleman from Cook, Representative Cullerton, asks leave of the Assembly, use of the Attendance Roll Call for that purpose for the immediate consideration of House Bill 377. Hearing no objection, the Bill is on Third Reading. The Clerk will read the Bill."

Clerk O'Brien: "House Bill 377, a Bill for an Act relating to

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exemptions from jury service and amending certain Acts herein named. Third Reading of the Bill."

Speaker Matijevich: "The Gentleman from Cook, Representative Cullerton, on House Bill 377."

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is a Bill that we have passed, I think, each of the last four or five years since I've been here, going back to when Judge 'Linenweber' was the Chairman of the Judiciary Committee, and it, for various reasons has been defeated in the Senate, and I have a much greater hope for its passage in the Senate this year, since a good number of the House Members that voted for it are now over in the Senate. We have a system in the jury system in Illinois right now where various occupations are exempt from jury duty. And in many cases, they really don't make a whole lot of sense. For example, print reporters are exempted, but radio and television reporters are not. Now, that's because these exemptions go back even prior to radio and prior to television. There's many others that are exempt by occupation, which is really not the best way to do it. My theory and the theory that the House has always overwhelmingly approved is to say that we should go on a... do these jury exemptions really not exemptions. They should be excuses, and the jury commissioners should go on a case by case basis to determine whether someone should be excused. If a woman is eight months or nine months pregnant, she should certainly be excuse until she can come back and serve on a jury. The same thing is true of a... of a person who's a dentist or a doctor or a lawyer. If they can arrange some... If for some reason they can't serve on a jury, they'll certainly be excused, but when the... when they can serve, they should be eligible. You know, a good number of our counties, now, have gone to a

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system of one day, one trial, which means the jurors only have to serve for one day, or they serve for the duration if they are chosen on a jury for one trial. Well, that means that the jurors don't have to serve as long, but we have to call more and more jurors. In Cook County, I believe, that instead of calling one out of every 12 because of this one day, one trial change, we're calling people... one out of every three people are called. And so, the purpose of this Bill is basic fairness. It says that no one, by virtue of their occupation, should be exempt from jury duty, but if for some reason, they cannot serve, they will certainly be excused. We've specifically addressed the issue of the National Guard, because they were concerned. That's one of the specific considerations that should be taken into account by the jury commissioner or the county board in determining whether someone should be excused. I believe it's a... it's a Bill that's been supported by numerous newspapers and radio stations throughout the state. I believe it's something which, this year, will be passed by the Senate and signed by the Governor, and I think it's something which will improve our judicial system dramatically. I move for the passage of House Bill 377."

Speaker Matijeovich: "The Gentleman from Cook, Representative Cullerton, has moved for the passage of House Bill 377. Those in favor signify by voting 'aye', opposed by voting 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this question, there are 114 'ayes', 2 'nays', and House Bill 377, having received the Constitutional Majority, is hereby declared passed. Announcement from the Chair. There are over 100 Senate Bills on the Order of First Reading that have just come over from the Senate that are on your Calendar. You may

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look at them and pick up those Senate Bills which you wish. And you may be doing that while we are... while we are going on the Consent Calendar, because that's what we're going to... the Order of Business we're going to go on now. Consent Calendar, Order of Third Reading. And let me tell you the procedure before the Clerk reads these Bills. The Consent Calendar list is on the Calendar. We are going to vote on them now. There's about 50 Bills. You have been provided a sheet. If you wish to vote against any of those Bills, we are going to give you an hour to turn those lists into the Clerk, here. So we're on Consent Calendar Third Reading. The Clerk will read the Bills."

Clerk O'Brien: "Special Consent Calendar, page 31 on the Calendar. House Bill 93, a Bill for an Act to provide for the deferral of payments of special assessments from property of senior citizens and disabled persons. Third Reading of the Bill. House Bill 231, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill. House Bill 255, a Bill for an Act in relation to the occupation of use tax on building materials used in enterprise zones. First Reading... Third Reading of the Bill. House Bill 298, a Bill for an Act to amend the Liquor Control Act. Third Reading of the Bill. House Bill 385, a Bill for an Act to amend the Senior Citizens' Real Estate Tax Deferral Act. Third Reading of the Bill. House Bill 463, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. House Bill 474, a Bill for an Act to amend the Code of Civil Procedure. Third Reading of the Bill. House Bill 484, a Bill for an Act to amend an Act in relation to state finance. Third Reading of the Bill. House Bill 548, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 627, a Bill for an Act to amend the Criminal Code. Third Reading

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of the Bill. House Bill 831, a Bill for an Act to amend the Crime Victims' Compensation Act. Third Reading of the Bill. House Bill 971, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. House Bill 1131, a Bill for an Act to amend an Act to eliminate the Vehicle Recycling Fund. Third Reading of the Bill. House Bill 1132, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. House Bill 1147, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 1188, a Bill for an Act to amend the Illinois Marriage and Dissolution of Marriage Act. Third Reading of the Bill. House Bill 1192, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 1208, a Bill for an Act to amend the Illinois Highway Code. Third Reading of the Bill. House Bill 1213, a Bill for an Act to amend an Act to revise the law in relation to counties. Third Reading of the Bill. House Bill 1412, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. House Bill 1518, a Bill for an Act to amend the Illinois Lottery Law. Third Reading of the Bill. House Bill 1575, a Bill for an Act to amend the Illinois Drainage Code. Third Reading of the Bill. House Bill 1579, a Bill for an Act to amend an Act to revise the law in relation to clerks of courts. Third Reading of the Bill. House Bill 1636, a Bill for an Act to amend the Professional Service Corporation Act. Third Reading of the Bill. House Bill 1656, a Bill for an Act to amend the Consumer Fraud and Deceptive Business Practice Act. Third Reading of the Bill. House Bill 1685, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 1763, a Bill for an Act to amend an Act concerning the operation of vending facilities at highway rest stops. Third Reading of the Bill. House Bill 1775, a Bill for an

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Act in relation to fees for pesticide registration. Second... Third Reading of the Bill. House Bill 1776, a Bill for an Act to amend the Structural Pest Control Act. Third Reading of the Bill. House Bill 1845, a Bill for an Act to amend the Illinois Vehicle Code. Third Reading of the Bill. House Bill 1849, a Bill for an Act relating to joint land resource management program. Third Reading of the Bill. House Bill 1850, a Bill for an Act to amend the Illinois Municipal Code in relation to county zoning. Third Reading of the Bill. House Bill 1855, a Bill for an Act to amend the Civil Administrative Code of Illinois. Third Reading of the Bill. House Bill 1880, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill. House Bill 1900, a Bill for an Act to amend the Revenue Act. Third Reading of the Bill. House Bill 1918, a Bill for an Act to amend the Unified Code of Corrections and State Printing Contracts Act. Third Reading of the Bill. House Bill 1926, a Bill for an Act to amend an Act concerning fees and salaries. Third Reading of the Bill. House Bill 1934, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill. House Bill 1939, a Bill for an Act to amend an Act in relation to certain funds in the state treasury related to radiation protection. Third Reading of the Bill. House Bill 1949, a Bill for an Act to amend the Real Estate Licensing Act. Third Reading of the Bill. House Bill 2004, a Bill for an Act to create the small business utility advocate. Third Reading of the Bill. House Bill 2011, a Bill for an Act to amend an Act to revise the law in relation to counties. Third Reading of the Bill. House Bill 2132, a Bill for an Act to amend the Illinois Purchasing Act. Third Reading of the Bill. House Bill 2162, a Bill for an Act to amend the Criminal Code. Third

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Reading of the Bill. House Bill 220... 2220, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill. House Bill 2250, a Bill for an Act to amend an Act relating to the State Fire Marshall. Third Reading of the Bill. House Bill 2426, a Bill for an Act to amend the Boat Registration and Safety Act. Third Reading of the Bill."

Speaker Matijevich: "The Bills on the Order of Third Reading Special Consent Calendar have been read. I understand now that we are not going to take a vote on this yet. We're going to hold them for a little while. You can keep looking at it for a while, and we'll get back to that, and... but if there are any on your sheet that you wish to be in opposition to, you can fill out that sheet. The Gentleman from Cook, Representative Greiman, in the Chair."

Speaker Greiman: "On page 20 of the Calendar on the Order of House Bills Third Reading... Alright, now. On page 20 of the Calendar on the Order of House Bills Second Reading - Revenue appears House Bill 781. Mr. Clerk?"

Clerk O'Brien: "House Bill 781, a Bill for an Act to amend the Retailers' Occupation Tax Act. This Bill has been read a second time previously. Amendment #1 was adopted in Committee."

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

Clerk O'Brien: "A Motion to table Committee Amendment #1, offered by Representative Keane."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, on... Mr. Keane? Alright. We'll take that out of the record for the moment. On the Order of House Bills Second Reading - Revenue appears House Bill 1153. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1153, a Bill for an Act in relation to cigarettes. This Bill has been read a second time

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previously. No Committee Amendments."

Speaker Greiman: "Any Floor Amendments?"

Clerk O'Brien: "None."

Speaker Greiman: "Third Reading. Mr. Clerk, on the Order of House Bills Third Reading appears House Bill 1153. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1153... "

Speaker Greiman: "Yes, Mr. McGann? For what purpose do you seek recognition?"

McGann: "Yes, Mr. Speaker, in regards to House Bill 1153. At this time, I would ask leave of the House to place House Bill 1153 in Interim Study."

Speaker Greiman: "The Gentleman has leave of the House to place House Bill 1153 on the Order of Interim Study. Gentleman... You are the Sponsor, Sir? The principal Sponsor?"

McGann: "That is... That is correct, Mr. Speaker."

Speaker Greiman: "You have leave. Yes. Let me advise the Body that there are forms here at the well that allow you to commit your Bill to Interim Study so that you do not have to rise and make a Motion and take the time of the House for that... for that Order of Business. Now, on the Order of Revenue, House Bills Third Reading appears House Bill 1154. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1154... "

Speaker Greiman: "Excuse me, Mr. Clerk. Yes, Mr. McGann?"

McGann: "Mr. Speaker, could we come back to this Order? I want to bring that back to Second Reading for an Amendment, but Representative Keane is not in the chamber presently, so..."

Speaker Greiman: "Alright. We'll take that out of the record, then."

McGann: "Thank you."

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Speaker Greiman: "On the Order of House Bills Third Reading - Public Utility Regulation appear... on page 27 of the Calendar appears House Bill 470. Mr. Clerk, read the Bill. Mr. Washington? Mr. Clerk, 470."

Clerk O'Brien: "House Bill 470, a Bill for an Act to amend Sections of an Act concerning public utilities. Third Reading of the Bill."

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

Washington: "Yes, Mr. Speaker, Members of the House of Representatives, House Bill 470 is an Act concerning the public utilities prohibiting the imposition of late payment penalties due to failure of a customer to pay an estimate bill in a timely fashion. The practice of estimate... estimating customers' utility bills has historically been a problematic from the consumers' and utilities' point of view. The consumer does not get an accurate reading, subsequently paying more or less than the actual usage cost. This creates a hardship sometimes for persons who cannot adjust to higher than usual bills, especially during the winter billing period, and to emphasize, our senior citizens who are probably most burdened, and those who are certainly less fortunate. Utility companies do not have access to meters or will not, in some cases, read meters, for one reason or another, causing the usage to be estimated. This creates an administrative problem for the utilities' personnel, especially in dealing with the irate customers. Estimates creates billing errors, which the Commission has attempted to deal with but apparently, unsuccessfully. It is felt that this Bill is certainly accurate. There should not be a penalty for late payments. Utility companies, basically, will resist this bill as a matter of course suggesting that it affects their revenue picture in a negative manner, but will indicate such

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penalties produce little in revenue. Consumers will support this bill. CUB, IPEC, are generally supportive of such legislation efforts as proposed here. The Joint Committee on Public Utilities regulation has recommended that the Commission study the problem and estimate customers' bills and thus penalties thereof. Many of my constituents have complained that they are being overcharged on their estimated utility bills. Researchers have discovered that estimate bills are commonly higher than the actual bills would be if the meters were read monthly. Although it would be cost prohibitive to read the meters every month, I believe the practice of charging late charges on these inflated bills is clearly unfair, inequitable and should be stopped. A survey of various public utilities' bills for 1984 reveal that utilities reaped a 30 million dollar profit in late charges was collected on overdue bills in Illinois. This is an astronomical amount of money that a vast majority of people simply cannot afford to pay. This legislation will stop the unfair practice of tacking the fees to already inflated bills. It would be a direct and immediate benefit to the average utility consumer throughout this state and especially the elderly. It is just not right to assess late charges in estimate bills which are typically higher and actually amount of the bill. I know cases where poor and elderly people on fixed incomes and those who are unemployed have received estimated bills that are up to 75 dollars more than the actual bill should be. These folks are being forced to pay late charges on that higher amount. People's Gas has every right to attach a late charge to bills which actually reflect a true meter reading, however, they are clearly overcharging those who can least afford to pay when they charge interest on these overestimated bills.

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This inequity simply must cease. As of November of 1983, the Illinois Commerce Commission set uniform charges for all gas, electric, water and sewer bills at 1.5 percent which accrues monthly if the bill is not paid. This interest can result in a huge - as we have indicated - huge windfall profit for the utilities, while presenting monumental problems for the poor ratepayers and business who are legitimate... legitimately owe those fees throughout the state. Just recently, an article came out in the paper indicating that one of the utilities was having a 45 percent rate hike in this state, in the City of Chicago and the County of Cook, about 45 percent. How long can the consumers, how long can they continue to pay and bear the traffic of unfair burden, and I think that it's time that this ceased. We've also indicated in our finding that for an estimate bill, if they, in some cases can read, for example, Northern Gas Company has indicated that they can read their meters every month. People's Gas should be able to do the same. But instead, they use the excuse that because of lack of funds, they do not have the personnel... or hire the personnel to read the meters. And my contention is that if that was the case, they should be reading meters every two months which, in essence, would eliminate this problem. But certainly, I strongly support... look for your support for this piece of legislation."

Speaker Greiman: "The Gentleman from Cook moves for the passage of House Bill 470. And on that, is there any discussion? The Gentleman from Cook, Mr. Piel."

Piel: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Reluctantly, I stand up and oppose the Gentleman. This Bill, unfortunately, has some astronomical costs to it. The way it is set up right now, with public utilities

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state-wide, that they can offer the people during the year the opportunity to estimate their bills, so whether it be gas or electricity, be it summer or winter, their bills wouldn't come in at astronomical figures - three, four, five hundred dollars - but they would work them out on a yearly basis. With the utility bills, obviously there is times when your estimated figure is not as... the Bill is higher than what your account balance is. You are required, by law, to pay the Bill. I mean, like with any bill. What this Bill does basically, is when a person is estimating their bills when they go into a delinquency situation, that there can be no late fee charged. It would be just the same as you had a credit card and you are only paying half your credit card at a time. You are still charged a fee on this, whether it be classified as a late fee or a handling fee, one thing or another, but what this is, it's a late fee on the... on the Bill that's being paid. And unfortunately, when you start talking about late fees, you're talking about something that is a trickle-down effect. You're talking about just the closest figure that we could come up with in the City of Chicago alone. It would be costing them approximately \$500,000 a year in lost revenue. I understand where the Gentleman's coming from, and we would have liked to... trying to work out the problems with the Bill, but I would have to reluctantly stand up in opposition to the Bill because of the... you know, it's a person's right to have to pay their bills, and their bills are late, they should be assessed a late fee. I mean, it's human nature in the world we live in today, and so I would reluctantly stand in opposition to House Bill 470."

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

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of this

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House. House Bill 470 came out of my Committee on a 9 to 1 bipartisan vote. I think the Gentleman is attempting to address an issue which is a very legitimate issue in a large part of the state, particularly in Chicago, where we do have a problem with meters being read. The general orders of the Illinois Commerce Commission require that there be no more than an estimated bill every two months, and yet unfortunately, in large parts of the city, they rarely see a meter reader. So you can go four, six, nine or even one year, purely on an estimated Bill, and those Bills can be rather far afield from the actual service that's being used. So the Gentleman is attempting to deal with a very legitimate problem. I think that if the Bill is allowed to pass the House - and I encourage affirmative vote - that there will be further work on it in the Senate to work out some of the problems that remain. So, I urge an 'aye' vote to get House Bill 470 out of the House and in the Senate so we can continue to work on it."

Speaker Greiman: "Further discussion? The Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Ladies and... Mr. Speaker, I'm sorry. Ladies and Gentlemen of the House, it's my understanding that an estimated Bill cannot be rendered for more than a single billing period in a row. That is, that there has to be a bill based on an actual reading after an initial estimated bill. The typical billing period, at least in my experience, is 30 days. If there were not to be an allowed penalty on the estimated payment, then there would be no reason to pay except on a 60 day basis. Now, the difference between 30 days and 60 days is very important to the utility. Many of us practice or own our own business and understand the importance of current billing. The law provides that you cannot have more than a... Well, that you

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cannot have two estimated billings in a row in the absence of certain extreme circumstances. If there were not the penalty for the estimated payment, then there'd be no reason to pay, except on a 60 day basis, which creates a problem for the cash flow of the business. Now, we stand here and say, 'Well, should we measure the cash flow of the business against the... the possible inequity of a charge on what may be an incorrect reading?' I don't know what the experience in the City of Chicago is on whether these readings are correct or not. I don't know if they're inflated. If they are inflated, it's a point and a half for 30 days by which they're inflated. That's the price we're paying, and that is done to encourage payment on a 30 day basis rather than a 60 day basis. If you look at your credit cards, your credit cards require payment on a 30 day basis, and typically charge you a point and a half for payments beyond that date. I understand the concern. I do think, however, that in the absence of a change in the law which would acquire actual readings every month, which may or may not be feasible, and I will defer to my more knowledgeable friends in the public utilities area. You have to have an incentive to pay on a 30 day basis, and that is what this penalty charge is. And I... I respectfully suggest that we should stand by that, and I ask for a 'no' vote."

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

Shaw: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I think that is some misnomers about... about the utility... paying the utilities. We're not talking about people who are late paying their bills. We are talking about an estimated bill where that the utility companies will estimate an exorbitant amount above what the actual bill is. But there is no adjustments the following month -

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no adjustment on that bill. And they estimate it high through the admission, with their own admission, the utility companies have stated on public record that they estimate the bills high and ask the public to pay that 1.5 percent penalty. Now, you... somebody was trying to compare this with a credit card. Your credit card is not estimated. You have an actual billing on that. Last... Last year, in 1984 alone, the utility companies collected some 36 million dollars from people of this state on estimated bills. Now, we're talking about senior citizens who cannot afford to pay their total bill, but yet that 1.5 percent is charged on that estimated bill. The senior citizens pay maybe half of that Bill. They get charged at 1.5 percent on that. When that goes past 30 days, they get an accrued interest on the 1.5 percent of the balance of the bill. So, what you are doing, you are just... the utility companies are just taking advantage of people, where that people... were not arguing that people... that the utility companies shouldn't have a late charge on their... on their billing. What we are arguing is that it should not be on a estimated bill. And nowhere else in the country do they charge you on what you are projected to spend next year, a interest rate. I think that's wrong. I think it's unfair. I think that this Bill should go out of this House, and the... and send a message to the Illinois Commerce Commission that it really should readjust its priorities. Now, if you believe that up there in Chicago where meters you can walk by the side of the house and read the meters from the... from the outside, many homes in my area are like that. You don't have to... The gas people don't have to read the meters from the inside. But the meter readers won't come by, because the utility companies know that they are going to collect another 36 million

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dollars next year, and because people are going to refuse to pay those high bills, especially during the winter time. Now, what are we to do if, in this 36 million dollars that we are talking about, there's no adjustment made on the following money. Somebody made the statement that the law called for them to read the bill the following month, actually read it. That is not true. The law might call for them, but they can go to a year and not read your meter. That's what the actual law called for. But the utility companies or Members of this Assembly would have you to believe that the utility companies are not doing anything wrong. If you believe that you should be paying your bills, whether it be your credit card or your car payment or whatever payment that you have on an estimated sum and let them charge you interest on an estimated amount, no matter how much you pay on your mortgage payment, then you should vote for this Bill, but if you don't believe that, then you should vote for the Bill. And I hope that you will vote to get this Bill out of here and send it over to the Senate and vote it for the people of Illinois."

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

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

Speaker Greiman: "The Gentleman from Madison moves the previous question be put. Those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair... In the opinion of the Chair, the 'ayes' have it. Mr. Washington to close."

Washington: "Mr. Speaker, Members of the House, this Bill is a consumer orientated Bill. It's a great Bill for the State of Illinois and those people who certainly can least afford it, and I urge an 'aye' vote for this Bill. Thank you."

Speaker Greiman: "The question is, 'Shall this Bill pass? All in

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favor signify by voting 'aye', those opposed 'no'. In the opinion... This is final action. The Gentleman from Cook, Mr. Huff, to explain his vote. One minute."

Huff: "Mr. Speaker, I've had my light on for some time. I'm going to assume that you just didn't see it."

Speaker Greiman: "No, I... "

Huff: "And I've heard... I've heard comments from the other side of the aisle that said they understand our problem, but I submit to you, Ladies and Gentlemen, they understand nothing. If I had both of those gentlemen backed up against a hot stove, they wouldn't let me tell them how hot they're getting, would they? I would be forced to listen. I think you should listen to us. Estimated bills are killing our old people. Our old people have to decide whether to eat or heat on estimated bills on consumption they didn't even use, and yet they're being forced to pay it. They're being cut off on estimated bills. The ICC has a general rule, 172, that prohibits consecutive estimated bills. But the ICC winks at it, and the utilities make absolute mockery out of it. What we're talking about is a real problem, and all we ask you for is to eliminate estimated gas bills, because they do not reflect the proper assumption, and we're not going to pay for consumption we haven't used. In fact, we can't pay for it. Last year alone, we had 152,000 families, over 300,000 people affected, if you add three members to that family, who had no gas, and when we go through moderate winters, we still pay the estimated gas bill. We've had enough. We're not going to pay it, and those 70 votes are correct votes. Thank you very much."

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

Alexander: "Thank you... Thank you, Mr. Speaker. I live in an

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apartment building with three families. I was getting estimated bills. I called the utility companies to complain about it. They informed me, 'Mrs. Alexander, if you mail to us a doorkeeping key, we will give it to our meter department, and they will be able to get into your basement compound to read your meters.' I am still getting estimated bills, and I agree with the two former speakers that this is a travesty of justice upon people who are trying to do the right thing, pay their bills timely, but because of the lack of meter reading, they are being forced into these penalties and interests that go a long ways against trying to maintain yourself in this society. I think there should be some more. We've got enough, but I think there should be 119 votes up there for this subject matter."

Speaker Greiman: "The Gentleman from DeWitt, one minute to explain your vote. Mr. Vinson? Did you wish to explain your vote?"

Vinson: "No, thank you."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 76 voting 'aye', 40 voting 'no', none voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Message from the Senate."

Clerk O'Brien: "A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following title, passage of which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bills #1073, 1074, 1083, 1105, 1112, 1129, 1131, 1136, 1144, 1152 and 1200, passed by the Senate May 24, 1965. Kenneth Wright, Secretary.'" "

Speaker Greiman: "Senate Bills First Reading."

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Clerk O'Brien: "Senate Bill 1200, Greiman, a Bill for an Act to amend the Code of Civil Procedure. First Reading of the Bill."

Speaker Greiman: "Alright, Ladies and Gentlemen, we will now return to page 20 of the Calendar and conclude and complete the Bills on Third Reading - Revenue. Let us first go to Second... Bills Second Reading. Page 20 of the Calendar, House Bills... Alright. House Bills Second Reading - Revenue, appears House Bill 781. Mr. Clerk?"

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

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

Clerk O'Brien: "A Motion to table Committee Amendment #1, offered by Representative Keane."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, on Amendment... on a Motion with respect to Amendment #1."

Keane: "Thank you, Mr. Speaker. I move to table Amendment #1."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, moves to table Amendment #1 to House Bill 781. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be tabled?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and Amendment #1 is tabled. Further Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, on Floor Amendment #2."

Keane: "Thank you, Mr. Speaker. Amendment #2 represents an agreement between the petroleum marketers and the Department of Revenue. As amended, the Bill will increase

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the monthly prepaid sales tax liability threshold of wholesale suppliers of motor fuel from 10,000 to 25,000. It also, as amended, puts in a January 1, '86 effective date. I'd ask for the approval of Amendment #1."

Speaker Greiman: "The Gentleman from Cook moves for the adoption of Amendment 1 to House Bill... I'm sorry. Amendment #2 to House Bill 470. And on that, is there any discussion? There being none, the question is... I'm sorry. 781. There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', those opposed say '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. The Gentleman from Cook, Mr. Keane, asks leave of the House to waive the... Rule 37(c) so that the Bill may be heard today. Does the Gentleman have leave? There being no objections, the Gentleman has leave. Mr. Clerk, call the Bill."

Clerk O'Brien: "House Bill 781, a Bill for an Act to amend Sections of the Retailers' Occupation Tax Act. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. The Bill is Amendment #2, which I just put on. It has the threshold. The only changes were the threshold and the January 1, '86 date... effective date. I'd be happy to answer any questions and ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane moves for the passage of House Bill 781. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor say... 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

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wish? Mr. Clerk, take the record. On this question... Bullock, 'aye'. Somebody has done it already. On this question, there are 115 voting 'aye', none voting 'no', 1 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading - Revenue appears House Bill 1154. Mr. McGann? Mr. McGann, do you have a Motion?"

McGann: "Yes, Mr. Speaker. I would ask if... leave of the House to take this House Bill 1154 back to Second Reading for the purpose of an Amendment."

Speaker Greiman: "The Gentleman asks leave of the House to return the Bill to the Order of Second Reading for the purpose of an Amendment. There being no objection, leave is hereby granted. Mr. Clerk, are there any... are there any Amendments? Mr. McGann, there are no Amendments filed to this Bill."

McGann: "Yes, to... "

Speaker Greiman: "1 and 2 were adopted, apparently, but there are no other Amendments filed."

McGann: "Then I'm awfully sorry. It was an error. I thought we had not adopted Amendment #2, but if we have, that's fine. Then I'd ask if I could take it back to Third Reading and hear it on this date."

Speaker Greiman: "Third Reading. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1154, a Bill for an Act to impose a tax on the gross receipts obtained from the business of displaying events, including sporting events, by electronic means. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. McGann, on House Bill 1154."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. House Bill 1154 with Amendment #2 creates the Electronic Events Display Tax Act. This is where we will require five

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percent of the gross receipts from the sales of tickets for all electronic presentations of sporting events and any other events. This is a revenue Bill that will bring revenue into the State of Illinois. It's been overlooked for many years, and I would ask a... affirmative vote so that we can put this over to the Senate and get it into law and get some money for the State of Illinois."

Speaker Greiman: "The Gentleman from Cook moves for the passage of House Bill 1154. On that, is there any discussion? The Gentleman from Cook, Mr. Kulas."

Kulas: "Yes, will the Sponsor yield?"

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

Kulas: "Representative McGann, will the funds brought about by this tax go for the domed stadium?"

McGann: "Representative Kulas, as much as I would like to have it earmarked directly for a domed stadium in the City of Chicago or 'Kiyooka' County, that is not the case. This will come into the General Revenue Fund."

Speaker Greiman: "Further discussion? The Gentleman from Knox, Mr. Hawkinson."

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

Speaker Greiman: "Indicates he will."

Hawkinson: "Representative, we downstate, if we want to go into Bergner's or some retail outlet and buy a ticket to a Cubs game or a White Sox game, will this increase the ticket price by five percent?"

McGann: "If it's through a electronic device, yes."

Hawkinson: "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?"

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Have all voted who wish? Mr. Clerk, take the record. On this question, there are 76 voting 'aye', 31 voting 'no', 4 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. Alright. Now we return to page 27 of the Calendar. Excuse me. Mr. Krska, 855 is in... has been placed in Interim Study. Okay. On the Order of House Bills Third Reading - Public Utility Regulation appears House Bill 1596. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1596, a Bill for an Act to amend the Citizens' Utility Board. Third Reading of the Bill."

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

Steczko: "Thank you, Mr. Speaker. I'd ask leave to bring House Bill 1596 back to the Order of Second Reading."

Speaker Greiman: "The Gentleman asks leave of the House to return House Bill 1596 to the Order of Second Reading for the purpose of an Amendment. Hearing no objection, the Gentleman has leave. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Amendment #1, Steczo, amends..."

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

Steczko: "Mr. Speaker, I'd ask leave of the House to withdraw Amendments 1 through 3, please."

Speaker Greiman: "Amendments 1 withdrawn, 2 withdrawn, 3 withdrawn. Further Amendments?"

Clerk Leone: "Amendment #4, Steczo, amends House Bill..."

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

Steczko: "Thank you, Mr. Speaker. Amendment #4 to House Bill 1596 simply clarifies the provisions of the original Bill. It provides that the utility who sends out a postcard notice shall, within 90 days in advance of each mailing that they'll have using an envelope, notify the Citizens'

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Utility Board so the Citizens' Utility Board can utilize that mailing for their inserts. I would move for the adoption of the Amendment."

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo, moves for the adoption of Amendment 4 to House Bill 1596. Is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Will the Sponsor yield?"

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

Cullerton: "Representative, we're having trouble locating the file. Could you tell me... no Amendments have been adopted to the Bill?"

Steczko: "Thus far, no. The three that had been introduced previously have been withdrawn."

Cullerton: "Okay. Okay, fine. Thank you."

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

Piel: "Thank you, Mr. Speaker. Just to announce that this has been an Agreed Amendment by both sides of the aisle. I would ask for adoption."

Speaker Greiman: "The question is, 'Shall Amendment #4 be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Amendment #5, Steczo, amends House Bill... "

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo, on Amendment 5."

Steczko: "Thank you, Mr. Speaker and Members of the House. Amendment #5 requires that the utility shall provide that on each periodic customer billing, that there be a check off box indicating whether or not the party would like to receive information regarding the Citizens' Utility Board. The utility would be required to compile this information and each 60 days forward that information to the Citizens' Utility Board. I would move for the adoption of Amendment

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#5."

Speaker Greiman: "The Gentleman from Cook moves for the adoption of Amendment 5 to House Bill 1596. Is there any discussion? The question is, 'Shall this Amendment be adopted?' All... All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr. Steczo, asks leave of the House with the Attendance Roll Call to allow the Bill to be heard on the Order of Third Reading at this time. Does the Gentleman have leave? Without... There being no objections, the Gentleman has leave. Mr. Clerk, call the Bill."

Clerk Leone: "House Bill 1596, a Bill for an Act to amend the Citizens' Utility Board. Third Reading of the Bill."

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

Steczko: "Thank you, Mr. Speaker, Members of the House. The two Amendments that are incorporated... that were just incorporated into House Bill 1596 actually are the sum total of the Bill. The first Amendment simply provided that in those cases where a public utility uses a post card that, not to exceed four times a year, the Citizens' Utility Board be notified of any anticipated mailing that would use an envelope so the materials could be inserted, and Amendment #5 is an Amendment that provided that a check off be provided on the billing... on any billing that would allow persons to indicate their interest in the Citizens' Utility Board. That information would be returned to... returned to the Citizens' Utility Board within 60 days, and I believe the Citizens' Utility Board will pay... the costs relative to that. I would ask the House for

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favorable... favorable consideration of House Bill 1596."

Speaker Greiman: "The Gentleman from Cook moves for the passage of House Bill 1596. And on that, is there any discussion? The Gentleman from Effingham, Mr. Hartke."

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

Speaker Greiman: "Indicates he will."

Hartke: "Terry, isn't it true already that there are rules and regulations that... and the inserts are there four times a year if a person wants to join CUB, he can?"

Steczo: "Representative, under the present law, yes, if the public utility uses an envelope to send out the billing, the CUB inserts are.... are inserted in that billing, this Amendment addresses the problem of a utility that sends out a post card billing, and there is no envelope. There are periods of time during the year when, for other reasons aside from billing, that envelopes are sent, and the utility would notify the Citizens' Utility Board that this billing or this mailing would be going out. The Citizens' Utility Board then would be able to insert their material in that billing... in that mailing rather than in a regular billing."

Hartke: "Okay, but you're saying we got to have a little check off box now that says that utility company has to notify CUB that these people want to join CUB?"

Steczo: "Representative Hartke, under present law, the utility provides space to the Citizens' Utility Board and provides an 800 number, but with the costs associated with the 800 number and the lack of staff, it's sometimes impossible, with the number of calls, to be able to handle them. We find it might be much easier to use that same space for a check off and then, in turn, the utilities compiling that list of names could turn those over to the Citizens' Utility Board, who then can contact the people. It might

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be a lot... We feel it would be a much easier way to deal with it, and people then would be assured of being able to contact the Citizens' Utility Board, and the Board would be able to contact... handle the volume that would be received."

Hartke: "Okay, Terry. Who pays for this... this compiling of all this and the printing of this box and the special form and so forth?"

Steczo: "The Citizens' Utility Board would pay the costs."

Hartke: "They'll pay for the compiling of all the 'x' boxes and so forth that comes back?"

Steczo: "For the compilation, et cetera, yes."

Hartke: "You're sure."

Steczo: "And printouts, et cetera."

Hartke: "The actual printing, too?"

Steczo: "For the printout. They do... For the printing, they pay for that now, for the printing of inserts and other things."

Hartke: "And they pay for the stuffing of the envelopes with all this stuff, and... "

Steczo: "Correct."

Speaker Greiman: "Excuse me. Would Clerk O'Brien come to the podium? Have you concluded, Mr. Hartke?"

Hartke: "Yes."

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

Stephens: "Will the Gentleman yield? Representative Steczo, if the company decides that for their... any reason that they don't want to produce envelopes to send their bills in... "

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

Piel: "Thank you, Mr. Speaker. My apologies for interrupting. We have a question here that we'd like to speak to the Sponsor on. Could we take this out of the record just

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momentarily and come right back to it?"

Speaker Greiman: "Mr. Steczo? Unless you wanted to walk over there while we're... while Mr. Stephens is making his point... Do you wish it out of the record?"

Steczko: "Momentarily, Mr. Speaker."

Speaker Greiman: "Well, we'll take it out of the record. Alright. On the Order of House Bills Third Reading - Public Utility Regulation appears House Bill 2199. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2199, a Bill for an Act to amend an Act relating to the supply and distribution of water. Third Reading of the Bill."

Speaker Greiman: "The Lady from Lake, Ms. Frederick."

Frederick: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, may I have leave of the House to return this Bill to Second Reading for purposes of an Amendment?"

Speaker Greiman: "The Lady from Lake asks leave of the House to return this Bill to the Order of Second Reading for the purpose of an Amendment. There being no objection, the Lady has leave. Mr. Clerk, are there any Amendments?"

Clerk Leone: "Amendment #1, Virginia Frederick, amends House Bill... "

Speaker Greiman: "The Lady from Lake, Ms. Frederick."

Frederick: "Yes, Amendment #1 of House Bill 2199 restricts the Bill and requires that this Act will only apply to those communities getting water from Lake Michigan and it further prevents the water service from the Joint Action Water Agency to provide service directly to residents, and it also limits... it also limits to one mile or less, the corporate limits of a municipality that operates a public water supply unless a municipality has consented in writing that such service be provided. I move adoption of the Amendment."

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Speaker Greiman: "The Lady from Lake moves for the adoption of Amendment #1 to House Bill 2199. And on that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. The Lady from Lake asks leave of the House to waive Rule 37(c) so that this Bill may be heard today... at this time. Does the Lady have leave? The Gentleman from Cook, Mr. Cullerton. There being no objection, the Lady has leave. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 2199, a Bill for an Act to amend an Act relating to the supply and distribution of water. Third Reading of the Bill."

Speaker Greiman: "The Lady from Lake, Ms. Frederick."

Frederick: "Yes, House Bill 2199 as amended provides that communities under the population of 500,000 may establish a joint action water agency to pump water from Lake Michigan. This agency may, by referendum, issue general obligation bonds to build the pipeline that may be necessary. Also, it provides that a county may, as a special service area, contract for a water supply for unincorporated areas of the county. Now, I should say to you that... excuse me... that the realtors and the Taxpayers' Federation did have some problem with the Bill, but we have worked that out now, and they are now in support of the Bill, and I especially want people on my side of the aisle to know this. I ask for an affirmative vote."

Speaker Greiman: "The Lady from Lake moves for the passage of House Bill 2199. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

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

Cullerton: "Now, first of all, I want to ask some questions about the use of the word 'Lake Michigan' in the Bill. Is there anything in this Bill that affects, in any way, who has access to Lake Michigan water? I want to hear it on the microphone."

Frederick: "... No, it does not affect in any way."

Cullerton: "Or in any way the quantities of water that can be taken from Lake Michigan?"

Frederick: "No, it does not. All these communities already have a federal allocation of water from Lake Michigan, and I might add that four of the five communities that are requesting this Bill are on well water at the present, and they're running out of water."

Cullerton: "Okay, now. Let's talk about the tax aspects of the Bill. As I understand it, it amends the Municipal Code to provide that the statutory ceiling on indebtedness does not apply to indebtedness incurred for pumping water from Lake Michigan to a municipality of under 500,000 in population. Is that right?"

Frederick: "Yes, but that's by referendum."

Cullerton: "Okay, provided a referendum has approved the lifting of the limit."

Frederick: "Right."

Cullerton: "And... "

Frederick: "And... "

Cullerton: "Is there... Is that it? They just have to have a referendum? Okay. Now, it also amends the Act governing public water districts, and I want to ask you about this. Does it provide that contracts for a water supply don't have to be bid?"

Frederick: "That's right. Yeah... That's right."

Cullerton: "Does it also deal with take or pay contracts?"

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Frederick: "Yes. Yes."

Cullerton: "What does it say about take or pay contracts? That they're permissive?"

Frederick: "I don't understand. Yeah. Yeah. It's really standard take or pay language, as I understand it."

Cullerton: "Okay. By the way, does this allow for any... what we're talking about here is a municipal joint action water agency. Right? Does this Bill allow for one municipality to form a joint... a municipal joint action water agency?"

Frederick: "No. No. It has to be two or more."

Cullerton: "It does?"

Frederick: "Yeah, two or more... two or more entities."

Cullerton: "Okay. Now, where in here, if anywhere, is there a possible increase in a property tax without a referendum?"

Frederick: "Well, that is the problem that the realtors had with the Bill. It allows the five cent levy by ordinance, and I have agreed with the realtors that I will either take that clause out or we will insert a referendum when the Bill goes to the Senate. And they have said... "

Cullerton: "You said... Did you say the realtors?"

Frederick: "Yes."

Cullerton: "And they... "

Frederick: "They were upset about that clause."

Cullerton: "I see. And then, you're going to... You're going to have someone amend this Bill in the Senate."

Frederick: "Absolutely."

Cullerton: "Who's the Sponsor in the Senate going to be?"

Frederick: "Well, probably Senator Barkhausen."

Cullerton: "Can we trust him?"

Frederick: "Yes, I think so."

Cullerton: "But it's possible that we have no more control over this. It's very possible... There's a possibility, anyway, that this Bill will go right to the Governor's desk without

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us having another vote."

Frederick: "No. There... That is absolutely not true."

Cullerton: "It's theoretically possible, because once we passed it... "

Frederick: "Well, theoretically, but I am going to work with the Senator as well as with the realtors to see that this is..."

Cullerton: "And you're going to take out the part that allows for a tax increase without a referendum?"

Frederick: "Right."

Cullerton: "Okay. But we... If we vote on this Bill today, it will include the possibility of a tax increase without referendum."

Frederick: "It's actually... Well, of course it's a very small tax increase, but I usually do not vote for those things myself, and I am certainly willing to see that this does happen."

Cullerton: "Okay. I just wanted to make sure that we all knew what we were voting on, and the Senate won't have to vote on a tax increase without referendum, but we will."

Frederick: "No. Well, you do. Of course you do today. You do today, but I... "

Cullerton: "We'll get a chance to concur. We'll get a chance to concur with the Senate Amendment which allows this... "

Frederick: "Yes. Absolutely."

Cullerton: "Okay. Thank you very much."

Speaker Greiman: "Further discussion? The Gentleman from Cook, Mr. O'Connell."

O'Connell: "Questions of the Sponsor."

Speaker Greiman: "Proceed, Sir."

O'Connell: "Presently, can't two municipalities or more establish a joint water agency?"

Frederick: "Yes."

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O'Connell: "So, what then is the purpose of this particular Bill?"

Frederick: "Well, actually it allows the county and public water districts to also provide water to unincorporated areas, et cetera."

O'Connell: "So, this Bill would allow a county to enter into a agency relationship with another municipality?"

Frederick: "... Does it? Well yes, I suppose it could, but primarily they're interested in the unincorporated areas of the area."

O'Connell: "Well, when you say the unincorporated areas, who would the county enter into? Itself?"

Frederick: "Yeah. It's a joint action. Yeah. It's a joint action with municipalities, public water districts and counties. So they all... "

O'Connell: "So, an unincorporated area could have a public water district serving that specific unincorporated area... "

Frederick: "Right."

O'Connell: "That, then, could enter into the county itself to form a joint water commission."

Frederick: "Yeah."

O'Connell: "Okay."

Frederick: "Right."

O'Connell: "Now, the Bill provides for a general referendum for... a referendum for general obligation bonds, and... "

Frederick: "Right."

O'Connell: "My understanding from your conversation earlier, that you are going to make it mandatory that it be a front door referendum."

Frederick: "Well, actually, for issuing the general obligation bonds, it is now a front door referendum."

O'Connell: "Okay. However, you're increasing the maximum of the GO bond."

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Frederick: "Yeah."

O'Connell: "It can now exceed the maximum limitation for general obligation competitors."

Frederick: "Right. That's also by referendum."

O'Connell: "Okay. What extent over that maximum are you permitting?"

Frederick: "Well, it's 5.75. I have... Yeah. It cannot exceed 5.75 percent of the aggregate value of all taxable property of the participating community."

O'Connell: "Okay. Now, you refer to special service areas in the measure as well. A special service area, by its definition, does not provide for a referendum, but rather, provides for an opting out."

Frederick: "Yeah."

O'Connell: "What will this be, either a referendum or an opting out?"

Frederick: "Well, the county may create a special service area within a municipality or municipalities when the municipality or municipalities consent to the creation of that special service area."

O'Connell: "So, this is an either/or situation? Either a referendum or a special service area?"

Frederick: "Yes. Yes."

O'Connell: "Then it's understood that if it is a special service area, that 51 percent of the record landowners or 51 percent... and 51 percent of the registered voters opt out, there is no special service area."

Frederick: "That's right. That's correct."

O'Connell: "Thank you."

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

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

Speaker Greiman: "The Gentleman from DuPage has moved that the previous question be put say 'aye', those opposed 'no'."

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The 'ayes' have it, the previous question will be put. Do you wish to close, Mr. Frederick?"

Frederick: "Just to ask for an affirmative vote, Mr. Speaker."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk... yes. Have all voted who wish? I'm sorry. Yes, Mr. Richmond, do you wish to explain your vote? Turn on Mr. Flinn's microphone... Mr. Richmond."

Richmond: "Yes, Mr. Speaker, my... something has happened to my voting mechanism the last couple of times. I would like to be recorded as 'no'."

Speaker Greiman: "Turn... have you turned the key, Mr. Richmond?"

Richmond: "Yes, I did."

Speaker Greiman: "And how do you wish to be recorded on this? 'Aye'. Have all voted who wish? Mr. Clerk, take the record. On this question there are 73 voting 'aye', 31 voting 'no', 10 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Alright. Mr. Steczo, are you prepared on your Bill? Alright. We'll return to that a little bit later. Ladies and Gentlemen, on page 15 of the Calendar, House Bills Third Reading, Special Call, Government Organization and Regulation, appears House Bill 316. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 316, a Bill for an Act to provide for tax loss impact grants. Third Reading of the Bill."

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

Davis: "Well, thank you very much, Mr. Speaker. This Bill was designed as a result of a major disaster in my district in the Union Oil Refinery that lost 17 lives and put the

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Union... Oil Refinery out of business literally for a year while they're rebuilding that plant. I suspect that this kind of event, or similar kinds of natural or manmade disasters can happen throughout the state. And it occurred to me in this particular instance, and let me describe it to you, that the Town of Romeoville, a little village of 13... 14 thousand people of which Union Oil is a portion is... and Union Oil Refineries and oil refineries are utility intensive industry. The Town of Romeoville has a utility tax that it taxes Union Oil, and it's a fine relationship. But nevertheless, that tax revenue to that little village is approximately one-third of their total corporate revenues. They will lose that this last year while Union Oil is rebuilding, and it occurred to me that other communities, school districts and local governments and municipalities might find themselves in the same situation in the event of natural disasters of this type. So, I drafted a Bill that would create an emergency services and disaster tax loss impact grant. The Bill as originally drafted had a complex mechanism in for verifying that the tax loss occurred, and that indeed it would require the Governor, and the Department of Revenue, and a lot of people to signoff on it before this mechanism could kick in. At this point and time, the Department of Revenue had brought to me an Amendment that is now on the Bill that satisfies some questions we could not answer in the Revenue Committee regarding property taxes. So, as the Bill now exists, it only refers to a tax loss impact grant possibility that when certified would only address those taxes of a general nature other than advalorem property taxes, for instance, the utility tax and or the sales tax. I think it's only fair. This community is really up against it at this point. We'll come back when Union Oil

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has rebuilt their facility. But this can happen in any district in the state. This particular event was a tragedy in my district. It could be a tragedy in every district. And I think a particular then follow-up tragedy to the local governments who are so strapped today for dollars and would look to a devise like this that has the protections and mechanisms to prevent abuse by the state government under the Department of Revenue's Amendments. And I would recommend an 'aye' passage, and answer any questions that you might have."

Speaker Greiman: "The Gentleman from Will moves for the passage of House Bill 316, and on that is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by... yes, I'm sorry, Mr. Pangle."

Pangle: "Yes, is my light working up on the board?"

Speaker Greiman: "It is now."

Pangle: "Thank you. It was on for a while. Thank you, Mr. Speaker. I rise in support of this legislation. I know the difficulties that Romeoville is now suffering, and I agree with Representative Davis. It can happen to anyone of us. I think it's a good piece of legislation. It's something that we should have on the books now, and I would certainly applaud a green vote on this legislation."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Is this Pangle? Oh, your light is still on. Did you seek recognition again? Alright. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 111 voting 'aye', 1 voting 'no', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills, Third Reading, Governmental Organization and

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Regulation, appears House Bill 457, Miss Zwick. Is Miss Zwick in the chamber? Mr. Hallock."

Hallock "Yes. Thank you, Mr. Speaker."

Speaker Greiman: "... well, Mr. Hallock, let us call the Bill. Mr. Clerk, call the Bill."

Clerk Leone: "House Bill 457, a Bill for an Act to amend the Uniform Commercial Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Hallock."

Hallock: "Thank you, Mr. Speaker. On behalf of Representative Zwick, who could not be here at this moment, I'd like to present this Bill. It makes a minor change, but a very important one for small businessmen here in our state. Current law in Illinois provides with regard to a bad check that if there is a bad check, the small business owner must not only pay to recover the cost of that check, but also the amount of the check itself. This Bill would make a slight change. It would suggest that the small business owner would still be responsible for the amount of the check, but the bank itself would cover the processing cost. It's a very important Bill to really enhance the small business community in our state. It's supported strongly and promoted by the Illinois Retail Merchants. I urge it to be adopted."

Speaker Greiman: "The Gentleman from Winnebago moves for the passage of House Bill 457, and on that is there any discussion? The Gentleman from Cook, Mr. Harris."

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

Speaker Greiman: "Indicates he will yield for a question."

Harris: "Representative, just perhaps you could help me clear something up in my mind. Why should the bank bear the... the responsibility for collecting any additional fees when they had nothing to do with taking the check, with

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verifying the person's address or telephone number, or anything of that nature? Why should they have now the responsibility for collection of any administrative fees rather than the person or the... the merchant who actually took that check?"

Hallock: "I would say for 2 reasons. First of all, as the drawer party, they should have ultimate responsibility for checks which clear through their bank, because they in fact, have to pay out that amount or receive that amount in certain cases. And secondly, I believe... because this is currently done now with many clients. I think we have a situation in Illinois where the major clients of the huge corporations, the discount houses, and others which are very prominent in our state, probably get favored treatment like this. But the small, small merchant... Many retail merchant members for example who don't have these privileges, and therefore, really have to suffer, because of that. I think the banks do it now, but they do it in only certain situations, and this Bill would urge them to give that same consideration that the big guys get to the small merchants."

Harris: "Yes, you indicated that you thought probably they'd... they did not... the large merchants didn't... were not assessed a charge. I mean is that indeed accurate and you know that to be a fact?"

Hallock: "Yes, there was some major merchants in our state, and I'm not going to site specific names, but there's... some of the major merchants in our state now have this favor treatment from the banks because they're big customers. And I imagine that's just good business sense. But I think we in Illinois are also a state of small businessmen. It's the small business people who provide the jobs in our state, and I believe that this really provides them a real

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incentive to keep doing what they do so well now, and at the very same time, really not hurt the banks at all."

Harris: "Thank you very much."

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

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

Speaker Greiman: "Indicates he will."

Preston: "How many states have a similar provision to this?"

Hallock: "Well, to be honest with you, since this was in fact Representative Zwick's Bill, I can't answer the question."

Preston: "Well, I... I just... let me make this..."

Hallock: "I would say probably those enlightened states would and maybe they do."

Preston: "Well, my... my only concern... I don't think the proposal is a bad one; but, since it amends the Uniform Commercial Code, and that word, 'Uniform', is an important word since it's adopted by all but one state in the United States. And to have this now take Illinois out of the uniform provisions that exist in other states would mean that a bank that is honoring checks in some other state would have to start looking to the laws of the various states to see whether or not they want to honor a check, or they want to be involved in a... in a check cashing program, because the law in this state would be unlike 48 other states in the United States, is that a problem?"

Hallock: "No, you know, I've heard that many states are contemplating this type of action on behalf of the small business people. When I was in law school, some of my favorite courses were on the UCC and security transactions and so on in all the articles. But I'm aware of what you're saying. It's a very valid point. But I believe if we really want to take a step forward, and really enhance

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the small business community in our state especially with the merchants in this Bill. This would make a very slight change, and I think really have a great... tremendous impact on the economy of Illinois."

Preston: "Well, Mr. Speaker, if I could just speak to the Bill."

Speaker Greiman: "Proceed, Sir."

Preston: "I'm a bit concerned that the indirect affect of this kind of legislation may be to hurt the small business climate in Illinois, because it would take the Illinois checks and negotiable instruments a bit outside of the uniform laws that are recognized and adopted in 49 of the 50 states. And the effect of that would be that banks in other states would look... would have to look twice at any negotiable instruments, any checks at least, that come out of the State of Illinois because our laws governing checks and specifically governing bad checks, would be unlike the laws in Indiana, Wisconsin, Michigan and all the other surrounding states with the only exception being Louisiana, which lives in its own... its own world. So, that's a concern. While I think the Sponsor is very well intended in trying to help the small business climate, I fear that this may have the opposite affect."

Hallock: "Well, in speaking to that point, I don't really believe that's..."

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

Hallock: "I was going to answer his question."

Speaker Greiman: "Mr.... you answered his question, he then asked... asked to speak to the Bill. Now, others are asking to... for recognition. The Gentleman from Marion, Mr. Friedrich."

Friedrich: "Well, Mr. Speaker, Members of the House, I think this thing could work in reverse. A lot of small businessmen not only don't have any balance, they're overdrawn much of

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the time and then you expect them to handle these checks, which is... involves a lot of clerical help. It involves mailing the check back and so on. So, what you're going to do, banks will impose a service charge on this type of account, and you're right back to square one. There isn't any Santy Claus in banking either."

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

Young: "Yes, would the Sponsor yield?"

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

Young: "My analysis indicates that the decision on when to charge someone other than the drawer when the charge of the merchant lies with the bank, is that correct?"

Hallock: "Could you repeat the question?"

Young: "Can the bank make the decision as when the retail merchant should've known that the check was bad?"

Hallock: "Yes, we amended the Bill to say that they can in certain cases do that, and of course, they do that now in other cases. Because they have decided themselves to not charge some of the larger customers and to in fact charge the smaller people."

Young: "So, this Bill gives almost unbridled discretion to the bankers to when to charge or not charge the retail merchant, isn't that what it would do?"

Hallock: "No, the Bill seeks to cut back some of that discretion. They have virtually unlimited discretion right now. And the Bill seeks to curtail that somewhat and sides with the small merchants."

Young: "To the Bill, Mr. Speaker."

Speaker Greiman: "Proceed."

Young: "I agree... I agree with some of the past speakers that although this Bill is well intention I think it will have the opposite affect from what the Sponsor intends. It will, in fact, hurt small business more than help small

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business."

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

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

Speaker Greiman: "The Gentleman from St. Clair moves the previous question be put. All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the previous question will now be put. Mr. Hallock to close."

Hallock: "Thank you, Mr. Speaker, Members of the House. I now can see why Representative Zwick isn't here, but I'm still happy to carry this good Bill. Seriously speaking, I do believe this Bill doesn't really have any impact on the UCC because we're not mandating that banks absolutely have to in every case waive this penalty. We're giving them some discretion. So, therefore, I still believe we could be covered by the UCC without having any... any changes in that statute. But at the same time, we are asking the banks to give up very little. We're doing an awful lot for small business. You know, it's really the small business people in our state that make the state as great as it is. This Bill would greatly enhance their possibilities to provide the jobs they provide and still make a profit. I urge it be passed, and I ask for your favorable support."

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

Countryman: "Thank you, Mr. Speaker. No one supports small business more I, but before I got to this Assembly many laws were passed to aid the small businessman in collection of the checks including the right to collect trouble damages and attorneys' fees, and that's were this burden

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should be placed, with the person having the check. The bank in essence will have the \$10 fee, and \$10 is not something you can go collect. You're essentially putting the banks in the business of being collection agents for a fee. And this Bill is not a good Bill."

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

Brookins: "Mr. Speaker, I rise in support of this Bill. As I understand it and as I see it, this will help the small business. When a check is received by the small businessman, the bank charges him and... and charges the customer. This would give him relief, and give him the standards of the same that they give the large businesses. So, I rise in support of this Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. O'Connell, one minute to explain your vote."

O'Connell: "We've heard discussions as to who should have the responsibility to determine what check paying customer is worthy of getting the checks. Let's not forget that the first individual who screens the applicants for the checks are the banks themselves. This society where we depend on our economy and the flow of paper and credit cards, it is the banks that have the opportunity to discern whether an individual is credit worthy or not. The merchants, particularly the small merchants, are really at the mercy in... in many cases of the banks who make the determination whether the individual is credit worthy or not. So, I would suggest that shifting of the burden is... is a legitimate quest in shifting from the merchant to the bank who's got the best opportunity to observe the credit worthiness of the individual."

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

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Rice: "If a check is received in the mail to any business, usually the operation puts it in the daily deposit. The business would not know if the check is good or bad until it's returned. Currently, the small banks are now charging. If there's two banks involved, the first bank charged the writer, then when you get the check back, it's charged to your account too. And I certainly feel that this measure should be supported."

Speaker Greiman: "Mr. Pangle, one minute to explain your vote."

Pangle: "Thank you, Mr. Speaker. I think we're all aware of the fact that if you got \$5, you can almost go to any bank. I know you can in my community, and get a checking account. Plus the fact, even if you don't have \$5, you can walk over to the check counter, pick-up a couple of blank checks and write them. Maybe this would be a deterrent for the banks to spend a little more time on who they... who they issue checking accounts to. So, I'm certainly in favor of this..."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? I'm sorry, Mr. Hastert, one minute to explain your vote."

Hastert: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. You know, I think... common sense issue here. Right now, if somebody comes into a small business and writes a check, the first screen of whether that person is a viable customer is the person behind the cash register. Whether they accept that check or they don't accept the check. I think if we pass this Bill, we take all the proof of prudence away from the business people. You know, I'm probusiness. I'm a small businessman, but I think we're making a mistake if we pass this Bill."

Speaker Greiman: "The Gentleman from Fulton, Mr. Homer, to explain his vote. One minute, Sir."

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Homer: "Thank you, Mr. Speaker and Ladies and Gentlemen. This is certainly a close question. The reason it's a close question is, that the two competing interests, that being the... the merchant who accepted the check as well as the bank upon which the check was written are both innocent parties. And the guilty party is the person who wrote the check, but the problem is... is that the person who wrote the check is often times without funds. There's no funds in the account, and he can't be found in order to make good the check. So, the question is, which of the two innocent people or parties is going to pay? Is it going to be the merchant who took the check, or the bank upon which the check is drawn? I believe that the... the fair vote in this case is in favor of the Bill, and for the very reason that, if an individual goes into a bank to open a bank account, the bank should have some obligation to determine the credit worthiness of that individual before arming him or her with four or eight hundred preprinted checks which that person can then take out among the community and distribute to merchants at will. And I think as between the two that the bank should be responsible, and I think this will... this... this Bill... and a vote for this Bill will make banks think twice before opening such accounts without doing any background check whatsoever on these individuals, and before arming them with all these preprinted checks. So, that they can victimize merchants."

Speaker Greiman: "Mr. Hallock, one minute to explain your vote."

Hallock: "Thank you, Mr. Speaker. Let me reiterate. Under this Bill, the small merchant would still be liable for the bad check and for the amount. That's his responsibility. But all we're asking the banker to do is assume some of the cost for the processing of that bad check. Otherwise, the merchant is get hitting twice for the same check. This

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Bill by the way, as you should know, has passed the Senate and will be coming over here shortly. And obviously, because of that, the Senate has indicated their strong support for this measure."

Speaker Greiman: "Mr. McNamara, one minute to explain your vote."

McNamara: "I think this issue is... is fairly clear if we apply the principle of common sense to it. If you're responsible for that check, and you're in danger of losing money for that check, then you're going to have a hard time in accepting that check. That brings it right down to the retail shop owners. If you can pass that check through to somebody else, then you will accept anybody's check. If you take a look at the small business, the retail operators, most of them say, no checks. This is the reason that it's sort of a common sense effort that we must defeat this particular situation which places the burden of proof on another party that has nothing to do with the transaction. Let's leave the responsibility where the responsibility lies, and let's bring it down to common sense. Thank you."

Speaker Greiman: "Have all voted who wish? Mr. Clerk, take the record. On this question, there are 50 voting 'aye', 54 voting 'no', 11 voting 'present'. And Mr. Hallock asks that the Bill be placed on the Order of Consideration Postponed. On the Order of House Bills Third Reading, Government Organization Regulation, appears House Bill 500. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 500, a Bill for an Act to amend the Criminal Code. Third Reading of the Bill."

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

Cullerton: "Mr. Speaker, I would ask leave to put House Bill 500 on Interim Study."

Speaker Greiman: "The Gentleman asks leave to place the Bill on

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the Order of Interim Study. The Gentleman has leave, there being no objections. On the Order of House Bills Third Reading, appears House Bills... Third Reading... Government Organization Regulation, appears House Bill 618. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 618, a Bill for an Act to amend the School Code. Third Reading of the Bill."

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

Davis: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I guess this is my day for impact grant Bills and for trying to resolve problems in my district that are ongoing, and I would appreciate you listening to this and giving me your 'aye' vote. This Bill provides and has been amended to limit to one school district in the State of Illinois, the school district in the Village of Crest Hill. That is impacted by state owned property by Stateville Penitentiary in 47.3 percent of its total land area is Stateville Penitentiary. Because of that, on that facility at Stateville there is a guard community living in mobil homes who send their children to this school. There is no assessed evaluation to back up those children. There's some 65 to 70 children that go to this school, and the resource equalizer formula for all of its wisdom does not account for this particular problem except on one leg of the formula with the average daily attendance. But there is no... is no equalized assessed evaluation to back up those children. This particular school district was further impacted when GAP closed recently. They are in trouble financially as almost all school districts are, and I suppose the argument would be, well, why don't they consolidate since they are a small district under 500 with the one next to them. And I would simply say to you that if they did that, then they would be impacted almost 25

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percent, because the one next to them is smaller to bring them over 500. The Bill, the tax equivalent grants that this seeks to give, were in loss some 5 years ago, and that threshold was 25 percent of impact this school district would have participated in that process. So, even if it consolidated, it would participate in that process or almost at this point. What we have done is carefully amended the Bill that if the tax equivalent grant for this district was applied for, it would come from the General Revenue Fund, not from the School Code. It would be reduced because the assessed evaluation of Stateville Penitentiary as assessed would then be figured into the formula, and the grant would be reduced by the amount of the resource equalizer formula at that point creating a net affect of some \$150,000 in increase over what the formula would have provided to accomodate those children from the guards units in the mobil homes on Stateville Penitentiary. A companion Bill in the Senate has already passed the Senate and is on its way over here. Representative Van Duyne is my Cosponsor, and understands the problem dramatically. It is a problem. It is isolated to one school district in the state, and I would move for the passage of House Bill 618."

Speaker Greiman: "The Gentleman from Will moves for the passage of House Bill 618, and on that is there any discussion? The Gentleman from Jefferson, Mr. Hicks."

Hicks: "Yes, would the Gentleman yield for a question, please?"

Speaker Greiman: "Indicates he will."

Hicks: "Jack, is this the legislation that last year we worked on together and... at one time, and you had an Amendment on one of my Bills and you withdrew that Amendment?"

Davis: "Yes, it is."

Hicks: "Okay. Fine. To the Bill, Mr. Speaker. I would join

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with the Gentleman in asking you to support this measure. Last year, we had legislation that was similar to this that we impacted on one of the school districts in my District. And through the cooperation of Representative Davis, he took it upon himself to take this Amendment off until it was gotten in the proper form and has waited a year to put it in the proper form, and I would ask you to support his measure."

Speaker Greiman: "The Gentleman from Will, Mr. Van Duyne."

Van Duyne: "Thank you, Mr. Speaker. All I want to do is just say, Amen to the remarks of both previous speakers and ask for your support for the Bill."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 100... Barnes 'aye'. On this question there are 115 voting 'aye', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Government Organization and Regulation, appears House Bill 650. Mr.... Mr. Tate. 650. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 650, a Bill for an Act to create the Illinois Real Estate Times Share Act. Third Reading of the Bill."

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

Tate: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 650 which is sponsored by myself and Representative Homer - Levin and many others is... addresses the issue of the Illinois State Real Estate Time Share Act. It's one of the... time sharing is one of the fastest growing sectors in real estate today, and with this

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gross it has arisen a need for consumer protection legislation. Yet, at the same time, we all should be concerned about over regulating the industry. And, therefore, this legislation has been drafted with many of the different interested parties involved in coming up with a very comprehensive agreed Bill. We believe that House Bill 650 will eliminate misrepresentations, false advertising, high pressure sales and... which sometimes occur during the sale of time shares. The Illinois Association of Realtors believe that now's the time that we're ready to enact a time share Act. I'd be more than happy to respond to any questions, and I move for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Macon has moved for the passage of House Bill 650, and on that is there any discussion? The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you, Mr. Speaker. I just wanted to know if this was the Tom Kirkpatrick Mexican Villa Act, is that the new intention of this? 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', none voting 'no', none voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Government Organization Regulation, appears House Bill 691. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 691, a Bill for an Act to amend Sections of the Unified Code of Corrections. Third Reading of the Bill."

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

Cullerton: "Yes, I would like to ask leave to bring the Bill back to Second Reading for the purpose of..."

Speaker Greiman: "The Gentleman asks leave of the House to bring... return this Bill to the Order of Second Reading for the purpose of an Amendment. Hearing no objections, the Gentleman has leave. Mr. Clerk, are there any Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, on Amendment #2."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Amendment was suggested by the Department of Corrections. It puts a cap on the number of days that can be compensated for at 35,000 days per county, per year. I move for the adoption of Amendment #2."

Speaker Greiman: "The Gentleman from Cook, moves for the adoption of Amendment 2 to House Bill 691, and on that is there any discussion? There being none, the question is, 'Shall the Amendment be adopted?' All in favor say 'yes', opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr. Cullerton, asks leave of the House to waive Rule 37(c) so the Bill may be heard at this time. There being no objection, the Gentleman has leave. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 691, a Bill for an Act to amend the Unified Code of Corrections. Third Reading of the Bill."

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

Cullerton: "Yes. Thank you, Mr. Speaker and Ladies and Gentlemen

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of the House. I think many of us are aware of the problems that the county jails have had throughout the state. A good number of them are having financial problems. I know that in Cook County because of the overcrowding, the court, the Federal Court, has come in in many cases and put a limit as to how many people can be housed there. I understand that Senator Phillip has passed a Bill out of the Senate which allows for an increase in the tax rate for a county jail in DuPage County. There's other problems that exist in overcrowding. This Bill is designed to give a little bit of a break back to the counties throughout the state. What this Bill says is that, from the time that a person is sentenced to the Illinois Department of Corrections and they remain in the county jail awaiting shipment, that the county shall be reimbursed to the... for the amount of up to \$30 a day for the cost of housing and feeding them. And in Amendment #2 we put a cap on that amount. Amendment #1 which was also drafted by the Department of Corrections makes it clear exactly how many the... puts in a definition of a day as a 24 hour period. It allows them to develop procedures for reimbursement. I would be happy to answer any questions, and I would ask for the passage of House Bill 691."

Speaker Greiman: "The Gentleman from Cook, moves for the passage of House Bill 691, is there any discussion? The Gentleman from Fulton, Mr. Homer."

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

Speaker Greiman: "Indicates he will."

Homer: "Representative Cullerton, is it the practice in Cook County that the Department of Corrections routinely comes by and picks up the prisoners that have been sentenced to the Department of Corrections and takes and transports them, or is it the sheriff's responsibility to transport

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them to... to Joliet?"

Cullerton: "You know, I'm really not sure. All I know is that on every Friday is when they're shipped to Joliet to the receiving station, and I'm not sure who pays for the cost, whether it's done by the county or by the state. But in either case, that's not addressed by this Bill."

Homer: "Okay. Well, I know downstate that the way it works is it's pretty much up to the discretion of the local sheriff, and his responsibility to provide the transportation to one of the reception centers that's been assigned to him. And I think they..."

Cullerton: "It's probably the same in Cook County then too. The sheriff probably does it the same way."

Homer: "Right. Right. But..."

Cullerton: "I'm told that the sheriff is the one that transports the prisoners to the county."

Homer: "Right. So... but... So, really it's within the sheriff's control how long the people remain in his custody."

Cullerton: "Right, and so... but the fact of the matter is, that there is a... a crowding problem in the county jails throughout the state. So, it's... it's always in their best interest to... to get these prisoners out of the county jails and to the state prison. The... in order not to encourage people to keep them around the county jail, we put a cap of \$30 per day and a cap per... per year as to how much money could be paid to the county, but..."

Homer: "What's the cap per year? How's that work?"

Cullerton: "Well, it's 35,000 days per county per year which is approximately what the days would be in Cook County right now under the current practice. Cook County has a system. They ship the prisoners every Friday morning, and so if someone is sentenced on a Friday afternoon, they wait there for 7 days. If they're sentenced on a Monday, they wait

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for 4 days, and on down the line. But there's no... I know of no counties that would be planning on keeping prisoners in the county so they can make \$30 a day. That... that's... the \$30 a day is how much it costs. So, that's a break even proposition. There'd be no... no way in which the counties would want to keep people in their county jails in order to make money. That's... that's just not contemplated."

Homer: "I... I... I don't know if that's true or not. I... I know it used in Knox County Representative Hawkinson is from, that they used to charge \$12 a day to neighboring counties for housing their inmates. You know, there are certain fixed costs, and they're variable costs. There variable costs are \$30 a day. I could see where perhaps some county, downstate county, with extra cell space may decide that you know it only costs them really... actually 5, 6, 7, 8 dollars a day to house a prisoner may... may keep that prisoner for a longer period of time in the hopes of building receipts. I don't know if that's going to happen but I just wondered if you'd consider that in your Bill?"

Cullerton: "Well, these are only prisoners who have been sentenced to the Illinois Department of Corrections. Okay? They would've had to have been sentenced already, awaiting shipment. That's who it applies to. So..."

Homer: "No, I appreciate that, but I... I would feel... I would feel more strongly in support of your Bill if, in fact, the problem was the Department of Corrections was dilatory in coming and picking these prisoners up. But you see, it's all in the control of the sheriff as to how long he wants to keep the prisoner. If he wants to take him just the minute the judge says he's going to prison, he can do that, or he can keep him a week, or he can keep him two weeks.

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And I... I... I'm not sure why... how this is going to help with the overcrowding problem in the jails, but that's all I ask."

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

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

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

Hensel: "Yes, Representative Cullerton, are some of these additional costs that the county is being imposed, is that being caused by legislation that I passed in the last Session?"

Cullerton: "I'm not sure exactly what you're referring to."

Hensel: "Well, I think the last Session that we stipulated that some of the offenders were to be held in the county jails because of the state facilities being filled up."

Cullerton: "Oh, you mean... you mean we passed a law that said that they couldn't send misdemeanors to the... to the state jails."

Hensel: "Right. Right. Yes."

Cullerton: "That's... that's one of the reasons why the county jails are overcrowded. Yes."

Hensel: "Right, and that's why there's an additional cost incurred?"

Cullerton: "Well, that's... that's true, yes."

Hensel: "And your Bill will help alleviate that?"

Cullerton: "Right, because the... in those instances where they've been sentenced to the state, but they still stay at the county, the counties would be reimbursed for that amount."

Hensel: "Well, to the Bill then. Last Session when I passed that Bill, I said that the counties were to have additional costs incurred because of it. I would support any legislation would that help alleviate it, and I ask for a

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favorable vote."

Speaker Greiman: "Further discussion? The Gentleman from Knox, Mr. Hawkinson."

Hawkinson: "Thank you, Mr. Speaker. Since Representative Homer referred to our county jail, I will just respond briefly. A couple of years ago in our relatively new county jail we were at a situation where we were able to board federal prisoners and take prisoners from the overcrowded jails in Peoria and elsewhere. But since the General Assembly passed the law that just referred to last Session. Our county jail is now overcrowded, and in fact, we are at the point where we may have to spend money to board prisoners elsewhere. This Bill is one of several Bills offered by the Sheriff's Association in counties to try and give some relief to the counties. I stand in support of it, and urge an 'aye' vote."

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 112 voting 'aye'... 111 voting 'aye', 3 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Special Call, Government Organization... Mr. McAuliffe, for what purpose do you seek recognition?"

McAuliffe: "Mr. Speaker, on a point of personal privilege. A little while ago I left a Coca Cola on my desk here, when I came back it was frozen. Is there any reason that we couldn't warm it up in here a little bit. I talked to four Members yesterday who got sick, and myself I caught a cold here yesterday too. Is there any reason it has to be this

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cold in here, or could we warm it up just a few degrees?"

Speaker Greiman: "Well, Mr. McAuliffe, I'm not sure that the Chair wants to be too comfortable, but we'll check into the temperature control."

McAuliffe: "Thank you very much."

Speaker Greiman: "Yes, the Gentleman from Madison, Mr. McPike."

McPike: "Yes, I don't know what time the Gentleman left, but it was pretty hot in here last night."

Speaker Greiman: "On the Order of House Bills Third Reading, Special, Government Organization, appears House Bill 694. Mr. Clerk, read the.... Oh, I'm sorry. It passed. I'm sorry. 694."

Clerk O'Brien: "House Bill 694, a Bill for an Act to amend Sections of the State Attorneys' Appellate Service Commission Act. Third Reading of the Bill."

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

Cullerton: "Yes, I would ask leave to bring this Bill back to Second Reading for the purpose of Amendment."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, asks leave of the House to return this Bill to the Order of Second Reading for the purpose of Amendment. Hearing no objection, so ordered. Mr. Clerk, are there any Amendments?"

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

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

Cullerton: "Yes, this Amendment was requested by the State's Attorneys' Appellate Service Commission. In which case, if this Amendment is adopted, they indicated they'd would support the Bill. What the Amendment does is to say that the funds to be appropriated pursuant to this Bill shall be appropriated by the Comptroller rather than by the State's

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Attorneys' Appellate Service Commission. So, I move for the adoption of Amendment #1."

Speaker Cullerton: "The Gentleman from Cook, Mr. Cullerton, moves for the passage of House Bill... I mean moves for the adoption of Amendment #1 to House Bill 694, and on that is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted."

Speaker Greiman: "Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. Mr. Cullerton asks leave of the House to suspend Rule 37(c) so that this Bill... Bill maybe held... heard at this time. Hearing no objection, the Gentleman has leave. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 694, a Bill for an Act to amend Sections of the State Comptroller Act. Third Reading of the Bill."

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

Cullerton: "Yes. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. In all the counties in Illinois, except for Cook County, the state pays for two-thirds of the cost of the services provided by the... dealing with the appeal process of the State's Attorney's Office. In Cook County, that is not done. So, the purpose of this Bill is to equalize that situation by saying that money should be appropriated to the county to reimburse them for the cost of those appeals in the appellate section of the State's Attorney's Office. I'd be happy to answer any questions, and ask for your support."

Speaker Greiman: "The Gentleman from Cook, moves for the passage of House Bill 694, and on that is there discussion? The Gentleman from Knox, Mr. Hawkinson."

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

Speaker Greiman: "Indicates he will."

Hawkinson: "Representative, is this reimbursement to Cook County limited to two-thirds of the cost of the... of these appeals, or is this a total reimbursement for the cost of these appeals?"

Cullerton: "Well, it's contemplated that it would be a two-thirds reimbursement, and that would be handled through the appropriation process."

Hawkinson: "But the Bill itself provides just for reimbursement."

Cullerton: "Right, but you know that no money would go unless it was appropriated, and the appropriation for this particular... this Bill is two-thirds of the cost of the State's Attorney's Office."

Hawkinson: "Well, is there some reason... as I understand, the Appellate Service Commission, that by statute is setup as a two-thirds reimbursement. Why not set this up by statute?"

Cullerton: "I would have no objection to doing that."

Hawkinson: "I... I would suggest that that ought to be done perhaps in the Senate with this Bill, and until that time I'd have to vote 'no'."

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

Breslin: "Question of the Sponsor."

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

Breslin: "Representative Cullerton, how much will this cost the state?"

Cullerton: "This Bill will cost the state nothing. There's an appropriation Bill that goes along, which has to pass. If that passes..."

Breslin: "What is the... what is the cost of the appropriation Bill?"

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Cullerton: "Right now, it's at a \$100,000. It's going to be amended to be \$3,000,000, which is two-thirds of the cost."

Breslin: "How many million dollars?"

Cullerton: "Three."

Breslin: "Three million dollars is what this will cost."

Cullerton: "Right."

Breslin: "To the Bill, Mr. Speaker."

Speaker Greiman: "Proceed."

Breslin: "Ladies and Gentlemen of the House, I stand in opposition to this Bill. I think I can safely relate to you that neither the State's Attorney's Office of Cook County, or the State's Attorney's Appellate Service Commission ever requested this Bill. I don't know where it came from, and I don't care. I think it is bad policy, and I think we ought to vote 'no'."

Speaker Greiman: "Further discussion? There being none, Mr. Cullerton, to close."

Cullerton: "Yes, let me clarify something based on the remarks of the last speaker. The Bill came from the product of my mind, and I thought that it was a good policy, because 101 counties get reimbursed, but 1 county does not. The State's Attorney's Office of Cook County does not oppose the Bill, and after Amendment #1 was adopted, the State's Attorney's Appellate Service Commission specifically approves the Bill. Is what was told to me by their... their representatives. So, I hope I've clarified that. I think that this Bill involves basic equity for the County of Cook. I think that once Cook County is reimbursed for these costs which they're now having their own taxpayers pay for, that it's very possible that we would alleviate the need for increasing taxes that frequently is done by the county board in Cook County, and I would ask for your favorable support."

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Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 72 voting 'aye', 36 voting 'no', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, appears House Bill 720. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 720, a Bill for an Act to create the Citizens' Assembly and Citizens' Advocacy Councils. Third Reading of the Bill."

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

Madigan: "Mr. Speaker and Ladies and Gentlemen of the House, this Bill would provide though the creation of a citizens' assembly in the service commissions which were retained after most of the commissions were eliminated. You may recall that by action of the General Assembly, most of the Legislative Study Commissions were eliminated, but there were 7 commissions which survived for 7 months. The function of those commissions will be retained under this legislation, but the budget chair management and oversight will be lodged in the Legislative Services Committee which is chaired by the four legislative leaders. I would heartily recommend an 'aye' vote."

Speaker Greiman: "The Gentleman from Cook, Mr. Madigan, moves for the passage of House Bill 720, and on that is there any discussion? The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I would like to take this opportunity to commend the temporary speaker, Representative Greiman, for all the time and effort that he put in on this particular

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issue. House Bill 720 attempts to address the legitimate concerns of certain major segments of our population, and their interest in having a... a relationship by groups to... to this Body. And I rise in support of this legislation, but more importantly, I think, to commend the temporary speaker for the time and interest that he took in putting this legislation together."

Speaker Greiman: "The Chair thanks you. The Gentleman from McLean, Mr. Ropp."

Ropp: "Thank you, Mr. Speaker. I too want to commend all who have had a part in this. The only question that I would have, and I really feel that we do need some additional groups to do work for the Body. But it appears to me, and I'm not one who is going to say that I think men were left out, but where we specifically have a group just for children and just for women, it would seem to me that it would have been far better if we would've had one for the family, which would encompass both children, both men, and both women. And I would hope that maybe sometime down the road, or at least as we pursue this, that we might consider the needs of the State of Illinois as a family unit, either single or with husband and wife rather than to leave out what I consider a very important part of the family unit, rather than to separate them as we have them today."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 101 voting 'aye', 12 voting 'no', 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Governmental Organization, appears House Bill 807.

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Mr. Clerk, call the Bill."

Clerk O'Brien: "House Bill 807, a Bill for an Act to amend Sections of the Intergovernmental Missing Child Recovery Act. Third Reading of the Bill."

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

Levin: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 807 provides that bulletins describing missing children shall be prepared by the Department of Law Enforcement describing the children, and be provided to the schools of this state. This legislation is another tool in the arsenal of weapons to fight the problem of missing children, and is supported by the Department of Law Enforcement, and was reported out of Committee by a 13 to nothing votes."

Speaker Greiman: "The Gentleman from... The Gentleman from Cook, Mr. Levin, moves for the adopt... the passage of House Bill 807, and on that is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, will the Sponsor yield?"

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

Cullerton: "This would provide for a bulletin in the schools of a list of the missing children."

Levin: "This would provide that the Department of Law Enforcement would prepare bulletins which they're actually... you know they have all the information, and they prepare it now. It would be furnished to the schools through the State Board of Education."

Cullerton: "Well is the thought that... that the missing children are in the schools?"

Levin: "Yes. This would be children believed to be located in the State of Illinois, and while they may have changed... the parent may have changed the name of the child by the description and other circumstances may be able to identify

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that a child who is in fact missing or been abducted is...
is located in the state."

Cullerton: "So, in other words, say a child was kidnapped,
brought to another part of the state, then the kidnapper
enters him in the... into school, changes the name. Then,
there'd be a list of the description of the child so that
they'd... someone might compare the child with the assumed
name with that of the bulletin."

Levin: "Right. And if there's a picture that's available, that
would be..."

Cullerton: "Thank you, Mr. Speaker."

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

Preston: "Thank you, Mr. Speaker and Ladies and Gentlemen of the
House. This is a great Bill. It's such a great concept
that the Department of Law Enforcement has been doing it
for over 2 years, and therefore, there's no reason not to
have another law telling them to do what they've been
doing."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All
those in favor signify by voting 'aye', those opposed vote
'no'. Voting is now open, and this is final action. Have
all voted who wish? Have all voted who wish? Mr. Clerk,
take the record. On this question there are 110 voting
'aye', 1 voting 'no', none voting 'present'. This Bill,
having received the Constitutional Majority, is hereby
declared passed. On the Order of House Bills Third
Reading, Government Organization, appears House Bill 1115.
Oh, I'm sorry, I missed one. On the Order of House Bills
Third Reading, Special Call, Government Organization,
appears House Bill 922. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 922, a Bill for an Act to amend
Sections of the County Executive Act. Third Reading of the

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Bill."

Speaker Greiman: "The Gentleman from Winnebago, Mr. Giorgi."

Giorgi: "Thank you, Mr. Speaker. House Bill 922 permits a county to adopt the elective county executive form of government, and elects not to become a home rule unit the same referendum. It permits elected county executives with the advise and consent of this county board to enter intergovernmental agreements and negotiate for economic development. What we're doing here is, we're allowing a county, after a county resolution or a petition signed by the electorate to allow for a referendum so that counties can elect their chief executive at large, and not adhere to home rule powers, and the Cosponsor of the Bill is Representative Hallock from Winnebago."

Speaker Greiman: "The Gentleman from Winnetago moves for the passage of House Bill 922, 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 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 107 voting 'aye', 3 voting 'no', 1 voting 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Special Call, Governmental Organization, appears House Bill 1115. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1115, a Bill for an Act to amend an Act relating to state colleges and university systems. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. Ask leave to take the Bill back to Second for purposes of Amendments."

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

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of the House to return this Bill to the Order of Second Reading for the purposes of an Amendment. Hearing no objection, it is so ordered. Mr. Clerk, are there any Amendments?"

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

Speaker Greiman: "The Gentleman from Jackson, Mr. Richmond. Mr. Keane. Mr. Keane is going to proceed on that. On Amendment #3, Mr. Keane."

Keane: "I'll handle Amendment #3 for... what happens is the... the Bill deals with indemnification policies. We've already put on the Board of Governors and the Board of Regents. This would just allow Southern Illinois University onto the Bill, and I move the adoption of Amendment #3."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, moves for the pass... for the adoption of Amendment #3 to House Bill 1115, is there any discussion? There being none, the question is, 'Shall Amendment #3 be adopted?' All those in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendment?"

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

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

Cullerton: "Yes, thank you, Mr. Speaker and Ladies and Gentlemen of the House. This adds provisions with regard to statements, acts, or omissions not involving intentional or willful and wanton misconduct. This was suggested I believe at... in discussion with Representative Countryman after we adopted Amendment #1. I believe it's agreed to by the Sponsor of the Bill."

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Speaker Greiman: "Yes, Mr. Keane."

Keane: "Well, excuse me. I have no problem with the Amendment.
I ask for..."

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, moves
for the adoption of Amendment #4 to House Bill 1115. Mr.
Keane."

Keane: "I have no problem with the Amendment. I'll accept it."

Speaker Greiman: "The question is, 'Shall Amendment #4 be
adopted?' All in favor say 'aye', all those opposed 'no'.
In the opinion of the Chair, the 'ayes' have it. Amendment
is adopted. Further Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Cullerton, on
Amendment #5."

Cullerton: "I'd like to withdraw that Amendment, please."

Speaker Greiman: "Amendment #5 is withdrawn. Further
Amendments?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, on
Amendment #6."

Keane: "Thank you. This is just a willful and wanton Amendment
for the Board of Regents. I move its adoption."

Speaker Greiman: "The Gentleman from Keane, moves for the
adoption of Amendment #6, is there any discussion? There
being none, the question is... I'm sorry, the Gentleman
from Knox, Mr. Hawkinson."

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

Speaker Greiman: "Indicates he will."

Hawkinson: "What is a willful and wanton Amendment?"

Keane: "The... probably almost all the Amendments we've been
putting on. But all it does is it says that this is an

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indemnification deal, and on the indemnification it says that the actions of the employee must have been willful and wanton. And those the university has to... it exempts willful. I'm sorry it exempts willful and wanton, and you know the university does not have to defend willful and wanton actions are on the part of employees."

Hawkinson: "I just wanted to clarify that it was an exclusion, and not an inclusion. Thank you."

Keane: "It is an exclusion."

Speaker Greiman: "Further discussion? The Gentleman from Dekalb, Mr. Countryman."

Countryman: "Thank you, Mr. Speaker. Would the Gentleman yield?"

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

Countryman: "Representative Keane, what's the difference between Amendment #6 and Amendment #4?"

Keane: "Alright. I... I... 4 applies to the Board of Regents and the Board of Governors, and 6 applies to Southern Illinois which was added by Amendment 3."

Countryman: "Okay, I... when you talked about #6 you indicated it applied to the Board of Regents, and I knew this Board..."

Keane: "Oh, I was mistaken."

Countryman: "So, both 4 and 6 should go on, is that correct?"

Keane: "Yes, 4 is Board of Governors and Regents, and 6 is Southern."

Countryman: "No problem. Thank you."

Speaker Greiman: "There being no further discussion, the question is, 'Shall Amendment #6 be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment is adopted. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr. Keane, asks leave of the House to suspend Rule 37(c) so

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that this Bill may be heard at this time on the Order of Third Reading. Hearing no objections, the Gentleman has leave. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1115, a Bill for an Act to amend an Act relating to state colleges and university systems. Third Reading of the Bill."

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

Keane: "Thank you, Mr. Speaker. This provides the 3 other boards in higher education. The same powers that the University of Illinois has, or similar powers to the U of I has in defending an indemnifying paid and unpaid workers against claims in civil suits. I'd be happy to answer any questions, and ask for a favorable Roll Call."

Speaker Greiman: "The Gentleman from Cook, Mr. Keane, moves for the passage of House Bill 1115, and on that is there any discussion? The Gentleman from DuPage, Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. I think it's a good Bill too, but I have a couple of questions. Will the Sponsor yield?"

Speaker Greiman: "Proceed."

McCracken: "Would the mere allegation of willful or wanton conduct suffice to deprive the employee of the benefits of this Act? That is if... if the claim of willful or wanton conduct were made as an allegation."

Keane: "No, it's got to be proven."

McCracken: "Well, so then the duty to defend is not dependent upon the allegations of the complaint, only the indemnification or payment of damages based on the finding."

Keane: "That's correct."

McCracken: "Okay. Thank you."

Speaker Greiman: "Further discussion? There being none, the question is, 'Shall this Bill pass?' All those in favor

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signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 115 voting 'aye', none voting 'no', none voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. On page 31 of the Calendar, appears Special Consent Calendar. With respect to Special Consent Calendar, House Bill 1636 has been removed. These Bills have all previously been read this morning for a third time. So that you understand the procedure, we will vote on these at this time on the Order of Third Reading. A Special Consent Calendar vote change form has been passed out to each Member of the House. You have until the hour of 2:00... 2:00 o'clock to return the Special Consent Calendar vote change form to the Clerk indicating any changes that you might have from your vote on the Special Consent Calendar. Yes, there are 2 sides to this form by the way. So, that I wouldn't want you to miss the Bills on the other side. Accordingly, these Bills having previously been read, the question is, 'Shall the Bills on the Special Consent Calendar pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Mr. Harris, for what purpose do you seek recognition?"

Harris: "Thank you, Mr. Speaker. An inquiry of the Chair. Under a normal Consent Calendar, there is a provision whereby Members can take a Bill off of the Consent Calendar. Is there such a provision with this Special Consent Calendar?"

Speaker Greiman: "Well, apparently this was a list made in consultation of both the democratic and republican leadership, and... which has provision for the file... filing of a 'no' or other vote. So, the answer would be,

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not at this time. Mr. Friedrich, for what purpose do you seek recognition?"

Friedrich: "Another question, Mr. Speaker, I've been told that House Bill 1636 has been put on another Order of Business, and would not be included in this, is that true or..."

Speaker Greiman: "That's correct."

Friedrich: "So, 1636 we don't have to mark it one way or the other."

Speaker Greiman: "That's correct."

Friedrich: "Thank you, Sir."

Speaker Greiman: "Alright. So, have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On these Bills, there are 117 voting 'aye', none voting 'no', and none voting 'present'. And the vote will not be declared until after Members have an opportunity to file the Special Consent Calendar form. It is due by 2:00 o'clock. Alright, we return now to page 15 of the Calendar, House Bills Third Reading, Special Call, Government Organization Regulation, on that Order of Business appears, House Bill 1260. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1260, a Bill for an Act in relation to the evaluation of governmental agencies. Third Reading of the Bill."

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

Bullock: "Thank you, Mr. Speaker. I'd like to request leave of the Body to return House Bill 1260 to the Order of Second Reading."

Speaker Greiman: "The Gentleman from Cook, Mr. Bullock, asks leave of the House to return this Bill to the Order of Second Reading for the purpose of Amendment. Hearing no objection, the Gentleman has leave. Mr. Clerk, are there any Amendments with respect to House Bill 1260?"

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

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. Amendment 4 to House Bill 1260 essentially requires Leadership, Speaker, Minority Leader, President of the Senate, Minority Leader to submit a 5 year schedule of agencies, trades and occupations that were reviewed for Sunset within 6 months after this Bill would take affect. This schedule will be submitted to the Governor, to Members of the General Assembly, and to the agencies involved for review and comment. The overall purpose of this Amendment is to establish a plan that is definitive for review under the Sunset Act. I'd urge an 'aye' vote, and request Mr. Speaker a green vote."

Speaker Greiman: "The Gentleman from Cook, moves for the passage of House... moves for the adoption of Amendment #4 to House Bill 1260, and on that is there any discussion? The Gentleman from McLean, Mr. Ropp."

Ropp: "Thank you, Mr. Speaker. Representative, a question, please. In the 5 year plan is it also intended that every agency would be included in that 5 year plan, or is there a possibility that we might get to some agencies for review?"

Bullock: "Representative Ropp, the intent of the Amendment is to insure that all agencies of State Government would, in fact, be reviewed within a 5 year time period. And therefore, all Members of the Legislature and those agencies would know with some specificity the time in which they would up for Sunset."

Ropp: "Good. In other words, you're attempting to allow everybody to be prepared well enough ahead so that they either would not be left out, or would not more chance be reviewed maybe 2 or 3 times before somebody else. So, this is a good... good Amendment."

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Bullock: "That is correct, Representative."

Speaker Greiman: "Further discussion? The Gentleman from Knox,
Mr. Hawkinson."

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

Speaker Greiman: "Indicates he will."

Hawkinson: "Representative, does common cause support this Bill
with this Amendment on it?"

Bullock: "Yes, Representative Hawkinson, they do."

Hawkinson: "Thank you."

Speaker Greiman: "Further discussion? The Gentleman from Adams,
Mr. Mays."

Mays: "Who is going to be reviewing these agencies. What
specific entity within the General Assembly is going to be
doing that?"

Bullock: "Representative Mays, yesterday we adopted Amendment #3,
sponsored by your colleague and mine, Representative
Josephine Oblinger, and that Amendment in affect so
designated the standing Committee or appropriate Committee
of the House of Representatives. For example, there is a
select Committee on Aging which obviously would do the
Department on Aging, and so forth and so on."

Mays: "Do you feel that the appropriations process doesn't give
us ample time for review?"

Bullock: "In the instance of the Sunset Act, Representative, I
would have to say, no."

Mays: "Thank you."

Speaker Greiman: "Further discussion? There being none, the
question is, 'Shall Amendment #4 be adopted?' All in favor
signify by saying 'aye', those opposed 'no'. In the
opinion of the Chair, the 'ayes' have it. The Amendment is
adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr. Bullock, asks leave of the House to waive Rule 37(c) so this Bill may be heard at this time. Hearing no objection, the Gentleman has leave. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1260, a Bill for an Act in relation to the evaluation of governmental agencies and their creation, termination, continuation, and modification. Third Reading of the Bill."

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 1260 as amended on three separate occasions amends the Regulatory Sunset Act, and in this particular instance it provides that the Speaker, Minority Leader of the House, President, Minority Leader of the Senate, would annually determine which agencies will be reviewed. Provides that the appropriate standing Committee with standards to determine which agencies and functions of agencies should be continued or terminated. It also provides for review. A standard for review of Bills proposing new state agencies and functions. It repeals the Regulatory Reform Act of 1979. The Bill would become effective immediately. The Bill was generated by the House State Government Administration and Regulatory Committee... worked cooperatively with the leadership, especially with the Speaker of this House who has a strong interest in this area. And as Representative Hawkinson indicated, common cause is in support of the Bill as amended. Mr. Speaker and Ladies and Gentlemen of the House, I respectfully request an 'aye' vote."

Speaker Greiman: "The Gentleman from Cook, moves for the passage of House Bill 1260, and on that is there any discussion? The Gentleman from Winnebago, Mr. Hallock."

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

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Speaker Greiman: "Indicates that he will."

Hallock: "The common theory about Sunset at least has been instituted in the different State Legislatures across the country in the last five years, has been that unless you have an automatic Sunset clause that you, in essence, will not really be eliminating any agencies or commissions whatsoever. Why do you eliminate that aspect from this Bill... this law?"

Bullock: "Representative Hallock, as is the case now, but has expanded with the... as embodied in 1276. The four leaders of this chamber will meet and will so designate within that five year period of time agencies set for Sunset. And I think that that perhaps is an appropriate way in which to do it. It certainly will bring the Membership closer into the process."

Hallock: "Well, Mr. Speaker and Ladies and Gentlemen of the House, to the Bill, briefly. I strongly believe that if you're going to have a Sunset law which really has... will have any impact whatsoever, that you have to have a automatic termination time table. Although the 4 leaders will do a commendable job I'm sure to ensure that we do, in fact, try to eliminate some unnecessary agencies and laws in our statutes. I think that unless you have an automatic time table as a date... date certain for these abolished... these agencies to be abolished, there... it's really not going to happen. It seems to me over the past few years in which you've had Sunset we have abolished a couple, but without that automatic time table, I don't think we'll abolish any... any at all. I urge that this Bill be defeated."

Speaker Greiman: "Further discussion? There being none, Mr. Bullock to close."

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

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House. Just in rebuttal and in refutation of Representative Hallock's remarks. Representative Hallock, the whole intent of this 5 year period is to do exactly that which you've requested, and in fact, it would be so delineated within that 5 year plan. Ladies and Gentlemen of the House, House Bill 1260 as amended has a broad base of support, both sides of the aisle. And as I indicated earlier, it's supported by common cause. I would urge an 'aye' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 79 voting 'aye', 34 voting 'no', 2 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading, Special Call, Government Organization Regulation, on page 16 of the Calendar, appears House Bill 1265. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1265, a Bill for an Act to amend Sections of the Code of Civil Procedure. Third Reading of the Bill."

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

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. This Bill authorizes the Supreme Court to establish a program for mandatory arbitration in claims under \$15,000. The Supreme Court has indicated an interest in going to an arbitration system in small claims cases in an effort to eliminate the backlog. In Cook County for instance, a personal injury case... a small personal injury case can take anywhere from 5 to 6 years in order to have an award. This system is... a system of arbitration we believe could

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be devised at the direction of the Supreme Court that could significantly limit the amount of time that it would take to have a final disposal in these kinds of cases. The Judiciary Committee considered this Bill. As a consequence of the discussion, a group from the Assembly as well as a group from the Bar Associations and one of the judges traveled to Philadelphia to see the arbitration system that has been setup in Philadelphia and operating since the 1950's. They were... they recently returned. Representative O'Connell and Representative Countryman, were the two Members of this Assembly that attended. I believe that they can tell you that they were significantly impressed with the Philadelphia operation. This Bill is probably not in its final form. We do, however, want to move it forward to the Senate so that we can continue to discuss this, and hopefully bring back something that will be of great benefit to the citizens of Illinois. I would be happy to answer any questions."

Speaker Greiman: "The Gentleman from Cook, Mr. O'Connell. Before Mr. O'Connell proceeds, we noticed that a former... a former staff person is with us in the form of Congressman Durbin. Congressman, welcome to the General... House of Representatives. Mr. O'Connell on House Bill 1265."

O'Connell: "Thank you, Mr. Speaker. I along with Representative Countryman were privileged to be as Members of the House Judiciary I Committee participants in a day long meeting in Philadelphia with the Chief Judge of the Philadelphia Court of Common Pleas. The supervising judge of the arbitrations system and a number of plaintiffs, lawyers and defense lawyers who regularly practice before the arbitration system in the Philadelphia Court of Common Pleas. Along with myself and Representative Countryman, there were representatives from the Chicago Bar Association, the

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Illinois Defense Council, and Judge Agnew from the Judicial Conference. We all went there with an open mind based upon some testimony that was presented at our House Judiciary Committee. We left there very much enthused as to the method in which the Philadelphia system has operated, and encouraged that the possibility strongly exist for such a plan in Illinois, particularly for the Cook County Circuit Court. I as a... not only a practicing attorney in Cook County, but a Member of this body strongly endorse the system to be used in Illinois. We received nothing less than a strong enthusiastic support from the Philadelphia participants. It has cut down time. It has saved Philadelphia millions of dollars. It has made litigants much more satisfied with the proceedings and the outcomes. It has been a benefit to both plaintiff's council and defense council, and it is afforded the citizens of Philadelphia. An efficient, expeditious method to resolve disputes under \$20,000. This system is offering \$15,000 threshold, and I strongly and enthusiastically support the Bill."

Speaker Greiman: "Mr. Countryman."

Countryman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this Bill. I went on the trip to Philadelphia with Representative O'Connell, and I went with a very open mind. I'm a downstate lawyer who's practiced for 15 years and do not... did not believe that we needed an arbitration system in our county. We could get a case to court, and probably still can, within 6 months in our county system. But I was most impressed with what the State of Pennsylvania has done statewide, not only in Philadelphia, but statewide. And I would say to you, Ladies and Gentlemen, that we need to give to the Supreme Court of this state the authority to develop and innovate

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in the area of our judicial system. We have been in the same judicial process almost since the time of formation in this state. Last night, we voted on some important measures, and we debated a review panel in the malpractice legislation. Frankly, I think the review panel was too cumbersome and that debate is over, but I would tell you that what we need to do in other areas of litigation other than malpractice is make it more accessible. We make... need to make it more efficient, process the case... cases in a fairness manner. The arbitrators in Philadelphia were all lawyers. There were 3,500 of them participating in the panels. They were selected at random. They showed up. They did a tremendous job. We had the opportunity to talk to them after they rendered their decisions, or as they made their decisions. It was unbelievable the fairness that this system developed. We also had an opportunity to talk to both the plaintiff's bar and the defendant's bar. Both of whom impressed us that this system worked. It resolved cases. It brought them to the steps of the court house where they resolved the cases. It gave them an assessment as to the valuation of what the cases were worth. If one side was out of line, he learned it at the arbitration proceeding. I believe, Ladies and Gentlemen, that we ought to move ahead, as we have not in the judicial system in this state by voting favorably for this. And I urge all my colleagues on this side of the aisle to so do. I have joined with Representative Breslin and O'Connell as a Cosponsor of this fine piece of legislation. Let's give our Supreme Court the authority to move ahead. Move these cases along, and bring justice to all the citizens of the State of Illinois at less expense. I urge an 'aye' vote. Thank you."

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

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Preston: "Thank you, Mr. Speaker. Will the Lady yield for a question?"

Speaker Greiman: "Indicates that she will."

Preston: "Representative Breslin, could you tell us what is provided for in this Bill, and how the arbitration system would work?"

Breslin: "Representative, as you know, this Bill leaves to the Supreme Court the authority to implement the Act. The Bill merely provides that they may not establish an arbitration system for claims that exceed \$15,000. As I indicated before, I do not believe that this Bill is in its final form. We have talked with the Bar Associations, and with the Judges' Conference, and among ourselves as Members, and we really have decided only to move this Bill forward keeping the door open for further discussion. And we..."

Preston: "What is the position of those organizations on this Bill, now?"

Breslin: "They have agreed to move the Bill forward to the Senate."

Preston: "They have."

Breslin: "Yes."

Preston: "Okay. Thank you."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Have all voted who wish? Have all voted who wish? On this question, there are... Mr. Clerk, take the record. On this question, there are 110 voting 'aye', 1 voting 'no', 1 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. Now, six speakers spoke on a Bill that carried 110 to 1, and it's good. And we should debate these issues, however, we are few... a little short of time. On the Order of House Bills Third Reading, Special

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Call, Government Organization, appears House Bill 1277.
Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1277, a Bill for an Act creating and relating to the state corporation for innovation development. Third reading of the Bill."

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

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1277 is a proposal that creates corporation for innovation development. Actually, this would be a corporation setup from... 5 appointees to run the corporation which comes from the Governor, the legislative leadership, and the directors of the Department of Labor and Commerce and Community Affairs. This corporation will try... attempt to raise funds through venture capitalists to try to stimulate their attention by a tax incentive of up to a maximum of 30 percent. The problem is that we have plenty of venture capitalists in Illinois, and many sources of funds that are very active in the state. That is not the problem. The problem is the funds and investments are leaving Illinois going to the coastal states, and therefore, we are not reaping the total benefits and the cycle of job opportunities, research development and the ripple affect that we could realize. That's what this Bill attempts to do. It's a very new idea that... I believe that... looks like the State of Indiana has adopted, although in some different form. But it's been very successful there, and I think it would be great for small business opportunities for the money to stay in Illinois."

Speaker Greiman: "The Gentleman from Saline has moved for the passage of House Bill 1277, and on that is there any discussion? The Gentleman from Bureau, Mr. Mautino."

Mautino: "Thank you, Mr. Speaker, Ladies and Gentlemen. I'd like

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to explain exactly the posture of 1277, as it came out of the Committee. I have no problem at all with the concept. I support it. It's based primarily on an existing Indiana statute that authorized for the investment provisions for small businesses and innovative programs in high-tech, as well as research and development. Very similar to the financial investment provisions that are now statute in Illinois and probably very similar to the incubator programs that will be addressed in 568, 69 and 70 on the Build Illinois Program. The concept is excellent, I believe, and offers another avenue available for small business entities. But Representative Deuchler, who is the Minority Spokesman in Small Business, had a concern about this Bill and it was originally provided as a vehicle along with the current proposal for any proposals that were presented to us by the NFIB on behalf of their Legislative Director, Phil Callahan. We did take the Bills that were presented to us by the NFIB, since Mr. Callahan was not able and, of course, is still hospitalized, to do that job. 1277 was used as a vehicle in conjunction with the existing proposal. In my recent discussion with Mike Donahue, former Director, says that he had discussed it with some of your staff, Representative Deuchler on the other side of the aisle, and said that they have no other proposals that are to be presented at this time. It is still my opinion that the concept is excellent. The Bill could be used at a later date in the Senate if, in fact, something comes out of the conference that will be held for small business in the state later in September. I do... therefore, I do stand in support for both of those reasons, one, that it is of concern for possible legislation at a later date and number two, it's a good investment provision for the State of Illinois in conjunction with our existing statute.

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Expands the provisions which allow for an income tax investment credit on the investments within that proposal. And I think it's a good Bill besides. So, therefore, I stand in support of 1277."

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

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

Speaker Greiman: "Indicates he will yield for question."

Piel: "Representative Phelps, I've got a couple questions in reference to this. What does this program offer that we don't already have in the programs in the state for small business and bonding?"

Phelps: "Representative, the main feature here that we... we think is the highlight of the Bill is the fact that a tax incentive is offered here, whereas the mechanism that is presently set up with the IDFA only... it offers not a tax incentive."

Piel: "What would the... speaking of tax incentive, what would the tax credits be, let's say over a period of a year, two years, three years?"

Phelps: "Okay, this Bill calls for a 30 percent tax incentive in a three year period and it cannot exceed a five million dollar maximum in a three year period."

Piel: "So, in other words, the tax credits would cost the state approximately five million dollars over three years."

Phelps: "Well, that's true in one form, but we feel that the job opportunities and the business that it would also serve as a catalyst to bring more revenue back, much more than it would lose to the investment or the lack of... loss through the tax incentive."

Piel: "To the Bill, Mr. Speaker. To the Bill, Mr. Speaker."

Speaker Greiman: "Proceed, Mr. Piel."

Piel: "I understand the Gentleman's concern for small business.

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I think we all have this because we are trying to keep business in the State of Illinois, but I definitely have some concerns also when we are sitting here talking about a situation that will, you know, cost the state, you know, five million dollars over the course of three years. We also... We already have many bonding and investment programs. I mean, these programs do give tax credits to small business and it seems like a lot of the... a lot of the wording in here and a lot of the bonding, tax credits, etc., you know, are something that are already offered to business. Seems like it's quite a duplicative Bill when it comes to what it would do for business in Illinois. I would, you know... unfortunately, have to oppose this legislation because I think it's something that where we already have it on the books and it's something we can already take... when I speak about we, I'm talking about the small businesses in Illinois can take advantage of and here is just something else that's going to cost the taxpayers of Illinois about five million dollars. Thank you."

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

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

Speaker Greiman: "Indicates he will yield."

McCracken: "Representative Phelps, by what authority or by what means will the corporation be making these payments? Is it by issuance of bonds or how will they do that?"

Phelps: "This organization will certify eligible requirements that... and I think the discussion in the Small Business Committee was that the bonds... bonding program would add too much to interest hike and, therefore, might hinder the program's intent."

McCracken: "What source of funds will the money that this corporation pays out be paid?"

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Phelps: "Pattern from Indiana setup that we looked at and 90 percent would go back to the investors division of their profit and 20 cent (sic - percent) would be retained for operation and administrative expense of the corporation itself."

McCracken: "Is there any bonding authority in this Bill?"

Phelps: "None."

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

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

Speaker Greiman: "Gentleman from Madison moves the previous question be put. Those in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it and the previous question has been put. Mr. Phelps, to close."

Phelps: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I feel the idea of the State Innovation Corporation Development Act would have very much merit mainly to addressing the issue that I feel is a great void in this State is that the venture capitalist dollars are leaving our state, therefore, we are not realizing the job opportunities that the full cycle of that ripple effect would offer us. And the only way we are going to get those venture capitalist to keep those dollars here in Illinois was to set up some kind of corporate mechanism with... with state guardianship and, therefore, through the tax incentives that we have created here. Thank you very much."

Speaker Greiman: "Question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open and this is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 69 voting 'aye', 45 voting 'no', none voting 'present'. This Bill, having

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received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, it is almost a quarter to two. At 2:00, at 2:00 the Clerk's well will be closed for return of the Special Consent Calendar vote change forms. So, you have fifteen minutes within which to bring them to the well. Thank you. Representative Breslin, in the Chair."

Speaker Breslin: "Ladies and Gentlemen, the next Order of Business will be Special Order Third Reading - State and Local Government. House Bill 604, Representative Ropp. Representative Ropp."

Ropp: "Madam Speaker, I wonder if... I've got two or three other Bills on there. I have had so much attention on this one. Would it be possible maybe to every other time call another Bill that I have so that maybe I could eventually get them all called?"

Speaker Breslin: "We'll think about it, Representative Ropp."

Ropp: "I'll wait on this one to see how you..."

Speaker Breslin: "You want to take this Bill out of the record?"

Ropp: "Please."

Speaker Breslin: "Out of the record. Ladies and Gentlemen, back on the Order of Third Reading, Special Call Government Organization and Regulation, appears House Bill 1279, Representative McPike. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1279, a Bill for an Act to amend the Regional Transportation Authority Act. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, this Bill was introduced as an RTA... a mass transit vehicle. Representative Jack Davis and I are the Sponsor of the Bill. It's our intention to try to negotiate an agreement sometime in the month of June and to put that

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agreement onto this Bill. Unless it's agreed to by both sides of the aisle, the Bill won't be called."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1297, and on that question is there any discussion? There being no discussion, the question is, 'Shall House Bill 1279 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 106 voting 'aye', none voting 'no' and 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1338, Representative Berrios. Clerk, read the Bill."

Clerk Leone: "House Bill 1338, a Bill for an Act to legalize and validate appropriation Bills and tax levy ordinances. Third Reading of the Bill."

Speaker Breslin: "Representative Berrios."

Berrios: "House Bill... Madam Speaker, Members of the House, House Bill 1338 amends an Act validating appropriations and tax levy ordinances for Cook County and Cook County Forest Preserve Districts to validate appropriation and tax levy ordinances for 1963. Current Illinois law provides that... state legalize and validate appropriation and tax levy ordinances of Cook County and Cook County Forest Preserve Districts for the fiscal years. To act as not exempt the County or the Forest Preserve District from any requirements of timely action or proper public notice. They deal only with the requirements for extensive detail on revenues, expenditures and purpose listings. All we are doing is saying that the budget is concise and understandable to the public in order to stop frivolous law suits, and I would ask for a favorable Roll Call."

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

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House Bill 1338 and on that question, the Lady from Cook, Representative Pullen."

Pullen: "Thank you, Madam Speaker. I'd like to ask the Sponsor a couple of questions, please?"

Speaker Breslin: "Representative Berrios will respond... will not respond to any questions. You may speak to the bill, Madam."

Pullen: "Well, I, quite frankly, don't blame him because I'm sure that he probably couldn't answer these questions considering that none of the Sponsors of this Bill previously have ever been able to answer these questions. Had I been able to ask him a question, I would have asked him what the reason was for this, why the Bill is needed, and so far, none of them have ever been able to give me an answer because no one ever tells them why the Bill is needed. See, this Bill is to validate the Cook County Board's appropriation and tax levy ordinance and it also validates the Forest Preserve District's tax levy ordinance. Now, there is a basic fundamental question to ask about that. Why do these ordinances need to be validated? Why do we have to come in after the fact and say, after the fact, that something that was wrong is okay anyway and why only Cook County? Why is it, Madam Speaker and Members of the House, that all the other counties in Illinois have to abide by the state laws concerning the adoption of tax levy and appropriation ordinances, but Cook County does its own thing every year and then comes in here and asks us to say, after the fact, that what they did that was illegal is okay after all? What legal effect does this have for us to do this? The legal effect that it has is to preclude taxpayers in Cook County from protesting their taxes on the basis of an invalid tax levy and appropriation ordinance. Now, I have been curious about what the illegal

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aspect was to these ordinances for a long time. The only thing I have ever been able to find is an indication in an analysis from the other side of the aisle one year that someone slipped to me that indicated that Cook County doesn't like to line item their appropriation and tax levy ordinances in the same detail that the state law calls for and that all the 101 other counties in Illinois do. Maybe that's so that they can transfer appropriations without taking action to do so. Maybe it's so that they can have kind of a general big tax levy period end without having to say what they are really going to use the money for. Whatever their reason is, there would be no purpose at all to validating this ordinance year after year in this House if Cook County would abide by the law to begin with that the 101 other counties of Illinois abide by. It is time to end this unfair practice, this practice that denies the taxpayers the right to protest their taxes. It is time to tell Cook County to clean up its act, to abide by the law that the other counties abide by and appropriate their money in an appropriate fashion. I urge a 'no' vote on this very bad Bill. Thank you."

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

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

Speaker Breslin: "There being no further discussion, the question is... The Gentleman has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the main question is put. Representative Berrios, to close."

Berrios: "I would ask for a favorable Roll Call. Basically what we are saying is we are trying to get rid of the frivolous law suits. We have been doing it since '66 and I would just ask everyone to vote for it."

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Speaker Breslin: "The question is, 'Shall House Bill 1338 pass?'

All those in favor vote 'aye', all those opposed vote 'no'.
Voting is open. The Gentleman from Cook, Representative
Cullerton, one minute to explain your vote."

Cullerton: "Yes, I wanted to comment. Representative Pullen is
correct. I was the Sponsor of this Bill last year and I
didn't know what it did, but I passed it and they told me
it was real important. And I think this is real important
again this year and I think we should pass it. I
understand though, seriously, that the purpose is to
preempt use of some non-substantive procedural objections
as a basis of a suit challenging the tax and that's the
purpose of the Bill, and I don't... I don't know why we
should break our record of ten or fifteen years in a row of
passing it. It was initially started under former Governor
Ogilvie when he was in the County Board. And I would
certainly urge an 'aye' vote."

Speaker Breslin: "Have all voted who wish? Have all voted who
wish? Speaker Madigan, on the question."

Madigan: "Madam Speaker, simply to rise in support of the Bill
and to explain that this is simply a technical Bill which
validates the appropriation Bill and tax levy for Cook
County and the Cook County Forest Preserve District for
1985. This is a perennial Bill which has been here for
every Session that I have served in the General Assembly
and I think that we ought to follow the precedent that we
have established over the years and support the Bill."

Speaker Breslin: "Have all voted who wish? The Clerk will take
the record. On this question, there are 62 voting 'aye',
53 voting 'no' and 1 voting 'present'. And Representative
Pullen requests a verification. Representative Berrios
asks for a Poll of the Absentees. Poll the absentees, Mr.
Clerk. Representative Hartke changes his vote from 'no' to

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'aye'."

Clerk Leone: "Poll of the Absentees. Klemm and Zwick."

Speaker Breslin: "Proceed with the Poll of the Affirmative. Ladies and Gentlemen, would all Members be in their seat and recognize the person polling when your name is called? Representative Leverenz."

Leverenz: "Change me to 'aye'."

Speaker Breslin: "The Gentleman changes his vote from 'no' to 'aye'. There are now 64 voting 'aye', Representative Pullen. Do you persist in your request? Proceed, Mr. Clerk."

Clerk Leone: "Poll of the Affirmative. Alexander. Berrios."

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

Ronan: "Thank you, Madam Speaker. I'd like leave to be verified."

Speaker Breslin: "The Gentleman asks leave to be verified. Does the Gentleman have leave? He does. Proceed. Representative Huff would like the same courtesy. Representative Huff. Proceed, Mr. Clerk."

Clerk Leone: "Berrios. Bowman. Braun. Breslin."

Speaker Breslin: "Representative DeLeo asks leave to be verified, Representative Pullen. The Gentleman has leave. Proceed. Representative McNamara wishes to change his vote from 'no' to 'aye'. There are, therefore, 65 voting 'aye'. Proceed, Mr. Clerk."

Clerk Leone: "Breslin. Brookins. Brunsvold. Bullock. Capparelli. Christensen. Cullerton. Currie. DeJaegme. DeLeo. Dunn. Farley."

Speaker Breslin: "Representative Wyvetter Younge asks leave to be verified, Representative Pullen. Does the Lady have leave? She does. Proceed, Mr. Clerk."

Clerk Leone: "Flinn. Flowers. Giglio. Giorgi. Greiman.

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Hartke. Hicks. Homer. Huff. Keane. Kriska. Kulas.
Laurino. LeFlore. Leverenz. Levin. Matijevich.
Mautino. McAuliffe. McGann. McNamara. McPike. Nash.
O'Connell. Panayotovitch. Pangle. Phelps. Preston. Rea.
Rice. Richmond. Ronan. Saltsman. Satterthwaite. Shaw.
Soliz. Steczko. Stern. Sutker. Terzich. Turner. Van
Duyne. Vitek. Washington. White. Wolf. Anthony Young.
Wyvetter Younge. And Mr. Speaker."

Speaker Breslin: "Representative Bowman asks leave to be
verified, Representative Pullen. The Gentleman has leave.
Representative Curran, for what reason do you rise?"

Curran: "Madam Speaker, I would like to be recorded as 'aye'."

Speaker Breslin: "Change the Gentleman from 'no' to 'aye'. The
following people ask leave to be verified, Representative
Pullen. Representative Flowers, Young, Brookins, Terzich
and Leverenz. The Ladies and Gentlemen have leave. Do you
have any questions of the Affirmative Roll Call?
Representative Pullen."

Pullen: "What is the count, please, Madam Speaker?"

Speaker Breslin: "There are 66 voting 'aye', 49 voting 'no' and 1
voting 'present'."

Pullen: "Thank you. Representative Greiman."

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

Pullen: "Representative Levin."

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

Pullen: "Representative Mautino."

Speaker Breslin: "Representative Mautino. Is the Gentleman in
the chamber. He is."

Pullen: "Representative Mulcahey."

Speaker Breslin: "Representative Mulcahey. The Gentleman is
voting 'no'."

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Pullen: "Representative McPike."

Speaker Breslin: "Representative McPike is in the...
Representative Greiman has returned to the chamber.
Representative McPike is at his seat."

Pullen: "Representative Nash."

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

Pullen: "Representative Richmond."

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

Pullen: "Representative Satterthwaite."

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

Pullen: "Representative Turner."

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

Pullen: "Representative Van Duyne."

Speaker Breslin: "Representative Van Duyne is in his chair."

Pullen: "Representative Giglio."

Speaker Breslin: "Representative Giglio is by his seat."

Pullen: "Okay. Representative Christensen."

Speaker Breslin: "Representative Christensen is in his seat."

Pullen: "Representative Laurino."

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

Pullen: "Representative Currie."

Speaker Breslin: "Representative Currie is in her seat."

Pullen: "It's rather difficult to see with so many people in the
aisle, Madam Speaker. Representative Wolf. I see him.
Never mind."

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

Pullen: "No further questions."

Speaker Breslin: "Mr. Clerk, what is the count? Representative
Mautino wishes to change his vote from 'aye' to 'no'.
There are, therefore, 63 voting 'aye', 50 voting 'no' and 1
voting 'present'. And the Bill, having reached its
Constitutional Majority, is hereby declared passed. House

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Bill 1478, Representative LeFlore. Clerk, read the Bill."

Clerk Leone: "House Bill 1478, a Bill for an Act to add Sections to the Illinois Act on Aging. Third Reading of the Bill."

Speaker Breslin: "Representative LeFlore."

LeFlore: "Thank you, Madam Chairman, Ladies and Gentlemen of the House. House Bill 1478 prohibits the Department of Aging from contracting for services with entities that do not offer accident and health insurance to employees who work at least 30 hours a week. I find that this Bill is needed because these people who are allowed to make... work only 30 hours a week are paid minimum wages and they do not have any other benefits coming in. In the event that these individuals become ill and have to be hospitalized, they will have to revert back to public aid and they will be a burden to the state and the state will have to pick up their hospitalization. So, I will ask for a favorable vote on this needed Bill. Thank you."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1478, and on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 1478 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 114 voting 'aye', 1 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1547. Clerk, read the Bill."

Clerk Leone: "House Bill 1547, a Bill for an Act to amend Sections of an Act to revise the law in relationship to counties. Third Reading of the Bill."

Speaker Breslin: "Representative Alexander."

Alexander: "Thank you, Madam Speaker. I'd like to move this back

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by leave of the Body to Second Reading for the purpose of an Amendment."

Speaker Breslin: "Representative Alexander."

Alexander: "Yes, I'd like to move this Bill back to Second for the purpose of..."

Speaker Breslin: "The Lady asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does the Lady have leave? Hearing no objections, the Lady has leave. The Bill is on Second Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1547, which amends an Act to revise the law in relationship to counties. Amendment #1, Cullerton - Steczo, amends House Bill 1547."

Speaker Breslin: "Representative Cullerton."

Cullerton: "Yes, thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #1 attempts to tax transfers of beneficial interest in land trusts in the same manner as other transfers of real property are done. This Amendment is designed to plug a loophole in the law. I would move for the adoption of Amendment #1."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 1547, and on that question, is there any discussion? There being no discussion... the Gentleman from DuPage, Representative McCracken, wishes to discuss it. Proceed, Representative McCracken."

McCracken: "Thank you. Will the Sponsor yield?"

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

McCracken: "This is so that these transactions will be picked up for purposes of city and county transfer tax, real estate transfer declaration taxes?"

Cullerton: "This Amendment is for the purpose of county transfer tax. Amendment #3 is for city transfer tax."

McCracken: "Okay. Is there any estimate on the value of this to

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Cook County? I mean how... how many land trusts are used for this purpose? Does anyone have any idea?"

Cullerton: "I don't believe that the Bill only effects Cook County. I may be wrong. I'll have to double check that."

McCracken: "No, no, I'm not saying that, but I'm, you know, curious."

Cullerton: "Oh, no, I don't have any idea."

McCracken: "Okay. Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #1 to House Bill 1547 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Amendment #2, Cullerton - Steczo, amends House Bill."

Speaker Breslin: "Representative Cullerton.."

Cullerton: "Alright, and this is just a technical Amendment which corrects a mistake that was made in Amendment #..."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 1547, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 to House Bill 1547 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Alexander - Cullerton."

Speaker Breslin: "Representative Alexander."

Alexander: "Thank you, Madam Speaker. Amendment #3 merely says that the recorder of deeds may not accept any instrument for filing under this Act if the revenue stamps are not purchased under the Real Estate Transfer Tax Act."

Speaker Breslin: "The Lady has moved for the adoption of

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Amendment #3 to House Bill 1547, and on that question, the Gentleman from DeWitt, Representative Vinson."

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

Speaker Breslin: "The Lady will yield for a question."

Vinson: "Representative, I didn't catch the description. Would you explain to me again what it does?"

Alexander: "... document under the Act... I mean under Amendment 1 and 2 that has not... does not have the municipal real estate tax stamps on them, the recorder of deeds may not file that instrument until those taxes... I mean those stamps are affixed."

Vinson: "Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #3 to House Bill 1547 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. The Lady now asks leave for immediate consideration of House Bill 1547 as amended on Third Reading. Are there any objections? The Gentleman from DeWitt, Representative Vinson."

Vinson: "I'm sorry. I don't wish to be recognized at this point, Madam Speaker."

Speaker Breslin: "I'm sorry, Representative Vinson, what did you say?"

Vinson: "I don't wish to be recognized at this time."

Speaker Breslin: "Very good. This Bill... Hearing no objections, this Bill will be heard on Third Reading immediately. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1547, a Bill for an Act to revise the law in relationship to counties. Third Reading of the Bill."

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Speaker Breslin: "Before we do that, Ladies and Gentlemen, I want you to know that the Clerk will not be accepting any more votes on the Consent Calendar. So that the hour of 2:00 has passed, so if you were going to get them in, it should have been in a few minutes ago or immediately. Representative Alexander, on 1547."

Alexander: "Thank you, Madam Speaker. I only ask for a favorable Roll Call on House Bill 1547 as amended."

Speaker Braslin: "The Lady has moved for the passage of House Bill 1547, and on that question, the Gentleman from DuPage, Representative McCracken."

McCracken: "Thank you, Ladies and Gentlemen. Those of you familiar with Illinois land trust law know that the beneficial interest created in a land trust is personal property for all purposes under the law. This Bill would seek to tax as real property transfers that transfer of beneficial interest. Now, let me tell you how it works. A land trust is created, title is put into the trust. The beneficial interest is left with the beneficiary. That could be you, that could be a corporation. That could be you and your wife jointly. You could give it... have your children as the beneficiaries. It is held, for all purposes under Illinois law, to be personal property. What this Bill now seeks to do is to develop some new revenue and I grant you it applies state-wide, but the primary significance is Chicago and Cook County, it would tax, for all purposes, beneficial transfers. Now, these beneficial transfers in some respects do resemble sales of real estate, but they don't have to for all purposes. This Bill does not discriminate between a transfer of a beneficial interest which does not result in rights of possession. For example, you could transfer some of the beneficial interest. You could transfer some of the beneficial

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interest for a limited purpose. You could transfer some of the beneficial interest to various persons for various limited interests. And the point of the Illinois land trust law is to discriminate between title to real property and the interest therein and make that personal property. That discrimination is avoided with this Act and it is a new source of tax revenue for Cook County and the City of Chicago and I urge its defeat."

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

Madigan: "Madam Speaker, I rise in support of the Bill. Mr. McCracken delivered a very accurate legal description of this Bill. In a sense it will constitute an increase in revenue for Cook County, all of Cook County and the City of Chicago, but I think everybody should understand the exact source of that new revenue because the vast majority of the new money collected will be from those very large commercial office structures in downtown Chicago and on the near north side of Chicago because it has become common practice for those large high rise office structures, when transferring title simply to assign the beneficial interest so that the information relative to sales price will not be readily available to the Assessor of Cook County. So, as you consider your vote on this question, yes, in all likelihood, this will constitute new revenue for Cook County, but it will not come from the small home owner. It will come from some very large syndicator who is based all over the country and who, by chance, owns a high rise commercial office structure on North Michigan Avenue, such as Water Tower Place. Thank you."

Speaker Breslin: "There being no further discussion, the question is, 'Shall House Bill 1547 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This

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is final action. Have all voted who wish? The Clerk...
Have all voted who wish? The Clerk will take the record.
On this question, there are 68 voting 'aye', 32 voting 'no'
and 9 voting 'present'. This Bill, having received the
Constitutional Majority, is hereby declared passed. Ladies
and Gentlemen, changing the Order of Business, we will now
go to the Order of House Bills Second Reading - Build
Illinois. It appears on page 25 on your Calendar. We will
be calling these Bills on Second Reading and then hopefully
going immediately to Third Reading. The first Bill on this
Order of Call is House Bill 567, Representative Daniels.
Clerk, read the Bill."

Clerk Leone: "House Bill 567, a Bill for an Act to amend the
Illinois Housing Development Act. Second Reading of the
Bill. No Committee Amendments."

Speaker Breslin: "Ladies and Gentlemen, again, we are on the
Order of House Bills Second Reading Build Illinois. We are
proposing to hear the Amendments on the Bills on Second
Reading and the Amendments to these Bills and hopefully to
go then directly to passage on these Bills. So, get all of
your papers together. The first Bill that has been called
is House Bill 567. Mr. Clerk, are there any Motions
filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #1, Cullerton - Bullock, amends
House Bill 567, on page one and so forth."

Speaker Breslin: "Representative Cullerton. Representative
Cullerton."

Cullerton: "Thank you, Madam Speaker and Ladies and Gentlemen of
the House. This is a very simple Amendment to explain.
The Illinois Development Housing Authority is, in many
places in the state..."

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Speaker Breslin: "Excuse me, Representative Cullerton.
Representative Daniels, for what reason..."

Cullerton: "I want to explain it. I don't..."

Speaker Breslin: "For what reason do you seek recognition, Sir?"

Daniels: "Point of Order. I'd just like to inquire whether or
not this Amendment is germane."

Speaker Breslin: "We will look at the Amendment. Representative
Cullerton, you can explain it while we look at the
Amendment. I haven't looked at it, Sir. Representative
Cullerton, you can proceed to discuss the Amendment while
we look at it."

Cullerton: "Yes, the... the Illinois Development and Housing
Authority is a very... in most places in the state, a very
popular agency because it puts new housing up and
rehabilitates old housing. And it's popular in many
projects that they have done in my particular district.
However, in some specific projects throughout the City of
Chicago, because of density problems, the IHDA sponsored
projections have not been popular. All this Amendment
says, and if it's not germane, I'd be very surprised
because it amends the Illinois Development Housing
Authority Act with regard to the projects that they are
going to use with the billion dollars we are going to give
them for Build Illinois. It says that in Chicago that the
Illinois Housing Development Authority simply goes to the
Chicago Title and Trust Company, they give them a hundred
dollars, they get a list of all the people who live within
250 feet of a proposed project. They mail them a notice
that the project is going to go up and they have complied
with this Amendment. That's all the Amendment does. It
gives notice to people of an impending project that's going
to be sponsored by IHDA. So, I would be happy to answer
any questions and I would appreciate your favorable vote on

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the Amendment."

Speaker Breslin: "Representative Vilson... Representative Daniels, in response to your inquiry, the Chair rules that the Amendment is germane. And the Gentleman has moved for adoption of Amendment #1 to House Bill 567, and on that question, the Gentleman from DuPage, Representative Daniels."

Daniels: "Ladies and Gentlemen of the House, what we are talking about in the Bill, and it's of course quite fascinating that the Chair has ruled that it's germane because the Bill itself only increases the bonding authority of IHDA by a billion dollars, doesn't refer anything to aldermen in the City of Chicago or notices in the City of Chicago and if the Gentleman has an interest in that area, he should probably use another piece of legislation. But the Chair has ruled, I'm not surprised, and I would only request that you defeat this Amendment because it really is not germane, does not deal with the subject matter and consequently, I oppose it."

Speaker Breslin: "Gentleman from Cook, Representative Levin."

Levin: "I would rise in support of Amendment #1. I think that the Illinois Housing Development Authority has improved greatly as far as relating to the communities in Chicago, but we still have some problems which I think this Amendment would help to overcome in terms of involving the community in any of the IHDA projects. People should certainly know about the projects. IHDA, you know, should be going out into the community. We had legislation a couple years ago which I sponsored that passed to provide for accelerated notification and I think this is a good Amendment and deserves to be adopted so that we really involve all of the communities in the City of Chicago in any of these what I think are usually pretty good

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projects."

Speaker Breslin: "The question is, 'Shall Amendment #1 to House Bill 567... Representative Cullerton, do you wish to close? He does. Representative Cullerton."

Cullerton: "Yes, let me just make it... explain the Bill... the Amendment one more time. It only applies to Chicago. It says that anyone who lives within 250 feet of a proposed development shall receive in the mail, regular mail, a letter from the Illinois Housing Development Authority, giving them notice they are considering the feasibility of a project in their neighborhood. And that's all it does. It doesn't say they can't build it. It doesn't say they have a right to anything other than the notice, the knowledge that the project is going to go up and I would be... I'd point out to you that the reason for the Amendment is that in high density areas in Chicago there are some people that don't want to have some of these projects and this just puts them on notice that the project is being proposed. So, I would ask for a favorable vote or Roll Call."

Speaker Breslin: "The Gentleman has moved for the adoption. The question is, 'Shall Amendment #1 to House Bill 567 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #2, Young, amends House Bill 567."

Speaker Breslin: "Representative Young, Tony Young."

Young: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. As we know, House Bill 567 increases IHDA's bonding authority."

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

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Daniels: "Inquiry of the Chair."

Speaker Breslin: "State your inquiry."

Daniels: "How many Amendments are filed on this Bill?"

Speaker Breslin: "Mr. Clerk, can you tell us? There are ten Amendment filed on the Bill, Sir."

Daniels: "Madam Speaker, I'll accept all the Amendments."

Speaker Breslin: "The Sponsor has indicated that he wishes to accept all of the Amendments. I don't think that changes the procedure, however, Representative Daniels, but Representative Young, if you could keep your remarks as short as possible, we will try to be as fast as possible."

Young: "The Sponsor has agreed to accept the Amendment and I urge your 'aye' vote. Thank you."

Speaker Breslin: "The Gentleman from... the Gentleman has moved for the adoption of Amendment #2 to House Bill 567, and on that question, the Gentleman from Madison, Representative McPike. He does not wish to speak. The Gentleman from Will, Representative Van Duyne."

Van Duyne: "Yes, Madam Speaker, if the Sponsor is willing to accept all the Amendments, is it possible to have leave of the Body to take them all in one Roll Call?"

Speaker Breslin: "I think some of the Amendments have to be withdrawn, Sir, so we would like to go through them one by one. The question is, 'Shall Amendment #2 to House Bill 567 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Wyvetter Youngue."

Speaker Breslin: "Representative Wyvetter Youngue, as quickly as possible, Ma'am."

Youngue: "Yes, Madam Speaker, may I withdraw Amendment #3?"

Speaker Breslin: "The Lady withdraws Amendment #3. Are there any

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further Amendments?"

Clerk Leone: "Floor Amendment #4, Wyvetter Younger."

Speaker Breslin: "Representative Younger."

Younger: "Thank you, Madam Speaker. Amendment #4 would require the Illinois Housing Development Authority to formulate a plan which would indicate what steps it would take to build low and moderate income houses."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #4 to House Bill 567, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #4 to House Bill 567 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #5, Wyvetter Younger."

Speaker Breslin: "Representative Younger."

Younger: "Amendment #5 would require that five percent of the principle average sum be used for construction..."

Speaker Breslin: "The Lady has moved for the adoption of Amendment #5 to House Bill 567, and on that question is there any discussion? There being no discussion, the question is, 'Shall Amendment #5 to House Bill 567 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Amendment #6, Wyvetter Younger."

Speaker Breslin: "Representative Younger."

Younger: "The Amendment #6 would require the establishment of offices in various places in southwestern, southeastern and central Illinois."

Speaker Breslin: "Representative Younger, how many Amendments do

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you have?"

Younge: "Just two more."

Speaker Breslin: "Okay. We would recommend that you take House... Amendment #5, 6 and 7 on one Roll Call. Is that acceptable?"

Younge: "And 8."

Speaker Breslin: "And 8. Amendment #5, 6, 7 and 8. The Lady moves for the adoption of Amendments #5, 6, 7 and 8 to House Bill 567, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendments #5, 6, 7 and 8 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 Amendments are adopted. Are there any further Amendments?"

Clerk Leone: "Amendment #9, Anthony Young, amends House Bill 567."

Speaker Breslin: "Who was the Sponsor again, Sir?"

Clerk Leone: "Anthony Young."

Speaker Breslin: "Representative Young."

Young: "Move to withdraw Amendment #9."

Speaker Breslin: "The Gentleman withdraws Amendment #9. Are there any further Amendments?"

Clerk Leone: "Amendment #10, Anthony Young."

Speaker Breslin: "Representative Young."

Young: "I move to... the Body to accept Amendment #10."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #10 to House Bill 567, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #10 to House Bill 567 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?"

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Clerk Leone: "No further Amendments."

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

Younger: "Madam Speaker, I move to table Amendment #7."

Speaker Breslin: "The Lady moves to table Amendment #7, and on that question is there any discussion? There being no discussion, the question is, 'Shall Amendment #7 be tabled?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is tabled. Are there any further Motions or Amendments, Mr. Clerk?"

Clerk Leone: "No further Motions or Amendments?"

Speaker Breslin: "Third Reading. Representative Daniels now asks for immediate consideration to hear House Bill 567 as amended on Third Reading. Is there any objection? Hearing no objection, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 567, a Bill for an Act to amend the Illinois Housing Development Act. Third Reading of the Bill."

Speaker Breslin: "Representative Daniels."

Daniels: "Madam Speaker, Ladies and Gentlemen of the House, House Bill 567 raises the Illinois Housing Development Authority bond authorization by one billion dollars to 2.7 billion to fund the Build Illinois housing programs. The Amendments that you just adopted to this Bill include Amendment #1, involving an area in Chicago, sponsored by Representative Cullerton, and several other Amendments sponsored by other individuals which go to the matter of dealing with methods in which the funds are handed out. I would request your favorable support of this Bill and at the same time would like to advise you that this is one in a package of four Bills, 567, 568, 569, 570, commonly referred to as the

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Build Illinois Program. In the process of moving this along, all Members of the House have been told and advised that there will be several points of negotiation dealing with the very important build Illinois subject and this is an effort to move this process along, to give each and every Legislator an opportunity to participate in the very important Build Illinois Program. I ask your favorable support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 567, and on that question, the Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. Regrettably, I stand in opposition to the passage of House Bill 567. For those of us in the downstate area on both sides of the political aisle, I'm sure you are aware of the disenchantment by the local citizenry as well as the financial institutions as it pertains to the series a and series b low affordable mortgage... home mortgage program that has been initiated by this agency. The fact of the matter is that less than ten percent of those applicant who have had... been authorized for funding proposals in both January and June of this year have yet to really get culmination of those projects. I know very few of the programs that are instituted for downstate Illinois. Now, I know full well the importance of the bonding program for housing in the major metropolitan areas, but I think it is rather folly to provide 1.2 billion dollars in additional bonding authorization when, in fact, there is opposition to the administration and the fulfillment of the affordable mortgage programs that are supposed to be available to those first time home buyers in all parts of this state. My objection to providing this mechanism is one strictly on administrative matter and the fact that the whole State of

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Illinois is not sharing equally in a program that is designated as Build Illinois. Therefore, I stand in opposition to 567."

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

Flinn: "Well, Madam Speaker, Representative Mautino voiced some of my concerns about the whole program and I know that we were all offered the opportunity to offer Amendments and I know that we are probably going to be offered the opportunity to vote up or down on the tax to support it, depending on whether our Amendments are accepted. Why I have offered no Amendments, I believe for a good many people, residents of this state, that this is going to be a cruel hoax upon them, that they are being promised by some of their Representatives that they will get something and all too often, it's going to be nothing but a hollow promise in this case. And I would like, before I sit down, to remind those of you who are basking in the sunshine of glory that you are going to have to vote for the tax increase on this or you won't get it anyway. I'm going to vote against both this program, all the others and the tax increase."

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

DeJaegher: "Thank you, Madam Speaker and I guess I'm directing this to the Minority Leader, Mr. Daniels. I feel that... I realize what the intent is and know what the intent is and I think something like this is a necessity, but I don't think that this Department itself has looked to the problems of downstate. I know that we have 31 loans pending for assistance from that particular department. Perhaps you are not knowledgeable of it that we are in a declining area due to the lack of production of agriculture

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equipment which was our prime sources. And it makes it very difficult for that particular agency, but I don't think it should be that difficult to basically quickly reject those people that apply for loans for building purposes in those areas. These people go to this particular organization hoping that they can acquire funds for building, but they are turned down for the reason of the declining atmosphere in that particular locale. That's one of the problems I have and why I can't be totally supportive of the program. The second is that right across the river, which is Davenport, Iowa, Davenport, Iowa usually issues somewhere in the neighborhood of \$40,000,000 worth where basically we only had about \$4,000,000. It makes it awful difficult for residents of that particular area to stay in the State of Illinois and not make themselves available to them loans in the State of Iowa. Thank you."

Speaker Breslin: "There being no further discussion, the Gentleman from DuPage, Representative Daniels, to close."

Daniels: "As stated before, this raises the Illinois Housing Development Authority's bond authorization. These bonds, when issued, would be paid off through mortgage payments that allow people to build and construct the very necessary homes. And I think some of the concerns raised were legitimate concerns and I think this will help address them. I'd ask for your favorable support."

Speaker Breslin: "The question is, 'Shall House Bill 567 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 83 voting 'aye', 18 voting 'no' and 10 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared

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passed. House Bill 568, Representative Daniels. Clerk,
read the Bill."

Clerk Leone: "House Bill 568, a Bill for an Act to create the
Build Illinois Bond Act. Second Reading of the Bill.
Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Anthony Young - Huff, amends
House Bill 568 as amended."

Speaker Breslin: "Mr. Clerk, the board should read Second
Reading. An Amendment has been proposed by Representative
Anthony Young. Mr. Young."

Young: "Okay, thank you, Madam Speaker, Ladies and Gentlemen of
the House, what Amendment #2 to House Bill 568 does is it
deletes all the language from the previous year regarding
the Chicago World's Fair. It's not that we are against the
world's fair, it's just that we wish not to have it hidden
anywhere in Build Illinois language."

Speaker Breslin: "The Gentleman has moved for the adoption of
Amendment #2 to House Bill 568, and on that question, is
there any discussion? There being no discussion, the
question is, 'Shall Amendment #2 to House Bill 568 be
adopted?' All those in favor say 'aye', all those opposed
say 'nay'. In the opinion of the Chair, the 'ayes' have it
and the Amendment is adopted. Are there any further
Amendments?"

Clerk Leone: "Floor Amendment #3, Anthony Young."

Speaker Breslin: "Representative Young."

Young: "We withdraw Amendment #3."

Speaker Breslin: "Withdraw Amendment #3. Are there any further
Amendments?"

Clerk Leone: "Floor Amendment #4, Anthony Young."

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Speaker Breslin: "Representative Young."

Young: "Withdraw Amendment #4."

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

Clerk Leone: "Floor Amendment #5."

Speaker Breslin: "Representative Young."

Young: "Move the Body to accept Amendment #5."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #5 to House Bill 568, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #5 to House Bill 568 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayess' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #6, Madigan, amends House Bill 568."

Speaker Breslin: "Representative Madigan."

Madigan: "This Amendment would make certain changes to the bond Act. We had authorizations for programs added to Build Illinois by Amendment #13 to House Bill 570."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #6 to House Bill 568, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #6 to House Bill 568 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Amendment #7, Anthony Young."

Speaker Breslin: "Representative Young."

Young: "Thank you, Madam Speaker. We move for the adoption of Amendment #7."

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Speaker Breslin: "The Gentleman moves for the adoption of Amendment #7 to House Bill 568, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #7 to House Bill 568 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Daniels now asks leave for immediate consideration to hear House Bill 568 on Third Reading as amended. Are there any objections? Hearing no objections, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 568, a Bill for an Act creating the Build Illinois Bond Act. Third Reading of the Bill."

Speaker Breslin: "Representative Daniels."

Daniels: "House Bill 568 as amended creates the Illinois Bond Act."

Speaker Breslin: "The Gentleman has moved for the adoption of House Bill 568, and on that question, the Gentleman from Bureau, Representative Mautino."

Mautino: "Thank you, Maqam Chairman. Would the Gentleman yield?"

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

Mautino: "Representative Daniels, last Session, when we implemented a tourism fund and provided for a state program based upon House Bill 1893, which was the World's Fair, we set up a priority list for funding mechanisms within our financial aid package. In that list was... in order of priorities, if I remember correctly, McCormick Place, number one, DCCA, advertising, tourism, the state program for all of the parks, recreational area, conservation areas in the state, with a priority list of projects. In this

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proposal of yours, are you changing the priority list and changing that list to McCormick Place and then the Build Illinois fund and moving that priority list one or two steps back where we established it last Session?"

Daniels: "No."

Mautino: "What are you doing then? I noticed you have a Build Illinois Fund."

Daniels: "I'm creating the Illinois Bond Act."

Mautino: "Well, within 586... or excuse me, 563, there is established funding mechanisms now."

Daniels: "As filed."

Mautino: "Where does your Build Illinois Fund fall in that priority list? The number one, as I see it, in priority, is the funding for McCormick Place. And then does your bond fund come into play before the conservation, outdoor recreation..."

Daniels: "No, no."

Mautino: "How does that work? Well, explain it to me, please."

Daniels: "Well, there is nothing to explain, Sir. The other Chief Sponsor of this legislation who is on your left, the Speaker of the House, amended the Bill, as you know, and the Amendment took all that out, which I'm sure that now you will be able to join in supporting this Bill."

Mautino: "I may have missed that Amendment. What Amendment was it?"

Daniels: "Number 6, Sir."

Mautino: "So, therefore, there is basically no fund at this time, right?"

Daniels: "He heard you."

Mautino: "I don't know if the ones you're talking to my left or not. I've got Steve... up to my left. This is... opposite my right hand is my left hand. That's Steve... over here."

Daniels: "Alright, I... I'm sorry. The Gentleman Speaker of the

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House is the Chief Sponsor of the Bill with me and his Amendment, which the House adopted, just basically deletes the provisions you were talking about and what we have now is House Bill 568 creates the Illinois Bond Act."

Mautino: "Okay, I didn't see Amendment #6. I apologize for that."

Daniels: "I understand. I understand your concern and that's why I'm sure that Speaker Madigan introduced that Amendment."

Mautino: "I'm sure it will be addressed along the way somewhere, in a Conference Committee or somewhere else."

Daniels: "It will be a summit meeting and the summit will be attended by the Trial Lawyers, the Bar Association and others."

Mautino: "Well, Mr. Minority Leader, after watching how some of these agreements and summit meetings occur, I get rather concerned about things being changed immediately and then being addressed in a so-called summit. And I'm sure you'll understand why."

Daniels: "You'll be part of it. Yeah, I... I do."

Speaker Breslin: "Gentlemen, Gentlemen, we don't need a dialogue. The Gentleman from Cook, Representative Keane, on the question."

Keane: "Thank you, Madam Speaker. I voted in Committee to get these Bills out on the floor because I think they are important and deserve a full debate. I'm very concerned with the bonding system that we are beginning to use. What we are doing is we are taking a revenue source and we are dedicating it to pay off bonds that we are selling. We are saying these are not GO bonds, nor are they revenue bonds. We can, in fact, have a future Body of this Legislature renounce the dedication of those funds and use the funds for something else. The problem with that and we just don't know what going to happen, but the problem may well

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be that this is going to cost us more to sell these bonds when we go out to the bond market than we are selling them for now. In fact, we have a note... I have a notification from an investment officer with the Harris Trust and Savings Bank who tells me that the primary... that Illinois general obligation bonds are being sold at approximately the average double 'a', not triple 'a' rates. We have a triple 'a' bond rating, but the rates that we are paying to sell our bonds before these bonds hit the street are double 'a' rates. So, in effect, we are at a double 'a' rating. If we put in another 2.3 billion dollars worth of bonds, we are going to have a problem. Either our rates will go up or our rating will come down or a combination of both. We can naturally fund, I am told, at a very maximum \$400,000,000 in bonding a year without... without very, very heavily effecting our bonding rate. And this has been proven. Since 1976, roughly, we have been around 390 to 400 million in bonds that we have floated. Our natural bond float level is 400 million. If we put this bonding on top of that, we are going to flood the market. We are going to have a lot of bonding money chasing or chasing scarcer dollars and we are going to have a problem. We are merging new tax revenues with the old and what we are going to do is increase our cost per capita on bonding. In 1980, in 1980, six years ago... or five years ago, the general... in Illinois, the general obligation debt per capita was \$229.40. In other words, for every person in Illinois, in general obligation bonds, we had floated \$229, but five years later, we are at \$301. This is going to drive up our per capita debt ratio and we are going to have some severe problems. I know that there's... it's very, very tempting to put a lot of... put a lot of materials out, be able to go out and do a lot of building and this, that and the

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other thing, but I'm afraid that what we are going to do is we are going to put ourselves in a situation where our bonding is going to be unpayable or we are going to have to dedicate so much of our revenues to pay the interest and to pay off the bonds that we will not be able to have any new programs in the future. For those reasons and for those... I just wanted to bring to the... bring to the Body some of the concerns I have. I know that everyone... a lot of people have put in Amendments on these Bills looking for things for their own district and it's all laudable, but someone is going to have to pay for it and it's a decision as to whether you want to pay for it now or later. Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 569 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final action. Representative Slater wishes to be recorded 'aye'. Have all voted who wish? The Clerk will take the record. On this question, there are 82 voting 'aye', 22 voting 'no' and 11 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 569, Representative Daniels. Clerk, read the Bill."

Clerk Leone: "House Bill 569, a Bill for an Act making appropriations to various agencies. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Ladies and Gentlemen, on this Bill, there are 244 Amendments filed. We understand that there are several of the Amendments that need to be withdrawn. With leave of the Body, I will read off the numbers of those Amendments that will be withdrawn and do that immediately. And then we will recognize a Member for a Motion on the rest of the

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Amendments. The Amendments to be withdrawn are Amendment #3 by Representative Wyvetter Younger. Amendment #4, by Representative Kirkland. Amendment #5, by Representative Regan. Amendment #6, by Representative Regan. Amendment #7, by Representative Regan. Amendment #8, Representative Regan. Amendment #9, Representative Deuchler. Amendment #10, Representative Hawkinson. Amendment #11, Representative Steczo. Amendment #16, Representative Wolf - Flinn - Stephens. Amendment #17, Representative Richmond. Amendment #19, 20 and 21, by Representative Wyvetter Younger. Amendment #60, by Representative Bopp. Amendment #68, by Representative Kirkland. Amendment #101, by Representative Cowlshaw. Amendment #109, by Representative Hastert. Amendment #141, by Representative Pangle. Amendment #163, by Representative Williamson. Amendment #171, by Representative Williamson. Amendment #177 and 178, by Representative Didrickson. Amendment #203, by Representative Churchill. 204 and 205, by Representative Churchill. 219, by Representative Hallock and that is all. All of those Amendments have been withdrawn. And now, I would like to represent... I would like to recognize Representative McPike for the purposes of a Motion. Representative McPike."

McPike: "Thank you, Madam Speaker. Is this Bill on Second Reading?"

Speaker Breslin: "This Bill is on Second Reading. We have just..."

McPike: "Would the board reflect? Thank you, Madam Speaker, Ladies and Gentlemen of the House, I would move that the following Amendments be adopted by one Motion: Amendment #2, Amendment 12 through 15, Amendment 18, Amendment 22 through 59, Amendment 61 through 67, Amendment 69 through 100, Amendments 102 through 108, Amendments 110 through

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140, Amendments 142 through 169, Amendment 170, Amendments 172 through 176, Amendments 179 through Amendment 202, Amendments 206 through Amendment 218, Amendment 220 through 245. The approximate total amount of these Amendments in dollars is \$2,309,378,400. I move for the adoption of those Amendments as read."

Speaker Breslin: "You have heard the Gentleman's Motion, and on that Motion is there any discussion? There being no discussion, the question is, 'Shall the Amendments as read 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 Amendments are adopted. Are there any further Amendments, Mr. Clerk?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Daniels now asks leave for immediate consideration of House Bill 569 on Third Reading as amended. Is there any objection? Hearing none, the Gentleman has leave. Mr. Clerk, read the Bill on Third Reading."

Clerk Leone: "House Bill 569, a Bill for an Act making appropriations to various state agencies. Third Reading of the Bill."

Speaker Breslin: "Representative Daniels."

Daniels: "Ladies and Gentlemen of the House, House Bill 569, as amended, appropriates 2.3 billion dollars for the program called Build Illinois. Let me, lest there is any misunderstanding, be very clear about what has just occurred here so that all Members of the Legislature and the public are aware of what has been done. First of all, this is a starting point of the legislative process in terms of reviewing individual requests for individualized districts throughout the State of Illinois. This is like a blueprint, a blueprint for building, a blueprint for a

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foundation and a blueprint for review of the state's needs in terms of a most important project. Alternatives will have to be considered and they will be considered as Build Illinois moves through the legislature. And, yes, adjustments will be made to this blueprint, as any adjustments to any large program are made. This is the time then for legislative input. This is the time for each Legislator representing his or her district to have direct input in the process in terms of most important projects from their individualized district. You know, when we first started the Build Illinois Program the Legislature, many of the Members, came to me and said, 'Lee, how do I get my district needs heard by the Committees and by the legislative process?' And it was decided, as we have done here, to accept all Amendments so that they can be directly heard and so that we could know what the needs of Danville or Decatur or Bloomington or Bloomingdale or other areas of this state are. And as you know, we have had Amendments from the tip of the state to the bottom of the state and the width of the state east and west. We have had suggestions before us for a state park at Navy Pier. We have had suggestions for improvements in the Danville area. And we will have more. And as we get more, no one expects that this issue is being resolved at this moment or being solved at this time for we all know and expect that the Build Illinois Program will be resolved during the closing days of this legislative Session. And, yes, as previous speakers have pointed out, we will have to determine funding mechanisms, but those funding mechanisms can only be determined when the projects are agreed and when the priority of those projects are determined as we work through the Build Illinois blueprint. For that I thank you for giving us the time and attention to look at what your

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district needs are. But at the same time, want to make sure that you understand that this is the start. We have a long ways to go before Build Illinois becomes a reality in Illinois. And it's through that process, through your cooperation, through your hard work, we will one make sure that your needs are met and your districts needs are met, but above all, we will make sure whatever program is passed meets that very important balance of the state's economic condition and bond rating so we do not adversely tip that in the wrong direction. And as we work through this program, we will be paying careful attention to the financing mechanism to make sure that it meets the appropriations that we are setting forth in this most important Bill. For that reason, with that understanding and with your commitment that we will have continued hard work, attention to the state's economic needs, to the state's economic balance and to the Build Illinois Program, I'm asking you to approve the appropriation set forth in this Bill so that we can move forward, move Illinois forward, continue on with a future that all of us would like to have in this most important state and I thank you for your support."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 569, and on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 569 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 81 voting 'aye', 14 voting 'no', and 13 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 570, Representative Daniels. Clerk, read the Bill."

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Clerk Leone: "House Bill 570, a Bill for an Act relating to the Build Illinois Program. Second Reading of the Bill. Amendment #1 was adopted in Committee."

Speaker Breslin: "Are there any Motions filed?"

Clerk Leone: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

Clerk Leone: "Floor Amendment #2, Rea, amends House Bill 570, as amended."

Speaker Breslin: "Representative Rea."

Rea: "I withdraw Amendment #2."

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

Clerk Leone: "Floor Amendment #3, Huff, amends House Bill 570, as amended."

Speaker Breslin: "Representative Huff."

Huff: "Yes, Madam Speaker, I withdraw Amendment #3."

Speaker Breslin: "Withdraw Amendment #3. Are there any further Amendments?"

Clerk Leone: "Amendment #4, Shaw, amends House Bill 570, as amended."

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

Clerk Leone: "Amendment #5, Braun, amends House Bill 570."

Speaker Breslin: "Representative Braun. The Lady withdraws Amendment #5. Are there any further Amendments?"

Clerk Leone: "Amendment #6, Anthony Young, amends House Bill 570."

Speaker Breslin: "The Gentleman withdraws Amendment #6. Are there any further Amendments?"

Clerk Leone: "Amendment #7, Tate, amends House Bill 570, as amended."

Speaker Breslin: "Representative Tate or Daniels. Withdraw Amendment #7. Are there any further Amendments?"

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Clerk Leone: "Amendment #8, Daniels, amends House Bill 570."

Speaker Breslin: "Representative Daniels. Withdraw Amendment #8.

Are there any further Amendments?"

Clerk Leone: "Amendment #9, Daniels, amends House Bill 570."

Speaker Breslin: "Representative Daniels."

Daniels: "Madam Speaker, I'd withdraw Amendments 9 through 12."

Speaker Breslin: "The Gentleman withdraws Amendment #9 through 12 of which he is the Chief Sponsor. Are there any further Amendments?"

Clerk Leone: "Amendment #13, Madigan, amends House Bill 570."

Speaker Breslin: "Representative Madigan."

Madigan: "Madam Speaker, Amendment #13 contains several changes and additions to the Bill and to the program. I would move for the adoption of the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #13 to House Bill 570, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #13 to House Bill 570 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Amendment #14, Anthony Young, amends House Bill 570."

Speaker Breslin: "Representative Young."

Young: "Madam Speaker, Ladies and Gentlemen of the House, I move for the adoption of Amendment #14."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #14 of House Bill 570, and on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #14 to House Bill 570 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have

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it. Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Amendment #15, Homer - Brunsvold - DeJaegher - Hawkinson, amends House Bill 570 as amended."

Speaker Breslin: "Representative Homer on Amendment #15. The Gentleman moves for the adoption of Amendment #15 to House Bill... Representative Homer."

Homer: "Thank you, Madam Speaker. I ask leave to withdraw Amendment #15."

Speaker Breslin: "The Gentleman withdraws Amendment #15. Are there any further Amendments?"

Clerk Leone: "Amendment #16, Homer - et al, amends House Bill 570."

Speaker Breslin: "Representative Homer."

Homer: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. Amendment #15 provides that... or rather Amendment #16 provides that in the administration of the Build Illinois Program that other various programs administered by the agencies, that preference will be given to those businesses, enterprises or projects where... which are located or will directly benefit the resident of areas with depressed property values, areas with high levels of unemployment and areas where there have been recent closings of industrial plants. I believe the whole purpose behind the Build Illinois Program is to help particularly those areas in the State of Illinois which have been particularly hard hit by the ever-present recession and those depressed areas in cities and counties which have not been able to come out of the recession because of plant closings, because of the nature of the economy and this Amendment, I think, certainly although not binding would give preference to those areas which have been the hardest hit which I think is in accord with the philosophy of the

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Build Illinois Program and I would ask for your support."

Speaker Breslin: "The Gentleman moves for the adoption of Amendment #16 to House Bill 570, and on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill... Shall Amendment #16 to House Bill 570 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. Representative Daniels, for what reason do you rise?"

Daniels: "Madam Speaker, how many Amendments are filed to this Bill?"

Speaker Breslin: "Mr. Clerk. There are 19 Amendments filed to the Bill."

Daniels: "19? I have 30."

Speaker Breslin: "Mr. Clerk, would you look again? There are 30 Amendments?"

Daniels: "Holding out on us again, huh, Tony? Madam Speaker, I would, with permission of the House, make the following Motion, that we accept Amendments... 17, I believe is the next Amendment. Is that correct? 17 through 27."

Speaker Breslin: "Correct."

Daniels: "And withdraw or table Amendment #29. And then adopt Amendment #29 and 30. And I would ask leave of the House for unanimous leave that that Motion pass."

Speaker Breslin: "The Gentleman has made a Motion for the House to adopt on one Roll Call Amendment #17 through 30, withdrawing Amendment #29. Who is the Sponsor of Amendment #29?"

Daniels: "Representative Ewing."

Speaker Breslin: "Is that withdrawn, Representative Ewing?"

Daniels: "Yes, he's happy to do that."

Speaker Breslin: "The Sponsor indicates he's happy to withdraw. He's not happy, but he will withdraw it. The question is,

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'Shall the Motion be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the Motion... the 'ayes' have it and the Motion carries. Now, the question is, 'Shall the House adopt on one Roll Call Amendments #17 through 30, withdrawing Amendment #28?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it and the Amendments are adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. The Gentleman from DuPage, Representative Daniels, now asks leave for immediate consideration of House Bill 570 on Third Reading as amended. Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 570, a Bill for an Act relating to the Build Illinois Program. Third Reading of the Bill."

Speaker Breslin: "Representative Daniels."

Daniels: "Ladies and Gentlemen of the House, as explained on the previous three Bills, this is another in the series of Bills in the Build Illinois Program. This Bill is a substantive Bill and creates the authorization for the bonded indebtedness that we have talked about before. Amendment #13, sponsored by Speaker Madigan, does remove the revenue source; however, we do all understand that a revenue source is necessary if we are going to continue on with the Build Illinois Program. This, once again, is another step in the legislative process, and I would ask for your favorable support of House Bill 570."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 570. And on that question, the Gentleman from Bureau, Representative Mautino."

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

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

Mautino: "In this substantive legislation, that is appearing before us now, is it your intention to implement all of the federal programs that are heretofore being reduced and the state picking up those programs under our bonding authorization, including mass transportation which is being reduced at the federal level and picked up at your level for rail service loans, grants, et cetera? Is that... Is that your intention here?"

Daniels: "Well, let me refer that to Speaker Madigan."

Mautino: "I don't know. I ask you the question, Lee."

Daniels: "It's his Amendment, Sir."

Mautino: "Yeah, you are the Sponsor of the Bill, Lee, I mean, you know."

Daniels: "So is he."

Mautino: "You accept it, so I'm asking the Sponsor..."

Daniels: "I want to make sure that he has input on this. Amendment #13 addresses... subject. Speaker Madigan is a Chief Sponsor of this Bill, and in the interest of bipartisanship, I'd like him to answer your question."

Speaker Breslin: "Representative Madigan."

Madigan: "If I could be permitted to answer the question conceptually, clearly this proposal would pick up certain programs which have been discontinued by the callous Reagan administration in Washington, but not all of the programs being discontinued by that callous administration. I have suggested certain programs to be picked up. I think those programs are meritorious and ought to be continued by government now at this level rather than at the federal level."

Mautino: "Thank you, Mr. Speaker for responding to the question. I appreciate that. But I do want to make it clear to all

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the Members in the House that we're working on a very substantive change - a change that many of us through individual pieces of legislation in the past have either approved of or opposed. And we're putting together here what I think is a very important package that basically funds everything from education to rail systems. And as long as everyone has the opportunity to evaluate exactly what the substantive changes do and know full well that there is no fund priority set up for this program, I hope everybody knows exactly what they're doing. It looks to me like we're going to do about seven billion dollar program when this flies out of here, and nobody knows where we're going to get the funds, basically how we're going to pay them, and I venture to say that most Members in this House don't even know what's in the substantive changes that are being proposed in 570."

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

Cullerton: "Just a quick question of the Sponsor. Was this bill drafted in the Reference Bureau or was it drafted by outside council?"

Daniels: "We're checking. I don't know. Where was Amendment #13 drafted? Was it... Reference Bureau?"

Cullerton: "No, the Bill itself."

Daniels: "In the Reference Bureau."

Cullerton: "And it was drafted by the lawyers in the Reference Bureau?"

Daniels: "I would assume. I didn't go down there and check which people drafted it."

Cullerton: "I would assume too that, but I heard otherwise. That's why I was curious."

Daniels: "Oh, I'm sorry."

Cullerton: "You... You don't know?"

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Daniels: "No, it was drafted in the Reference Bureau. That's why there's an LRB number on it. ...have information to the contrary?"

Cullerton: "Yes, that it was drafted by outside council and given to the Reference Bureau to put an LRB number on it."

Daniels: "Oh."

Cullerton: "I was just wondering if you knew if that was true."

Daniels: "I will... I will investigate that."

Cullerton: "Get back to me?"

Daniels: "I'll get back to you."

Cullerton: "Thank you."

Daniels: "Okay, buddy."

Cullerton: "Okay, buddy."

Speaker Breslin: "There being no further discussion, the question is, 'Shall House Bill 570 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there are 75 voting 'aye', 14 voting 'no' and 25 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Ladies and Gentlemen, the next Order of Business is House Bills Third Reading - Civic Centers. It appears on page 25 on your Calendar. The first and only Bill is House Bill 2421, Representative Wojcik. Clerk, read the Bill."

Clerk Leone: "House Bill 2421, a Bill for an Act to amend the Metropolitan Civic Center Support Act and an Act in relationship to state finance. Third Reading of the Bill."

Speaker Breslin: "Representative Wojcik."

Wojcik: "Yes, Madam Speaker, I would like leave to take this back to Second Reading."

Speaker Breslin: "The Lady asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment."

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Are there any objections? Hearing none, the Lady has leave. This Bill is on Second Reading. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2421 amends the Metropolitan Civic Center Support Act. Amendment #2, Brunsvold, amends House Bill 2421."

Speaker Breslin: "Representative Brunsvold."

Brunsvold: "Thank you, Madam Speaker. Amendment #2 includes the six civic centers that were on House Bill 356, plus three more that were added in the process of developing the Amendment, and I would ask for the adoption of Amendment #2."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 2421. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 to House Bill 2421 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Floor Amendment #3, Giorgi, amends House Bill 2421 as amended."

Speaker Breslin: "Representative Giorgi. Representative Giorgi. Representative Giorgi on Amendment #3."

Giorgi: "Madam Speaker, Amendment #3 provides an amount not exceeding one percent of the principal interest paid or payable from the fund each year may be appropriated to the Department of Commerce and Community Affairs as a partial payment for administration of the program. It changes the conditions procedure for committing and distributing funds of the applicants thereof. Effective July 1st, 1985."

Speaker Breslin: "The Gentleman has moved for the passage of... the adoption of Amendment #3 to House Bill 2421. And on

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that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #3 to House Bill 2421 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Amendment #4, Terzich, amends House Bill 2421."

Speaker Breslin: "Representative Terzich. Representative Terzich. Representative Capparelli on Representative Terzich's Amendment."

Capparelli: "I move to adopt Amendment 4 to House Bill 220... 2421. The Amendment proposed to amend the Metropolitan Civic Center Support Act to provide the following two changes: Increase the maximum state financial pledge from 20 million to 22 million for any one authority; increases the state aggregate financial commitment from 75 million to 100 million in bonds outstanding. I move for adoption."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #4 to House Bill 2421. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #4 to House Bill 2421 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there any further Amendments?"

Clerk Leone: "Amendment #5, McPike, amends House Bill 2421."

Speaker Breslin: "Representative McPike. Representative McPike. Representative McPike."

McPike: "Thank you, Madam Speaker. Ladies and Gentlemen of the House, Amendment #5 removes some of the provisions that effected the current civic center program that was originally proposed by DCCA, changes some of the provisions that they... that DCCA introduced and puts the... the

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legislation... the civic center legislation back into its current form. I'd be glad to answer any questions on the Amendment."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #5 to House Bill 2421. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #5 to House Bill 2421 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "Amendment #6, Hastert, amends House Bill 2421."

Speaker Breslin: "Representative Hastert."

Hastert: "Thank you, Madam Speaker. I would move to withdraw Amendment #6."

Speaker Breslin: "The Gentleman withdraws Amendment #6. Are there any further Amendments?"

Clerk Leone: "Amendment #7, Hastert, amends House Bill..."

Speaker Breslin: "Representative Hastert."

Hastert: "Thank you, Madam Chairman (sic - Speaker). This Amendment says that any agreement that was made, that was entered into with the State of Illinois and any civic authority between... before July 1st, 1985, is held harmless."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #7 to House Bill 2421. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #7 to House Bill 2421 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

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Speaker Breslin: "Third Reading. Representative Wojcik now asks leave for immediate consideration of House Bill 2421 as amended on Third Reading. Does the Lady have leave? Hearing no objections, the Lady has leave. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2421, a Bill for an Act to amend the Metropolitan Civic Center Support Act and an Act in relationship to state finance. Third Reading of the Bill."

Speaker Breslin: "Representative Wojcik."

Wojcik: "Yes, Madam Chairman (sic - Speaker), I just move for favorable passage of this Bill."

Speaker Breslin: "The Lady has moved for the passage of House Bill 2421. And on that question, is there any discussion? There being no... The Gentleman from Winnebago, Representative Mulcahey, on the question."

Mulcahey: "Would the... Would the Lady yield for a question?"

Speaker Breslin: "The Lady will yield for a question."

Mulcahey: "Representative Wojcik, what did Representative Giorgi's Amendment do? I believe it was Amendment #3 or 4... 3."

Wojcik: "It adds provisions of House Bill 1468. Sets up new formula to receive DCCA funds based upon half of a civic center's sales tax receipts."

Mulcahey: "1468. Thank you."

Wojcik: "Yes."

Speaker Breslin: "Are you finished Representative Mulcahey? He is. The Gentleman from DeKalb, Representative Countryman."

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

Speaker Breslin: "The Lady will yield for a question."

Countryman: "Representative Wojcik, I don't understand what this Bill does as amended. Could you explain it?"

Wojcik: "Actually, what it does as amended, and if you'd like me to explain all six Amendments, I'd be happy to do so. It

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creates the following civic center authorities, essentially House Bill 356 as amended; Aledo, Normal, Mason County, Jasper County, Brownstown, JoDaviess County, Milford, Sheldon and East St. Louis. Retains original language of House Bill 2421, among others. Next, it adds provisions of House Bill 1469. Sets up new formula to receive DCCA funds based upon half of a civic center's sale tax receipts. Next, it raises the individual cap on civic center assistance to 22 million from 20 million and the total statewide cap to 100 million from 75 million, which is the same as House Bill 464. Next, deletes various provisions of the original Bill including DCCA's one percent for administration, DCCA's criteria for prioritizing request and the creation of a new fund for bond proceeds."

Countryman: "What's the new fund? Where's the money coming into the new fund from?"

Wojcik: "They're going to have bond sales through the Bureau of the Budget."

Countryman: "Where does the money come from now?"

Wojcik: "Horse racing."

Countryman: "So we're going to switch from using the horse racing proceeds to bonds sales under this Bill. Is that right?"

Wojcik: "No, it's just a different way of administering it."

Countryman: "Thank you."

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

Ropp: "A question of the Sponsor."

Speaker Breslin: "Proceed."

Ropp: "Could you name the seven or eight new civic centers that are in the proposal?"

Wojcik: "Again?"

Ropp: "And was that Amendment 6 or what Amendment was that?"

Wojcik: "This is Amendment 2."

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Ropp: "Amendment 2?"

Wojcik: "Right. Do you want to hear them again?"

Ropp: "I just want to know if mine was in there."

Wojcik: "Which one is yours?"

Ropp: "Normal."

Wojcik: "Yes."

Ropp: "Thank you."

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

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

Speaker Breslin: "That's not necessary. The... The Lady from Cook, Representative Wojcik, to close."

Wojcik: "Yes, I... I think this is a fine Bill. It has been agreed to. There's been much discussion regarding it, and I would just ask..."

Speaker Breslin: "The question is, 'Shall House Bill 2421 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Representative Homer. Have all voted who wish? Representative Homer. Have all voted who wish? The Clerk will take the record. On this question, there are 86 voting 'aye', 26 voting 'no' and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. The next Order of Business is House Bills Third Reading - Governmental Reorganization. It appears on page 24 on your Calendar. House Bill 200, Representative Levin. Clerk, read the Bill."

Clerk Leone: "House Bill 200, a Bill for an Act to amend the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Levin."

Levin: "Madam Speaker, Ladies and Gentlemen of the House, in the last two years the people of the City of Chicago have been subjected to two school board presidents, two lengthy school strikes, two school superintendents serving at the

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same time, repeated exposes of waste, high tax increases and a disclosure of a 54% dropout rate. The school children and taxpayers of Chicago deserve better. House Bill 200 attempts to provide the structural reforms that are needed to restore confidence in the Chicago Board of Education. I'm sure you've all seen the polls taken by the Chicago Tribune about a month ago which found that the people of the City of Chicago were just fed up with the school system in Chicago - that 85% of the Hispanic community supported an elected school board for the City of Chicago, 81% of the white community and 70% of the black community. The Chicago Tribune has described House Bill 200 as a thoughtful approach to the problem even though they, themselves, philosophically do not agree with elected school board. This legislation has very, very broad support, and it would provide for an elected school board for the City of Chicago with board members to be elected on a nonpartisan basis from 15 individual districts. There are a number of significant reforms in this Bill including a limit on campaign expenditures by candidates for the board. We would provide on the ballot that an individual would have the option next to his or her name to indicate if they have a child in the system. There are a number of other reforms that I'd be happy to answer specific questions on, but at this point I'd just like to yield to Representative Panayotovich."

Speaker Breslin: "Representative Panayotovich."

Panayotovich: "Thank you, Madam Speaker. Representative Levin is right and correct. This is something that Chicago does need - an elected school board that we can go back to our City and get government going, get the school board going, get everything going. The kids need this. The school board needs it. The Board of Education needs it. We stand

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united in this. Representative Levin has worked very hard on this, and I urge an 'aye' vote."

Speaker Breslin: "The two Gentlemen have moved for the passage of House Bill 200. And on this question, the Lady from Cook, Representative Braun. Representative Braun."

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

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

Braun: "Representative Levin, in this legislation have you considered the division... that the division of districts in the City of Chicago may politicize education in Chicago?"

Levin: "Representative, I think we need to get input by the average taxpayer and the average parent. They do not have input under the current system, which is a closed system. I don't think it's going to politicize it. It's going to provide accountability. People don't... feel right now that they have any role in this system. And I think this is one step in providing that input. Parents don't feel the system has got any credibility now. They are, in fact, voting for a school board in Chicago now in my district by moving to the suburbs because of the poor quality of education."

Braun: "Representative Levin, have you done any fiscal study of how much these elections might cost?"

Levin: "There will be no additional cost as a result of these elections. These are nonpartisan elections, but the first election would take place at the same time as the November 1986 general election. They would be staggered four year terms, and... so there would be no additional cost in terms of the election procedures."

Braun: "Representative Levin, I find that difficult to understand in light of the fact if you're talking about an election in various districts throughout the City, then you're also

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calling for additional election authorities, additional election machinery to be put together, printing of ballots. There must be some fiscal impact just with regard to the mechanical functions of running an election. And I guess my question is, where... who's going to pay those costs?"

Levin: "Representative, we have an election scheduled in the City of Chicago for the first Tuesday in November of 1986. There will be the punchcard booklets, and this is simply a matter of adding an additional page. You know, the election will already be occurring. And there will be an election two years after that on the regular schedule of the consolidated elections, so we're not adding any elections that are not going to be there in place under the current schedule. So there's no additional cost."

Braun: "Representative Levin, are you aware of the costs of elected boards in other jurisdiction - how much they have cost?"

Levin: "Representative, I'm aware of the cost of the waste, and inefficiency and the poor quality of education that we have in Chicago. And, you know, I... what I tell, you know, many of my constituents... is that, you know, we probably need more money for the schools, but that the taxpayers are not going to support more money unless there is an improvement in the quality of education, unless they feel that they're getting their money's worth, and that certainly our downstate colleagues look upon the Chicago Board as a waste at this point. They're throwing good money after bad. And we have to restore some confidence so they will want to support the Chicago schools in the same way that we would like the parents, and the school children and everybody else to be able to support the Chicago schools."

Braun: "Representative Levin, one final question. Have you

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discussed this issue with Representative Huff who's... who is the Chairman of the Committee regarding school district reorganization?"

Levin: "This Bill came out of that Committee, and I served on that Committee. And this Bill as well as Representative Huff's Bills and two other Bills dealing with this subject were reported unanimously out of the School District Reorganization Committee."

Braun: "To the Bill, Mr... Madam Speaker."

Speaker Breslin: "Proceed."

Braun: "I rise in opposition to this legislation. In the first instance, we have been involved with school reorganization and school reform in this General Assembly for the last several weeks. We have considered a number of substantive proposals which have come out of the House Elementary and Secondary Education Committee. Those proposals go a long way toward addressing some of the ills of the school system to which Representative Levin refers. Specifically I would call your attention to legislation which this House overwhelmingly passed a couple of days ago which sets up an... a local parent council structure that does, in fact, provide for local involvement, for parental involvement, in the schools without the downside, without the damage of a politicizing influence such as this Bill would occasion. We are looking at a situation in which running for election, elected school board in Chicago would only exacerbate problems in the City, exacerbate difficulties in the City and, frankly, change the focus of the school system from trying to improve itself in terms of education, from trying to address the needs of students to becoming a more political exercise in which people are more concerned about running for election than educating children. I think this is the wrong way to go. If indeed we are intent

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upon reform, then let's do that. Let us address ourselves to that issue as the Committee on Education in Elementary and Secondary Education has done for these many months. This, however, is not reform. If anything, Ladies and Gentlemen, this is a reaction, indeed a knee jerk reaction to an immediate circumstance which stands to be cured if we just give the system an opportunity to do that. I rise in opposition to this Bill, and I hope that you will join me in voting 'no'."

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

Ronan: "Thank you, Madam Speaker. Will the Gentleman yield for a few questions?"

Speaker Breslin: "The Gentleman will yield for a question."

Ronan: "Yeah, Representative Levin, let's... let's talk about reform Chicago style, and let's talk about an elected school board. How do you think these folks, these fine people, who are going to want to run for an elected school board, where they're going to get their campaign financing?"

Levin: "Representative, I think the first thing they ought to do is go see you. That way I think they could learn an awful lot. You know, I expect we have many, many people in Chicago who have been involved in the schools who currently have no say in terms of who goes on the board because they don't, you know, they don't have the control in terms of... input to the vested interests that control the nominating board. But now they're going to have an opportunity to run in the same way that you and I have the opportunity to run. I see elections as an equalizer. I know when I ran initially, I ran against the regular organization. I never could have gotten slated. But I had an opportunity to go out there and raise money. It's not something I enjoy, but it's an equalizer. When Harold Washington ran for Mayor he

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ran against the vested interests, and he was able to get elected. And four years before that, Mayor Byrne ran against the vested interests. So it gives people the opportunity to run. They're interested. They've worked on the schools - the parents and others - and they'll be able to go to their neighbors and their friends and ask them for money. It's hard, you know, but you and I have to do that now. And the size of the districts that we contemplate would be about the same size as the State Rep district, a little bit bigger about 101 thousand. So you would be seeing the candidates actually come out to the community. You'd see the board members actually tell you what their positions are and come back. I know I've never seen a board member come out to the community, and that's what I think this legislation would... would do."

Bonan: "Well, thank you, Representative Levin, on the Levin fairy tale of politics. But let's talk about the 'realitics' of politics Chicago style, and let's see what you're calling for. If you want to reform the Chicago Board of Education, which every Member of this General Assembly wants to achieve, you don't do it by having elections. Chicago is the most political City in the United States. We take elections as seriously as other cities pay attention to pro baseball, and football and basketball. The sport of Chicago is politics. And what we don't need to do is have a smokescreen established - by getting people to vote we're going to improve the school system. If you want to improve the school system we should talk about the reform proposals that have been brought before this General Assembly. We should talk about some of the ideas that we've sent to the Senate, and we should reform some of the ideas that are coming over from the Senate. But if you're going to try to convince me that by getting people to participate in

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politics that's going to produce good schools, then I'll tell you this. The schools in my ward would be the greatest schools in the United States, because everybody in my ward participates in politics. Everybody in my ward votes in election, and that doesn't make good schools. What makes good schools is putting dollars into the school system, getting teachers who care about kids, getting parents involved with the process and going about the business of really putting together a fine, decent educational system. Election reform and election campaigns do not produce good schools. I think it's an absolute smokescreen. I think you came in with a typical gimmick to say, 'Look it. This is my solution to educational problems in the City of Chicago. Let's do it right at the top. Let's not go into the local schools. Let's change the guys at the top.' They're bureaucrats if they're appointed, if they're elected. If you want to improve education in Chicago what you've got to do is talk about local schools. You and I are well aware that if there's an elected school board established in the City of Chicago it's going to be run by special interests who are concerned about jobs at the Chicago Board of Education, they're concerned about contracts at the Chicago Board of Education, and they're concerned about union issues at the Chicago Board of Education. That's not what this General Assembly should be about. What we should be about is putting together education reform packets that really make a difference. As far as I'm concerned, we've got a new Superintendent at the Board of Education. He's trying to do the best job that he can to turn around a system that needs a lot of help and needs a lot of effort. That's what we in the General Assembly should be doing is working with that new Superintendent, giving him some dollars so he can do a

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better job and giving him some support. But trying to convince the Members of this Body that elections and getting people to vote is going to make a difference is one of the most hypocritical things I've ever heard. I think this is an absolute sham, and I urge my colleagues to roundly defeat this... this really limited concept in how you improve education."

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

Huff: "Yes... Madam Speaker, will the Sponsor yield?"

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

Huff: "Representative Levin, can you tell me how many school districts there are in Chicago?"

Levin: "Well, Chicago is one school district."

Huff: "How many subdistricts?"

Levin: "There are 20 administrative districts at the present time, Representative."

Huff: "That's right. And wouldn't you say that that represents an administratively decentralized system. Is that not so?"

Levin: "Right now we have a totally centralized system."

Huff: "It's administratively decentralized. Is that not so?"

Levin: "Well, you know, I think you and I feel... both agree that the downtown bureaucracy should be used as a resource for decision making at the local level. I don't think that's occurring at the present time."

Huff: "Well, as I understand what you're trying to do is provide legitimate input for a class of people who have... who are presently locked out of the system. Is that not true?"

Levin: "That's correct."

Huff: "And those... that class is predominantly the parents and the taxpayers, right?"

Levin: "That's correct. We... You're committee held hearings all around the City of Chicago on all four of the Bills, and

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what we heard over and over again from those who are involved in the school councils that they did not know the board members. They did not know the people that selected the board members, and they had no input in the major decision making process."

Huff: "Let me ask you this. Your Bill divides up the City of Chicago into fifteen zones. Right?"

Levin: "Yes. This Bill would take... You know, we want to get a... One of the purposes of this legislation is to get the Chicago schools out of Chicago politics and out of the quagmire of the Chicago City Council. And it would provide for this General Assembly to draw the districts, you know, rather than leaving it to the Chicago City Council."

Huff: "Draw districts?"

Levin: "Yes."

Huff: "What's the rationale in... in redrawing the districts? Let me ask you, Representative Levin, if you're going to have an election, why didn't you have the elections to take place in the existing 20 subdistricts, each... each election taking place within the 20 subdistrict boundaries that are already drawn?"

Levin: "Okay. Because under the Supreme Court decisions requiring one man, one vote those 20 districts do not have equal population."

Huff: "Alright. To the Bill..."

Speaker Breslin: "Proceed."

Huff: "...Madam Speaker. I sympathize with the laudable attempt of Representative Levin in trying to create an elected school board. But what I think he's really going to do is create a cruel hoax for many of the parents in the local districts who have been expressing a desire since 1980 to have a hands on control of their local school boards. And the only way to do that is to have elections. But I'm

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afraid in the method that Representative Levin has chosen to adopt in achieving this, it will have the effect of causing many, many people to give up on the election process, because he has chosen to divide the City into 15 zones which would force many of the well-meaning parents who undoubtedly will file for applications for petitions to participate as a candidate to run for a central board seat, and they will... they will find themselves running at large, Ladies and Gentlemen, running at large city wide against vested interest groups, representatives from vested interest groups that are already plugged into the system. Let me remind you, Ladies and Gentlemen, in 1970, the Illinois... I'm sorry, the New York Legislature in Albany decentralized the New York school system into 36 subdistricts with the intent of empowering the parents in those local districts with an opportunity to run and have hands on control of their own school districts. But it was the unions, Ladies and Gentlemen, the American Federation of Teachers, who ran against the parents for those local school seats. And because the unions were more organized, more sophisticated, 26 of the 36 local districts in New York became union majorities. And I'm afraid that if we allow Representative Levin's Bill go out of here in the present form that it is in that's what's going to happen to Chicago. His best intent will be perverted by the unions who will run city wide for those seats and very conceivably cause the cost of elections to go into the thousands needlessly. I think there are two... several other Bills dealing with this subject that I feel that are far more superior, and I think we should hold our judgment until we have heard all of them. Thank you."

Speaker Breslin: "Ladies and Gentlemen, the Chair does not wish to cut off debate. There are still about eight people

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seeking recognition on this Bill, and there are four or five other Bills dealing with this same subject on this same Calendar. I would propose that we go to Representative Levin to close, and then we would recognize everyone for one minute to explain their vote. If the Members would agree to that, I think we could still have good debate. Very good. The Gentleman from Cook, Representative Levin, to close."

Levin: "Thank you, Madam Speaker. This is the year in Springfield for reform of education, and this is really the last opportunity that the City of Chicago has to restore credibility to its school system. You've heard that the overwhelming majority of the people in every community in the City of Chicago have had it with the current system and support and want to see an elected school board for the City of Chicago. This legislation is going to help every community. The... It's not going to hurt, you know, any particular ethnic group. It's going to provide at least two seats for the Hispanic community. I know that the Mayor, when he was running, supported the concept. That's one of the issues he ran on, and once he got elected and became the incumbent and he saw things a little differently. I can understand that. But this is a reform which we badly need in Chicago. We have all kinds of protections in there. We put limits on campaign expenditures to keep out the special interests groups. We prohibit ward committeemen and elected officials from running or serving. And I urge you to support this legislation so that we can once again begin to have some confidence in the schools in Chicago in the same way that we do in the 1,000 other school districts in this state that currently elect. It... It's a system that provides accountability, and we would like to have it in Chicago.

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And with your support, we can improve the quality of the schools in Chicago. Thank you."

Speaker Breslin: "The question is, 'Shall House Bill 209 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Brookins, one minute to explain your vote."

Brookins: "Madam Speaker and Ladies and Gentlemen of this Assembly, I served on that board with... Committee with Representative Levin, and I did not vote unanimous... for elected a school board. Further, in my district, I polled more votes than any other Member in this Assembly, and we do see the board members. And I have over 12 to 20 organizations that are supporting the opposite. They do not want an elected school board. It will only serve to tear the City of Chicago apart."

Speaker Breslin: "The Lady from DuPage, Representative Cowlshaw, one minute to explain your vote."

Cowlshaw: "Thank you, Madam Speaker. I oppose this Bill for two reasons. The first is that in every other school district in Illinois, the school board members serve at large. That is they represent the entire community. I think it would be a mistake to fragment the City of Chicago and run the risk that your school board members are going to be looking at things on an area wide basis rather than a city wide basis. You must remember school board members receive no salary whatsoever, and in a City that size you're going to ask them to run in districts of 10 thousand constituents. And finally, I think that having known some of the members of the Chicago School Board over the years, I have found them on the whole to be very honorable and capable people. And I think that there's nothing wrong with the system that is in effect there now."

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

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Kulas: "Thank you, Madam Speaker. The Sponsor in closing mentioned the Hispanic population. Well, I have a large Hispanic population in my district, and I'll tell you one thing - they're against this Bill. At the present time we have three Hispanics on the board out of 11 people. Under... Under Representative Levin's map, you won't have any Hispanics. This isn't... This isn't reform. This is politics, and I would urge a 'no' vote. And those Republicans, who are voting 'yes' for this, should be ready to vote for more funding for the Chicago School Board then."

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

Bowman: "Thank you, Madam Speaker. Ladies and Gentleman of the House, I do not often rise to oppose a Bill of my seatmate, but I do so on this occasion. I quite agree that the schools in Chicago are a mess, but there is a huge difference, Ladies and Gentlemen of the House, between a mess and a catastrophe. And that's precisely what we would have under this proposal. We would have a catastrophe. I have always supported an appointive judiciary. I've always supported an appointive Commerce Commission. And I must rise, at this time, to support the present appointive school board in Chicago."

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

McNamara: "Thank you, Madam Speaker. In this particular issue, it is a strong belief of mine that each local area has the right to govern itself the way they feel fit. In this particular case, Chicago, by referendum, could easily determine as to whether or not it wanted an elected or an appointed school board. I don't feel, as a person from outside of the City of Chicago, that I have any right to

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mess into that school system. To take some of the remarks of an... an earlier person who said that other school districts are not fragmented, in my particular area many of the towns have fragmented school districts. They are separating over from one town to the other. That is the choice of the people of my area; therefore, I'm going to vote a 'present' on this mainly because I don't believe that we should interfere with the people of the City of Chicago in the self-determination of the right system for their City."

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

Preston: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. I can't support this Bill, but I wholeheartedly commend Representative Levin for bringing it to our attention. We're a reactive Body. And this Bill, this proposal, serves as a message, and I hope it's taken as a message by the administration in the City of Chicago, that we're not satisfied with the school board or the appointment process with which they are... are comprised. Public education in Chicago is a 1.5 billion dollar operation. And instead of seeking out the best and the brightest, who are able to administer a 1.5 billion dollar operation, instead of that, we're looking for people who are from the right neighborhoods, people who represent labor and on the other side we want unions representative... represented, we want blacks, we want whites, we want Latinos, we want women, we want everything except someone who might be qualified to operate, and administer and oversee a 1.5 billion dollar operation. If it were my money and if I owned a business of that magnitude, I'd look for the best and the brightest that the City has to offer to run that kind of an operation. And until we get around

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to looking for the best and brightest, instead of looking for the right color, and the right neighborhood, and the right sex and the right union or organizational affiliation, you won't have a decent school system in our City."

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

Berrios: "I also rise in opposition to this Bill. We've got a new superintendent in Chicago. We've got a president who's Hispanic and who's out there trying his darnedest to make sure that our schools get upgraded. We've passed in this Legislature Bills to help the school system. We've passed legislation to bring parents and to get them involved within the structure. This isn't a way to get our school system together. This is just a shotgun approach. It's trying to solve a problem that you don't want to give our legislation a chance for it to come into benefit. There should be a lot more 'no' votes up there. The Hispanic community is totally against this Bill. And it's against any type of elected school board, because in effect we're going to get shutout. It took 167 years to get a Hispanic down into this Legislature, and it'll probably take another 100 years before a Hispanic gets elected to the school board in Chicago if we pass this Bill. Thank you."

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

Didrickson: "Yes, thank you, Madam Speaker. I would just like to say to the Members of the General Assembly here in the House that the Chicago Public School System is not the only public school system that appoints its board members. Lake Forest School District 67 also appoints their school board members. And for all the political reasons that have already been reiterated, I would only underscore and underline them. But I would also say that what we're

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talking about is delivering an educational product in the City of Chicago that's going to require stability."

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

Rice: "We certainly feel that electing a school board at large is horrendous. As the... As Berrios has spoke and said, it took 100 years to get one. It will certainly wash us out if we start talking about electing... having an at large school board. I think it's ridiculous. We got a new president there, who has been in tune with what's going on, and we certainly ought to give him an opportunity to operate that district."

Speaker Breslin: "The Gentleman from Cook, Representative Panayotovich, for what reason do you rise?"

Panayotovich: "Explain my vote."

Speaker Breslin: "Sir, you spoke in debate."

Panayotovich: "I believe I opened... believe I spoke in debate itself, Madam Speaker."

Speaker Breslin: "That's true. Proceed, Sir."

Panayotovich: "Thank you, Madam Speaker. I hear all this talk on the floor about the Hispanic neighborhoods and having Hispanic constituents. I have 25% Hispanic constituents, and I'll be the first one to go out and make sure that we have equality on the elected school board and run a campaign for a qualified Hispanic. And I think we need more green votes up there. And I agree with Representative Levin on this reform that is needed in Chicago. And being in support of reform that I am, I ask for more green votes."

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

DeJaegher: "Move for the question, Madam Speaker."

Speaker Breslin: "Representative Braun, for what reason do you

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rise?"

Braun: "Thank you, Madam Speaker. I'd like to verify this if it gets the requisite number of votes."

Speaker Breslin: "Very good. Have all voted who wish? The Clerk will take the record. On this question, there are 64 voting 'aye', 32 voting 'no' and 19 voting 'present'. Representative Braun has asked for a verification. Representative Levin asks for a Poll of the Absentees. Representative Flinn, did you seek recognition?"

Clerk O'Brien: "Poll of the Absentees. Hoffman. Klemm and Zwick. No further."

Speaker Breslin: "Would you poll the affirmative please, Mr. Clerk? Representative Flinn, for what reason do you rise? The Gentleman asks to change his vote from 'present' to 'aye'."

Clerk O'Brien: "Poll of the Affirmative. Breslin. Brunsvold. Bullock. Capparelli. Churchill. Countryman. Curran. Daniels. Davis. DeLeo. Dunn. Ewing. Flinn."

Speaker Breslin: "Excuse me. Representative Christensen asks to be voted 'aye'. Proceed, Mr. Clerk."

Clerk O'Brien: "Dwight Friedrich. Giorgi. Goforth. Hallock. Hannig. Harris. Hartke."

Speaker Breslin: "Excuse me, Mr. Clerk. Representative Richmond, for what reason do you rise? The Gentleman asks to be recorded as voting 'aye'. Proceed, Mr. Clerk."

Clerk O'Brien: "Hawkinson. Hensel. Hicks. Homer. Johnson. Koehler. Kraska. Kubik. Laurino. Levin. Matijevich. Mays. McAuliffe. McCracken. McMaster. McPike. Mulcahey. Nash. Olson. Panayotovitch. Pangle. Parcells. Parke. B. Pedersen. Phelps. Piel. Pullen. Rea. Regan. Richmond. Ropp. Ryder. Satterthwaite. Slater. Stange. Steczo."

Speaker Breslin: "Representative Williamson, for what reason do

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you rise? The Lady asks leave to be verified.
Representative Wojcik asks to... changes her vote from
'aye' to 'no', from 'aye' to 'no'. Proceed, Mr. Clerk."

Clerk O'Brien: "Stephens. Tate. Tuerk. Van Duyne. Vinson.
Wait. Weaver. Williamson. Woodyard. No further."

Speaker Breslin: "The Gentleman from Knox, Representative
Hawkinson."

Hawkinson: "Madam Speaker, how am I recorded?"

Speaker Breslin: "You're recorded as voting 'aye'."

Hawkinson: "Please record me as voting 'no'."

Speaker Breslin: "The Gentleman changes his vote from 'aye' to
'no'. Mr. Clerk, can you give us the count again.
Representative Braun, there are now 65 people voting 'aye'.
Do you have any questions of the Affirmative Roll?"

Braun: "I do, Madam Speaker. Representative Nash."

Speaker Breslin: "Representative Nash. Representative Parcells
asks leave to be verified, Representative Braun. Does the
Lady have leave?"

Braun: "Yes."

Speaker Breslin: "Yes, she does. Representative Nash. Is the
Gentleman in the chamber? The Gentleman is not in the
chamber. Remove him."

Braun: "Representative Homer."

Speaker Breslin: "Representative Homer. The Gentleman is in the
chamber."

Braun: "Representative Tate."

Speaker Breslin: "Representative Tate. Representative Tate. Is
the Gentleman in the chamber? Remove him."

Braun: "Representative Tuerk. Representative Tuerk."

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

Braun: "Representative DeJaegner."

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

Braun: "Representative Weaver."

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Speaker Breslin: "Representative Weaver. Representative Weaver.

Is the Gentleman in the chamber? Remove him."

Braun: "Representative Ropp."

Speaker Breslin: "Representative Hartke asks leave to be verified, Representative Braun. What was the next... and Representative Slater asks leave to be verified. What was the request?"

Braun: "Ropp."

Speaker Breslin: "Representative Ropp. The Gentleman is in the chamber, and Representative Tate and Representative Weaver have returned to the chamber. Add them to the Roll Call."

Braun: "Representative Hicks."

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

Braun: "Representative Harris."

Speaker Breslin: "Representative Harris is by his seat."

Braun: "Representative Brunsvold."

Speaker Breslin: "Representative Brunsvold. Is the Gentleman in the chamber? He is in the chamber."

Braun: "Representative Mulcahey."

Speaker Breslin: "Representative Mulcahey. Is the Gentleman in the chamber? He is."

Braun: "No further."

Speaker Breslin: "Mr. Clerk, what's the count? On this question, there are 64 voting 'aye', 34 voting 'no' and 16 voting 'present'. And this Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 290, Representative Huff. Clerk, read the Bill."

Clerk O'Brien: "House Bill 290, a Bill for an Act to revise the public school system in the City of Chicago. Third Reading of the Bill."

Speaker Breslin: "Representative Huff."

Huff: "Yes, Madam Speaker, I'd like leave to bring this Bill back to Second for the purpose of an Amendment."

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Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second for the purposes of an Amendment. Are there any objections? Hearing no objections, the Gentleman has leave. Read the Bill on Second Reading, Mr. Clerk."

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

Speaker Breslin: "Representative Huff."

Huff: "Yes, Madam Speaker and Ladies and Gentlemen of the House, Amendment #1 becomes the Bill, and it sets forth all... in all its particulars and specificity how the independent... I'm sorry, how the semiautonomous local subschool districts would operate. I move for the adoption of Amendment #1 to 290."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #1 to House Bill 290. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #1 to House Bill 290 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there any further Amendments?"

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

Speaker Breslin: "Representative Huff."

Huff: "Yes, Madam Speaker, Amendment #2 simply makes some technical changes, and it clear up the language. I move for the adoption of Amendment #2."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 290. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 to House Bill 290 be adopted?' All those in favor say 'aye', all those opposed 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Are there any further

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Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. The Gentleman now asks leave for immediate consideration of House Bill 290 on Third Reading as amended. Is there any objection? Hearing no objection, the Gentleman has leave. Read the Bill on Third Reading, Mr. Clerk."

Clerk O'Brien: "House Bill 290, a Bill for an Act to revise the public school system in the City of Chicago. Third Reading of the Bill."

Speaker Breslin: "Representative Huff."

Huff: "Thank you, Madam Speaker and Ladies and Gentlemen of the House. The genesis for House Bill 290 had its beginning in 1977. There's no question... There's no question that the people and the parents of Chicago are disgusted with the present appointed school system and do indeed, as I've stated before, Ladies and Gentlemen, want a hands-on control of the school system for the purpose of trying to insure a decent education for their children. I heard other speakers previously get up and say that they have school districts that are appointed, and that's true. Lake Forest is an appointed school system. But I doubt if the parents of Lake Forest has been shocked into insensitivity as the parents in Chicago were in 1979 when inexplicably the superintendent at that time just misplaced 790 million dollars forcing the shutdown of the school and practically the whole City. I doubt if Lake Forest has a board... has a... has a school board that at this very moment as we sit here, Ladies and Gentlemen, is spending 20 million dollars, 20 million dollars, for their lunch room and showers at a time when the high schools in my district are about to close for want of school books and school supplies. I doubt if Lake Forest, Ladies and Gentlemen, have a 50%

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dropout at the high school level. That's one out of every two. I doubt, Ladies and Gentlemen, if the students of Lake Forest constitute 99%, 98% of the prison population in the Illinois penal system. Ninety-eight percent of the prisoners in the Illinois penal system comes from the school districts of the south and west sides, Ladies and Gentlemen, and 70% of them do not have grammar school diplomas. Three out of four of them, Ladies and Gentlemen, can neither read nor write. And over 50%, 50% of the population in the Illinois penal system are in there for murder. Is it any wonder that the parents want to get control of their school system. House Bill 290 provides the best means for these... for this to happen. It creates 20 autonomous school districts because that's the way the present system is set up. It does not call for the redrawing of the districts, because the districts are already drawn. It gives every parent in that... in their individual districts a chance to run. It also provides that they must have a five year residency, and it also has a three thousand dollar cap on how much they can spend. It also provides for the school districts, once they have been established, for the local school boards, and this is very innovative, Ladies and Gentlemen, it also provides for them to sell the depreciated value of the schools in their districts. This will give them an opportunity to increase at least 50% of the present allocation to those districts. Presently, these schools have to divide two percent, two percent of a billion six hundred million dollars. Out of this billion six hundred million dollars, 98% of it goes for salaries of which less than 40% are teachers. Two percent of the remaining money has to be divided among the 20 subdistricts today. It's no wonder that we don't have school books or school supplies. Under this system, the

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parents will have a chance to have all of the powers in the individual districts that the present school system have, and that's basically three locals of power: The power to develop their own curriculums; the power to control their own budgets; and the power to hire and fire. And I may as well tell you that these districts will have their own individual powers to negotiate individually with the unions. The unions will have to come and negotiate with each individual district. If nothing else, this will stop city wide strikes in which the union has... has used this as a lever to stick the board up to get the 98... 98 cents on every dollar that they presently control now. I'll be happy to answer any questions. Thank you."

Speaker Greiman: "The Gentleman from... Excuse me, Representative Greiman in the Chair. The Gentleman from Cook, Mr. Huff, has moved for the passage of House Bill 290. And on that, is there any discussion? The Gentleman from Cook, Mr. McAuliffe."

McAuliffe: "Mr. Speaker and Ladies and Gentlemen of the House, I'm going to support this Bill, and I supported the last one and I'm going to support Representative Bullock's Bill with the simply comment that, how could it get any worse? What system could you devise that would be worse than the present system? No matter what we do, no matter how we change it, it's got to be better. And with that, I'm going to support all of these Bills."

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

Braun: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, I'm going to echo Representative McAuliffe's remarks but for another reason. He's right. Representative Levin's Bill has passed. It couldn't get any worse. I suggest we support all of these other elected school board Bills and let them all out. And then we can have a

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discussion in Conference Committee about what kind of elected school board we're going to have."

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 85 voting 'aye', 17 voting 'no', 10 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading - Governmental Reorganization appears House Bill 685. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 685, a Bill for an Act to amend an Act relating to school districts and boards of education. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Bullock, on House Bill 685."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 685 is sponsored by myself, Representative Nash, and Panayotovich and McAuliffe. It's an elected school board Bill for the City of Chicago but it goes beyond just being an elected school board Bill. It is, in fact, a decentralized elected school board emphasizing local control. Education in Chicago is no longer effective. Board members are not responsive - sometimes contemptuous of the city council and the General Assembly. The fact of the matter is the present Board of Education in Chicago feels it is not accountable to anyone. The Board of Education has constantly participated in a crisis situation, and I believe now structural change is necessary to require the immediate attention of this Assembly and resolution. In effect, in House Bill 685, we

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are creating 20 local school districts. We are abolishing the Office of General Superintendent in the City of Chicago. We are giving budgetary responsibility to the local school districts - 20 of them - drawn along the existing lines of the Board of Education Superintendent Districts. There's a great need for change in Chicago School System. These districts are drawn in such a manner that census wise you could reasonably expect that when we elect seven members for these each local boards and the president of the that local board of education would sit on a 20 member Education Coordinating Council, which is there to receive federal funds and is a conduit for all other monies coming in under Title I, state and federal. But the real significant provision of this Bill is that it still allows the Mayor of Chicago, the Mayor of Chicago will appoint the president of the Central Education Committee, and that president will be paid out of the Mayor's Corporate Budget - no cost to the Central Education Committee. We also have in this legislation a provision that the bond ceiling will be raised, and that the... in fact, the Amendment offered by the opposition party... We still retain the School Finance Authority in its existing structure providing oversight for the Board of Education until it's rescued from its financial debts. Mr. Speaker and Ladies and Gentlemen of the House, a previous speaker indicated that polls have been conducted in Chicago which indicate clearly and conclusively that the black community, the nonblack community, Hispanic and white community, 75% on the average overwhelmingly support an elected school board in Chicago. I believe a decentralized local control of the board of education is the answer to structural reform in the City of Chicago. I urge an 'aye' vote."

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

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the passage of House Bill 685. And on that, is there any discussion? The Lady from Cook, Ms. Braun."

Braun: "Thank... Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I want to thank Representative Daniels and Representative Madigan for their leadership in this area, for all of their straightforward discussion about the issue, for their guidance, and to this General Assembly on this question; however, I do have a little problem with having the city council involved. I'll vote 'present' on this one, but maybe I'll vote for some of the others."

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

Huff: "I find it... Thank you, Mr. Speaker. I find it very difficult, Ladies and Gentlemen, not to appreciate the particulars and ramifications of Representative Bullock's Bill since I believe he got it from me. However, I cannot go along with the fact of holding out the hope and the faith that parents who will participate in this elective process will at full last come to realize control of their own local school districts. The one thing that I am particularly adamant about in Representative Bullock's Bill is after creating an elective school board, he provides the budgetary control for the city council. I'm opposed to that, and for that reason, I'm going to ask for a 'no' vote."

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

Panayotovich: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, as I spoke before about Representative Levin's Bill and also Representative Bullock's Bill, I taught school in the Chicago Public School System for 12 years. And Representative Bullock has a good idea about using existing districts now that we have mapped out. I think that if we could take both these Bills, Ellis Levin's and

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Representative Bullock's Bill, and try to work with them and come up with a good plausible... plausible school board that can be worked out, and I think that we can work this out. I stand in support of this legislation because we are giving the Mayor his appointment. We are giving city council a little say. I mean everybody's involved in this elected school board. Let us all get behind this Bill, and I ask for more and more green votes up there."

Speaker Greiman: "There being no further discussion, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all... Yes, the Gentleman from Cook, Mr. Bullock, to explain his vote. One minute, Sir."

Bullock: "Mr. Speaker, I didn't close, but I'll explain my vote. ... under the Bullock plan essentially does six things, and I want to bring it to your attention for your cogitation. There are nonpartisan elections in these local school districts. The legislation specifically prohibits partisan participation in these elections. Secondly, it abolishes the 11 member board that is presently called the Chicago Board of Education. Thirdly, it creates 20 local school districts throughout the City of Chicago with seven persons elected to that local board, and from that local board, they elect their president that serves on the Central Education Committee. It consolidates the elections with the primary elections in 1986, from when the... each local district that president of that board will operate, formulate a budget and, yes, submit that budget for approval through the local Chicago city council, which in fact has the financing authority for this entity. Finally, the Mayor of the City of Chicago does, in fact, maintain input prerogative and some control by appointing a president of the Central Education Committee. The Mayor of

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the City of Chicago will call the first meeting. The board is empowered to recommend bond issuance to the Chicago city council. I think that once we bring the Chicago city council members directly involved in the educational process, and I say this to some of my brothers and sisters, education, I believe, will be a healing issue. It will be a healing component to the divisiveness that we have in our City where individuals can come together and work together on a common issue of public education and move beyond the issue of racial division. I believe that sincerely. I offer this Bill in that spirit of compromise. This can, in fact, bring the City of Chicago together if you give it a chance."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 66 voting 'aye', 27 voting 'no', 19 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared... Yes, Ms. Currie, for what purpose are you seeking recognition?"

Currie: "Thank you, Mr. Speaker. I had my speak light on before you declared the vote. I would like..."

Speaker Greiman: "I'm sorry. Proceed, Ms. Currie."

Currie: "...verification, please."

Speaker Greiman: "Pardon."

Currie: "A verification of the Roll Call, please."

Speaker Greiman: "Alright. The Gentleman from Cook, Mr. Bullock, asks for a Poll of the Absentees."

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

Speaker Greiman: "Yes, Ms. Currie."

Currie: "Withdraw the request."

Speaker Greiman: "Ms. Currie withdraws the request. Accordingly, on this question, there are 66 voting 'aye', 27 voting 'no', 19 voting 'present'. This Bill, having received a

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Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading - Governmental Reorganization appears House Bill 950. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 950, a Bill for an Act in relation to milk promotion programs. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from McLean, Mr. Ropp."

Ropp: "Thank you, Mr. Speaker and Members of the House. House Bill 950 creates the Illinois Milk Promotion Act. It sets it up in the same procedure that we now have in the area of the Illinois Corn Check Off Program, the Soybean Check Off Program, and the Wool Program and the Beef Program. It sets up a 15 member board. There is a referendum that would allow dairy farmers themselves who check off up to 15 cents to promote milk and milk products. I welcome any questions and your support."

Speaker Greiman: "The Gentleman from McLean moves for passage of House Bill 950. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open, and this is final passage. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 105 voting 'aye', none voting 'no', 3 voting 'present'. This Bill, having received a Constitutional... is hereby declared passed. On the Order of House Bills Third Reading - Governmental Reorganization appears House Bill 1582. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1582, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

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

Brookins: "Hello. Yes, Mr. Speaker, I ask leave to move this back to Second Reading for the purpose of Amendment."

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Speaker Greiman: "The Gentleman from Cook, Mr. Brookins, asks leave of the House to return this Bill to the Order of Second Reading for the purposes of an Amendment. Hearing no objection, the Gentleman has leave. Mr. Clerk, are there any Amendments?"

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

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

Brookins: "Yes, Ladies and Gentlemen, Amendment #3 changes the terms from a straight three years and make it consecutive so that all the membership don't expire at the same time. I ask for adoption of this Amendment."

Speaker Greiman: "The Gentleman asks... The Gentleman moves for the adoption of Amendment #3 to House Bill 1582. And on that, is there any discussion? The Gentleman from Cook, Mr. Cullerton."

Cullerton: "Yes, Mr. Speaker, I... I was under the impression that the Gentleman was going to attempt to adopt Amendment #1."

Speaker Greiman: "Mr. Brookins."

Brookins: "#1 and Amendment #2 were withdrawn. We are offering Amendment #3, and #... and Amendment #4 will do what you want."

Cullerton: "Okay. Thank you. That's fine, Mr. Speaker. Fine. That's fine, Mr. Speaker."

Speaker Greiman: "Yes, Mr. Brookins."

Brookins: "I move for the adoption of Amendment #3."

Speaker Greiman: "The question is, 'Shall Amendment #3 be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. Further Amendments?"

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

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Brookins."

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

Brookins: "Yes, Amendment #4 sets up the term of the members of the board for three years, and I move for adoption of Amendment #4."

Speaker Greiman: "The Gentleman from Cook moves for the adoption of Amendment #4 to House Bill 1582. And on that, is there any discussion? There being none, the question is, 'Shall Amendment 4 be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendment?"

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

Speaker Greiman: "The Gentleman from Cook, Mr. Brookins, on Amendment 5."

Brookins: "Yes, Amendment #5 deletes 60 days mandatory for a... (sic - confirmation) of the board members."

Speaker Greiman: "The Gentleman from Cook, Mr. Brookins, moves for the adoption of Amendment 5 to House Bill 1582. Is there any discussion? Being none, the question is, 'Shall Amendment 5 be adopted?' All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the Amendment's adopted. Further Amendment?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Cook, Mr. Brookins, asks leave of the House to have... to waive Rule 37(c) so that this Bill may be heard at this time. Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1582, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

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

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Brookins: "Yes, Ladies and Gentlemen of the House, this establishes a nominating committee for the Chicago Board of Education. There will be... establish a board made up of 25 people from various areas of the district of Chicago. They then would automatically name three people to the Mayor... recommend three people to the Mayor of the City of Chicago to be named on the school board. This, in effect, would give us an opportunity to choose the best from the City of Chicago to operate our school board. And with that, I'll ask for a favorable vote."

Speaker Greiman: "The Gentleman from Cook, Mr. Brookins, moves for the passage of House Bill 1582. Is there any discussion? There being none, the question, 'Shall...'
Mr. Levin."

Levin: "Will the Gentleman yield?"

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

Levin: "Okay. What you're... Representative Brookins, is it fair to say what you're doing is you're codifying the existing procedure? You're codifying the procedure that just produced the school board nominee, who was on the board back in '79, who didn't particularly care about the fact there was a 500 million dollar deficit when we had the last scandal, and put her back on the board. Is that right?"

Brookins: "That's not correct. No."

Levin: "But what we're doing is we're codifying by this the structure that is currently in place, the structure that has not worked, the structure that does not involve the citizens of the City, and lets the same folks that have been making the nominations for 20 years do it. The only difference is it's going to be in the statute. We are legislating council wars in this General Assembly, and I don't think we should do that."

Speaker Greiman: "Further discussion? There being none, the

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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 71 'aye', 22 'no', 15 'present'. And this Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading - Governmental Reorganization appears House Bill 2074. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2074, a Bill for an Act to amend Sections of the Civil Administrative Code of Illinois. Third Reading of the Bill."

Speaker Breslin: "The Gentleman from Saline, Mr. Phelps."

Phelps: "Thank you, Mr. Speaker. I request that this be placed on Interim Study, please, at this time."

Speaker Greiman: "The Gentleman asks leave to place the Bill on the Order of Interim Study, and it will be so ordered. On the Order of House Bills, Third Reading, Governmental Reorganization appears House Bill 2263. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2263, a Bill for an Act to amend the Civil Administrative Code. Third Reading of the Bill."

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

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2263 is, in effect, a rise out of the salmonella crisis in the State of Illinois. And, in effect, what the Bill does is attempt to return the statute of the Civil Administrative Code back to its original form prior to the appointment of one of our colleagues, Representative Bill Kempiners. At that time, the Department of Public Health had a requirement for the Director of that Department, and the requirement for that Department is that the individual was a physician licensed

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to practice medicine in all of its branches and surgery in the State of Illinois and that that individual must have five years practical experience in the practice of medicine and surgery in public health, and that he must have administrative experience in public health work. The Assistant Director of Public Health shall be a person with administrative experience in public health as well. And by implication the Medical Determination's Board functions would, in fact, no longer exist, and this legislation, House Bill 2263, dissolves that Medical Determination Board. I think we all in this Body are aware of the need for this legislation. Mr. Speaker, I offer it to you and would urge an 'aye' vote."

Speaker Greiman: "The Gentleman from Cook, Mr. Bullock, moves for the passage of House Bill 2263. And on that, is there any discussion? The Gentleman from McLean, Mr. Ropp."

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

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

Ropp: "I just have one question, and I think you've a good idea here. I just wonder how many doctors will quit whatever profession they're in, whatever specialty profession, and work for the state at the salary we have to offer."

Bullock: "Well, (a) we have a clear example of that with the acting Director Dr. Bernard 'Ternock' from the Chicago Board of Health who formally was with the state. And if I am in this Body, Representative Ropp, I would join with you in sponsoring a salary increase for that Department if, in fact, we got the competency that's commensurate with the salaries."

Ropp: "I would also add that I think having a doctor is a good idea, although I have known some doctors that really weren't too good administrators. And I'm not sure that just by having a doctor we're going to have a good

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administrator, as I think many directors ought to be - at least good administrators and generally know the field which they are directing. I do support your Bill, and certainly want to urge everyone to support it."

Speaker Greiman: "The Lady from Champaign, Ms. Satterthwaite."

Satterthwaite: "...yield for a question? Will the Sponsor yield for a question."

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

Satterthwaite: "Representative Bullock, do you know how long it has been since the requirement that you are now inserting in the statutes was repealed?"

Bullock: "Well, we changed it in the 81st General Assembly, Representative, and I think we're in the 84th now, so we could extrapolate that to be on or about five or six years."

Satterthwaite: "Do you know why we repealed this qualification earlier?"

Bullock: "Well, I think it was sort of mutually agreed that the Governor had selected a distinguished director, an individual who formally served in this Body, who I have immense respect for, former State Representative William Kempiners, and we, in fact, as a courtesy both to our colleague and to accommodate the Governor we repealed that provision."

Satterthwaite: "I beg to disagree with you in regard to why we were repealing this qualification at that time. It is my experience that we have had both good and bad administrators of the Department of Public Health under both systems. And I recall very vividly that we worked for the repeal of this qualification earlier because we had had some very bad experiences of people who may have been perfectly good medical doctors who were extremely poor administrators. And we were finding that, in fact, it was

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very limiting to be able to find people who had qualifications in both areas. And, in fact, we opted at that time to do away with the qualifications for the medical doctor in order to get a good administrator. The fact that we may have had one bad experience since that qualification was repealed does not appear to me to be a significant reason for going back to a system that proved not to be good in the beginning. It is no guarantee that good directors will be in office with or without a medical degree, and I would certainly think that we would have the opportunity to choose from a much broader array of people without this qualification. And for that reason, I will oppose the Bill."

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

Regan: "Move the previous question, please."

Speaker Greiman: "Well, it's not necessary. There being no further discussion, Mr. Bullock to close."

Bullock: "Thank you very much, Speaker Greiman. Ladies and Gentlemen of the Assembly, let's clear the air. Director Kempiners was, in fact, the reason that we changed the statute. We can always hire, according to one of my advisors, a ramrod or figurehead. Ultimately, the accountability for the department is with the Governor who was elected by all of the people of the State of Illinois. It is not the qualification that we quarrel with so much in this instance. The fact of the matter is that 17,000 people in Illinois are affected with salmonella. Several died. I believe if we had the public health expertise at the top of the helm during this crisis, we could have, in fact, prevented, perhaps, the exacerbation of those illnesses and unfortunate deaths. We need a physician as the head of the department, and I agree with Representative Satterthwaite. Ultimately, the people will hold the

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Governor of the State, whomever that may be, accountable for the administration of public health. I urge an 'aye' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All 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? Yes, the Gentleman from Cook, Mr. Ronan, to explain his vote. One minute."

Ronan: "Thank you, Mr. Speaker and Members of the House. I wholeheartedly rise to support this piece of legislation. I think it's really important when we talk about professional health care here in the State of Illinois, and a position as sensitive as the Director of the Department of Public Health, that you have a physician in the leadership role in that department. It's very easy to bring in a top notch public health administrator to be either Assistant Director or Deputy Director, but for the position as Director, it's very obvious that we need someone with the clinical experience and the clinical background to make the clinical decisions that that department must administer here in the State of Illinois. I wholeheartedly support Representative Satterthwaite on this Bill, and I think it's an important move. We should have never allowed the legislation to be changed, and obviously, I think this is the kind of correction that we need to make. I applaud Representative Bullock's action."

Speaker Greiman: "Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question, there are 69 voting 'aye', 42 voting 'no', 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On page 27 of the Calendar on the Order of House Bills Third Reading - Public Utility Regulation appears House Bill 1596. Mr.

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Steczo? Is Mr. Steczo in the chamber? For what purpose do you seek recognition, Mr. Van Duyne?"

Van Duyne: "Yes, I'd like to have some direction from the Chair, please. A couple of hours ago, we were on page 16 on... and I think we finished House Bill 1547, and then we went to the Special Order of Business for Build Illinois, and then we went to the Special Order of Business of School Reorganization, and I'm wondering when and if, and even more importantly, if you're going to get back page 16 where you were before."

Speaker Greiman: "Well, we're trying to go over them all, but we'll certainly keep it under advisement. We're trying to do as best we can. Alright. Mr... Pardon?"

Van Duyne: "Well but, Mr. Speaker... Mr. Speaker, though, there has been three different Speakers in the Chair, and every... and I have went and asked Representative Pullen... I mean, I'm sorry, Breslin when, and the Parliamentarian, and they said as soon as they got through with the school business, they were going to go back to the Order of Business, and now you're going to another one. So, this is the second time."

Speaker Greiman: "Well, again, we're trying to move it as quickly as we can. Mr. Steczo in the chamber? Mr. Steczo? Alright. On the Order of House Bills Third Reading - Public Utilities appears House Bill 1596. Mr. Clerk, call the Bill."

Clerk O'Brien: "House Bill 1596, a Bill for an Act to amend Sections of the Citizens' Utility Board Act. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Steczo, on House Bill 1596."

Steczo: "Thank you, Mr. Speaker and Members of the House. House Bill 1596 as amended was debated on Third Reading. There

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was a problem that's been resolved. I would ask for the support of the House on this legislation."

Speaker Greiman: "The Gentleman from Cook moves for the passage of House Bill 1596. And on that, is there any discussion? Being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. This is final action. Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. On this question... Berrios, 'no'. Berrios, 'no'. So on this question, there are 110 voting 'aye', 3 voting 'no', none voting 'present', and this Bill, having received the Constitutional Majority, is hereby declared passed. Now, on the Order of House Bills Third Reading - Pensions, on page 29 of the Calendar appears House Bill 17. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 17, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

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

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 17 amends the Cook County Employees' Pension Code. What it does is that the... it adds an additional benefit and contribution formula where an employee may elect to make an additional contribution of three percent of salary in order to receive an additional one percent for each year of service, for which the optional contribution has been made subject to an overall maximum currently contained in the code. This formula would become effective July 1. In addition, it would change the current accrual rate from the graduated formula to a flat two percent and replace the 20 year service requirement with a 10 year and change the service requirement for early retirement without discount to be a member from over 55 but less than 60 with

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30 years of service rather than 35. This legislation did come from the pension board of the Cook County Pension Board, and it also has been approved by the board of commissioners and would relieve the state under the State Mandate Act. I might add also that the pension system for the Cook County system is the highest funded system in the State of Illinois. At the current level, they are funded at 80 percent, and I would urge your support of House Bill 17."

Speaker Greiman: "The Gentleman from Cook moves for the passage of House Bill 17. 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 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 3... 92 voting 'aye', 13 voting 'no', 7 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading - Pensions appears House Bill 60. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 60, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Sangamon, Mr. Curran."

Curran: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 60 is a fairly innocent pension Bill. It changes the number of... not the number but the kind of people who would be on the firefighters' downstate pension board. Amendment #4 clarifies what money can be offset and raises total of amount between the disability pensions and workers' compensation. And Amendment #6, which was also added, allows individuals to withdraw their contribution

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after 190 days without resigning from the Department. I know of no opposition. And there's no cost to this Bill as far as we know."

Speaker Greiman: "Gentleman from Sangamon, Mr. Curran, has moved for the passage of House Bill 60. And on that, is there any discussion? There being none, the question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is 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 99 voting 'aye', 9 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of House Bills Third Reading - Pensions, appears House Bill 73. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 73, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Franklin, Mr. Rea."

Rea: "Mr. Speaker, I ask for leave to take this Bill back for an Amendment."

Speaker Greiman: "The Gentleman asks leave of the House to return the Bill to the Order of Second Reading for the purpose of an Amendment. There being no objection, the Gentleman has leave. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Amendment #7, offered by Representative Rea."

Speaker Greiman: "The Gentleman from Franklin, Mr. Rea."

Rea: "Amendment 7 corrects a mistake that was made on Amendment 6, and I would move for its adoption."

Speaker Greiman: "The Gentleman from Franklin moves for the adoption of Amendment #7 to House Bill 73. And on that, is there any discussion? The Gentleman from Livingston, Mr. Ewing."

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Ewing: "Could... Could he explain that Amendment just a little bit more? Is it just a technical Amendment, or did it replace the earlier Amendment? What does it do? What's the mistake?"

Rea: "Well, in Amendment 6, it was to have required that a member, to receive military credit, discharge would have to be other than dishonorable, to be eligible."

Speaker Greiman: "The Gentleman from... Alright. The question is, 'Shall Amendment #7 be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Greiman: "Third Reading. The Gentleman from Franklin, Mr. Rea, asks leave of the House to waive rule 37(c) so that this Bill may be heard at this time. There being no objection, the Gentleman has leave. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 73, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Franklin, Mr. Rea."

Rea: "Thank you, Mr. Speaker, Members of the House. House Bill 73 extends the deadline for applying for credit for military service from September 1, 1974, to January 1, 1988. And this applies to the three pension systems; the State University System, the Downstate Teachers' and Chicago Teachers' System, and I would ask for an 'aye' vote."

Speaker Greiman: "The Gentleman from Franklin, Mr. Rea, has moved for the passage of House Bill 73. Is there any discussion? The Gentleman from Livingston, Mr. Ewing."

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

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the rearranging of the pension material, I want you to pay attention to this Bill, because there were a number of Amendments on other Bills, and they've all been put on this Bill, and as I understand it, very simply, this allows anyone on the Bills and the different pension systems that are being amended to take credit for military service, but now the catcher is, this is military service prior to when they ever went to work for the public body. Now, we have had a tradition of allowing credit for time served when you interrupt your career to go to the military, but just think of the precedent that you're setting here when, if you're 17 years old and you go in the service for three years, and then when you're 45, you become a teacher or whatever, you can go back and pick up those years of service. Now, no one has ever paid in for that. And our pension systems are certainly in enough of a trouble without going back and picking that up. I think probably we ought to pick up for grammar school or something else in the past. This is a bad precedent, and we should defeat this Bill soundly."

Speaker Greiman: "Further discussion? The Gentleman from DuPage, Mr. Hoffman."

Hoffman: "Thank you very much, Mr. Speaker and Ladies and Gentlemen of the House. This issue has come before this General Assembly, and I will take the same position I always have, and that is in opposition to this legislation. I may... There was a great deal of pressure to provide time for military service under the Downstate Teachers' Retirement System. I'm a Member of that particular system. I also have military time. However, pension systems are, in reality, deferred compensation, because after you've been in retirement for a relatively short period of time, all of your contributions have come back to you and then you are totally on the back of the rest of the taxpayers.

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But that retirement payment is deferred compensation for services you rendered as a teacher, a Member of the General Assembly, a Judge, whatever it happened to be. When you are in the military, that was something different. That was an obligation or a decision on your part, one or the other, to perform that function. And there were certain benefits for being in the military, whether it was the GI Bill, GI loan, whatever it happened to be, whatever deferred compensation there was involved in that, that stands alone, and that's separate from any of the retirement systems. Now, we all know the retirement systems are being funded by the state at... now, it's 60 percent of payout. We recognize that continually eating into the system by additional benefits will eventually destroy the system. And for these reasons, I rise in opposition to this legislation and would suggest to you that it is not in our best interest as Legislators, it is not in the best interest of the people of the State of Illinois as citizens, and it is not in the best interest of the beneficiaries of the system either, because this will affect only some of those members which will work to the detriment of everyone else. And for that reason, I oppose this legislation."

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

Wolf: "Thank you, Mr. Speaker and members of the House. I rise in support of Representative Rea's Bill. I know the Gentleman has worked hard on this legislation. I hope we will all give him a vote of support."

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

White: "Mr. Speaker and Ladies and Gentlemen of the House, Representative Hoffman raised a valid point, but I think the Members of this Body should look at it this way: If, by chance, a person was successful in graduating from

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college and then was drafted into the military or volunteered to participate in the military service, and then later, after serving his country, then decided to go into the teaching profession, I think that based on the fact that the man served his country, got an honorable discharge, I think it's only fair for us to allow him to pay into the system, and in this way, receive the military credit."

Speaker Greiman: "There being no further debate, the Gentleman from Franklin, Mr. Rea, to close."

Rea: "Thank you, Mr. Speaker and Member of the House. I'd like to point out that we're really only talking about two years of service, there, at the... that can be contributed to. In fact, you would contribute, as a member, for the years of service, credit granted, and says service credit may not be used in calculations for meeting the minimum service requirements. This is a Bill that is a good Bill. The Members would have to pay in. There's not the cost that was indicated earlier by one of the previous speakers, and I would ask for an 'aye' vote."

Speaker Greiman: "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? Yes, Mr. Saltsman. I'm sorry. One minute to explain your vote."

Saltsman: "Yes, thank you, Mr. Speaker. This Bill pertains to war time service only, so you look at the ones that have taught that were in the Second World War, and most of them are already retired, and it would pertain to them and the Korean War veterans only, so this is a very few amount of people, and it's not a very big cost factor. You should vote 'yes' on this Bill."

Speaker Greiman: "Have all voted who wish? Have all voted who

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wish? Mr. Clerk, take the record. On this question, there are 55 voting 'aye', 42 voting 'no', 6 voting 'present'. The Gentleman from Franklin asks for Consideration Postponed. On the Order of House Bills Third Reading - Pensions appears House Bill 94. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 94, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

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

White: "Mr. Speaker and Ladies and Gentlemen of the House, House Bill 94 amends the Chicago Teachers' Pension Fund. It does a number of things. Number one, it... in the beginning, we had an Amendment on the Bill that would allow a teacher to use up to 200 days, which was far in excess of what is being used right now, what is being allowed in the downstate system. And so, we admitted the Bill so it would be in conformity with the Downstate Teachers' Fund. It now says that a teacher can use up to 90 to 170 days. It also raises the minimum limit on stocks and convertibles. It authorizes the board to meet in closed sessions. It clarifies the terms of separation from service, and it allows an election of the board of trustees and it requires repayment with five percent interest on any board or any amount erroneously distributed to a pensioner. That is the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. White, moves for the passage of House Bill 94. Is there any discussion? The Gentleman from Livingston, Mr. Ewing."

Ewing: "Would the Sponsor yield?"

Speaker Greiman: "Indicates he will."

Ewing: "Representative White, does this have the South African... the investor Amendment on it?"

White: "Oh, yes it does. I'm sorry. I forgot to mention that."

Ewing: "I think that's a pretty important point. Mr. Speaker, to

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the Bill. That the Sponsor failed to mention, this Bill does have some cost, but I think if we all understand that with that Amendment on it, we're going to be setting our pension system and the Chicago Teachers' Pension System on a very different course, and I think you should all take that into consideration when making your decision."

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

Wolf: "Thank you, Mr. Speaker and Members of the House. Just to respond to the last speaker, the Amendment that is on House Bill 94 is not the South Africa Bill, as is contained in 317 and 330. I think if you will look at that Amendment, you will find that the cost impact or the restrictions imposed by that Amendment do not near compare with the South Africa Bills. I would rise to support the legislation."

Speaker Greiman: "Further discussion? Mr. White to close."

White: "Mr. Speaker and Ladies and Gentlemen of the House, the total cost of this Bill is \$300,000, and will have no increase on the accrued liability. Very small amount of money for the teachers' pension fund."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. Voting is now open. Mr. Preston, one minute to explain your vote. Mr. Preston, one minute to explain your vote."

Preston: "Thank you, Mr. Speaker. I really... I wanted to ask the Gentleman a question, but I'll do it in the form of, maybe he could nod his head. Do I understand correctly, Representative White, that the maternity leave increase for teachers, raising it from 12 months to 24 months to make it equivalent to military leave for soldiers is not included in this Bill?"

Speaker Greiman: "The Gentleman from Cook, Mr. White, to explain your vote."

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White: "Okay. Representative Preston, I know you are trying to put your Amendment on the Bill, and you were unsuccessful, so... no, I would not treat the maternity leave the same as I would treat military leave."

Preston: "Thank you."

Speaker Greiman: "Mr. Preston, did you want to vote? Have all voted who wish? Have all voted who wish? Mr. Clerk, take the record. Yes, Mr. White? For what purpose do you seek recognition?"

White: "I'd like to poll the absentees."

Speaker Greiman: "Alright. Poll of the Absentees."

Clerk Leone: "Poll of the Absentees. Klemm. Mautino. McAuliffe. McMaster. Wyvetter Young and Zwick."

Speaker Greiman: "Yes, Mr. Leverenz?"

Leverenz: "Hi, Buddy. Record me green, 'yes'."

Speaker Greiman: "Mr. Leverenz goes from 'present' to 'aye'. Mr. Curran, for what purpose do you seek recognition?"

Curran: "Curran, 'aye'."

Speaker Greiman: "Mr. Mautino? Mr. Mautino votes 'aye'. Yes, Mr. McAuliffe? Mr. McAuliffe votes 'aye'. Mr. Phelps votes 'aye'. Mr. Hicks votes 'aye'. Mr. Hartke... Oh, I'm sorry, no. Mr. Hartke, were you seeking recognition? You were not. Mr. DeJaegher votes 'aye'. Mr. Homer, are you seeking recognition? On this question, there are 63 voting 'aye', 49 voting 'no', 2 voting 'present'. This Bill, having received a Constitutional Majority, is hereby declared passed. Alright. We will now change to another Order of Business. Special Call, Subject Matter, Legalized Gambling. Page 28 of the Calendar, House Bill 895. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 895, a Bill for an Act authorizing and regulating greyhound racing. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Bullock. Excuse

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me, Mr. Bullock. Let me just interrupt you. I have to. Excuse me. Lot V is being resurfaced, so that all vehicles must be vacated by 5:00 today. If you park in Lot V, by 5:00... Well, I assume you all know what parking lot you park in. It's at College and Edwards. Lot V at College... Yes, Mr. Hastert? College and Edwards, Mr. Hastert. We'll... We'll verify you if you have to move your car. Mr. Bullock, I'm sorry for the interruption. Proceed, Sir."

Bullock: "Thank you, Mr. Speaker. I thought that you were going to say tongue-in-cheek, 'D' for dog. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 385 as amended would, in effect, create a whole new growth industry for Illinois. This industry would be the legalization of dog racing in Illinois. Illinois has long been a pioneer state in creative legislation to ease the burden on taxpayers, especially real estate taxpayers. Ten years ago, we passed the lottery in Illinois, and we've raised millions for education, and today, we see many of our surrounding states considering the lottery. We cannot be left at the starting gates when we are looking for new revenue-generating vehicles. The fact of the matter is, legalized dog racing in Illinois will generate, for the common school fund, conservatively, 55 million dollars, and if we, in fact, run as we anticipate at both harness racing tracks and new dog tracks, we could look at a figure of a hundred million dollars for the common school fund in Illinois. But more importantly, Ladies and Gentlemen, 685... 385 as amended would, in effect, create a state agency under the existing Horse Racing Act expanding from seven to nine members, two of which it is anticipated and expected and required that they would be experts in dog racing. Secondly, the legislation will have a 90 percent

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factor wherein Illinois residents will be given a direct opportunity to work to construct the tracks, to participate in employment at the tracks, and yes, Ladies and Gentlemen, to breed and to raise and to race Illinois greyhounds. Also, we have in this legislation, as I indicated on Second Reading, a provision that is a Class 4 felony for individuals to falsify applications or undergoing fingerprint background checks consistent with FBI standards, but more importantly, it's a Class 4 felony if someone seeking a license chooses not to provide one charity racing date per meet where all of the proceeds would go into what is called the Retired Greyhound and Pet Association, which is intended to protect the animals, to protect the dogs, the three-year-olds, the six-year-olds, the nine-year-olds, so that we will, in fact, in Illinois, be protecting these animals. It is also a Class 4 felony to use live lure in the training of greyhounds or, in fact, in the racing of greyhounds. I want to thank Representative McAuliffe, who expressed a profound interest in working with the Humane Society in making certain that we protect the dogs and the pets in Illinois. Also in this legislation, we have a graduated privilege tax starting at 1.7 under 200,000 dollars and 7.75 up to three million... at three million and beyond. In the legislation, Ladies and Gentlemen, we have, in fact, attempted to satisfy the concerns of the harness racing industry and existing track owners. We have a 55 mile limit provision in the Bill which, in effect, would grandfather in nine existing tracks in the State of Illinois. We also have a provision that one seeking a track would, in fact, if you had operated a racing track during or prior to 1985, automatically grandfathered in. The greyhound racing dates obtained by the horse racing tracks will financially strengthen those

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tracks in several ways. In closing, Mr. Speaker, I'd like to read that the profit gained from the handling of greyhound racing is only the most obvious benefit of this Bill. First, we'll lengthen the annual period of employment for people working at harness racing tracks by reducing their unemployment insurance costs. We reduce that because we will improve the lives of their employees and increase their average working hours. We increase the use of their facilities, the harness racing facilities, to allow track owners to improve and upgrade their facilities, making them more attractive to the wagering public. Finally, increasing attendance for both sports, for harness racing and greyhound racing, and since many of the tracks in Illinois at present are only marginally profitable at best - two harness racing tracks have closed - we will be filling in the, quote, 'dark days of harness racing' with greyhound racing and assure the continued operation and financial success of the tracks in the State of Illinois. Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I respectfully request an 'aye' vote."

Speaker Greiman: "The Gentleman from Cook, Mr. Bullock, has moved for the passage of House Bill 995. And on that, is there any discussion? The Gentleman from Cook, Mr. Kubik."

Kubik: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is an important Bill, because we're going to create a new industry in Illinois, and I think we ought to look at what this industry is going to do. I want to just bring out a few points. First of all, I have contacted the Legislative Research Unit, and in those states - 10 states - which have both dog racing and horse racing, there is no question about it, that horse racing has suffered. Let me give you a couple of facts. Arizona, which has horse racing and greyhound racing, in three years alone, has lost

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15 percent of its revenue in horse racing. In Colorado, which has both, the revenue for horse racing is down 21 percent. In Florida, it's down 43 percent. In New Hampshire, it is down an incredible 91 percent in three years. In South Dakota, it's down 79 percent, and in West Virginia, it's down 43 percent. In six of those states, the horse racing industry has suffered, due to dog racing. Ladies and Gentlemen, I'd also like to bring to your attention, there's been a lot of discussion as to whether or not the tracks are in favor of this rule, and the fact of the matter is that the tracks are not, and a lot of the unions are not, and there's a list put out by the Illinois Horse Council, which lists a number of organizations, including Local Union 134, International Brotherhood of Electrical Workers, which is opposed; Paramutuel Local 624, Service Employees' International Union is opposed. The Chicago Division of the Horsemen's Benevolent and Protective Association are opposed. The Illinois Division of the Horsemen's Benevolent and Protective Association are opposed. The Illinois Harness Horsemen's Association are opposed. The Illinois Standard Bred Owners are opposed. And on and on and on. But Ladies and Gentlemen, we can talk about the financial issues and the bottom line, but that's not really the issue, here. The issue is whether or not dog racing is humane and whether it's right. You know, the... If we create dog racing in Illinois, well, first of all, for those of you who don't know it, we in this state collect about 200,000 small animals in this... through humane societies. We destroy 170,000 of those animals. This industry, the greyhound racing industry, has no other purpose than to breed and race dogs, and let me tell you about that. Eight out of ten dogs which are raised never live past the four year mark. Eight out of ten of them

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perish within four years. Over the nation, 75,000 greyhounds are destroyed each year. What kind of an industry is that? Is revenue in this state for education that important, that we have to create this kind of an industry and this kind of a travesty? I don't think so. Let me tell you a little bit about how they train greyhounds. You know, last Session, they outlawed dog fights and they've outlawed cock fights and all the rest. Dogs - let me tell you how they train dogs, these greyhounds, and understand, a greyhound is created for no other reason than to race. They put them in a fenced track, and then they have a metal beam that goes around the track, and they have a group of greyhounds running around that track. But you know, greyhounds don't follow a metal beam, so they put a live animal on that beam - maybe a rabbit, a kitten, a dog, whatever small animal. As they go around that track, maybe a leg will be bitten off or a tail or an arm or whatever, but there... but let's face it, the breed... the trainers are very economical, because after they finish going around once and they test how good the dog... greyhounds are, then they bring another pack in, and they have a bloody mass hanging on to that... to that beam, and they do it again and again until this animal is completely destroyed. That's the kind of industry we're going to bring into the State of Illinois. That's the kind of humane type of industry we're going to bring into this state. You know, I'd like to close by saying that I read in the paper yesterday that to ameliorate some of the humanitarian concerns, we're going to create a retirement home for greyhounds, kind of a Sun City for racing dogs. We can't even find the money to subsidize housing for senior citizens, and we're going to create a retirement home for greyhounds? Ladies and Gentlemen, this is a

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ludicrous idea. It just... It merits a little more discussion. It merits a little more debate. It's something that we ought to consider very carefully before we vote on, because besides destroying one industry, we've got to ask ourselves whether this is a humane and right thing. I ask for a 'no' vote. Thank you."

Speaker Greiman: "The Gentleman from... The Gentleman from Rock Island, Mr. DeJaegher."

DeJaegher: "Thank you, Mr. Chairman and friends. I stand in opposition to House Bill 885 purely for the economic reasons of it. Horse racing throughout the state is suffering from a serious decline of revenues. Any shifting of wagering will have a serious impact on horse racing in this state. It has been proven. It has been proven in every state where dog racing has been permitted to run, horse racing has declined. This is your American dollar.

Sometimes this is used for wagering purposes, sometimes for other purposes. You can crumble this dollar, and the usefulness will retain. You can step on this dollar and the usefulness will retain. You can kick this dollar bill, and the usefulness will be retained. Yes, you can even stretch this dollar to a certain point, but after a period of time, that dollar collapses, and all you're doing, if you put in horse racing in the State of Illinois, is shifting money. If you put in dog racing in this state, all you're doing is shifting money from one pot to another. What I'm trying to do is to make you knowledgeable. If you implement dog racing, all you're going to be doing is hurting another industry. The Governor's task force, this summer, went into racing extensively. They have stated that this is not a recommendation from the Governor's task force. In this state, horse racing tracks generate between 64 million and 72 million dollars in direct state revenue

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annually, eight million dollars in local taxes, in excess of 40 million dollars spent with local merchants, and an estimated 1.5 hundred million dollars in indirect taxes. In every state where dog racing has been allowed, horse racing has been hurt tremendously. Let me give you some other examples. The Illinois Racing Board is against this Bill. Humane societies throughout the state stand in opposition to this Bill. Yes, and even under the guise of promoting of this Bill, profits will go to the Common School Fund. This is ridiculous. On May 9, in our Appropriation II Committee, I asked Ted 'Sanders', Superintendent of Schools, if he felt we should encourage games of chance to support education. He said this should not be a necessity. Horse racing is a viable, important, contributing industry in the State of Illinois. We provide a large market for our state farm products. We provide a large market for our state farm products. For those reasons and many more that I will not expound upon, because they've already been done, so hopefully that you'll be supportive in voting against this piece of legislation. Thank you."

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

Woodyard: "Thank you, Mr. Speaker and Members of the House. I rise in support of House Bill 985. I would like to address some of the concerns that have been raised, here. I certainly am very supportive of harness and thoroughbred racing and would do nothing that I... if I felt it would be detrimental to that. As a matter of fact, if you look at my voting record, I certainly have supported it for a long period of time, even to the extent of overriding some of the Governor's vetoes. In the last three years that we've been looking at this concept, I have not really seen actual documentation that dog racing hurt horse racing. That's

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not the fact. As a matter of fact, Representative Bullock has put his Bill at 55 mile limit. Well, that ought to keep the dogs from going over and biting horses. Quite frankly, he has also addressed a lot of the concerns that the Humane Society people had. Throughout the Bill, there are very, very stringent controls to protect that. Now, here's the real reason that I happen to support this Bill. This is one of the best Bills for agriculture to come out of this General Assembly. These dogs will eat twelve and a half million pounds of soybean meal a year. Soybean meal sells for about \$200 a ton. That's a twelve and a half million dollar increase to the agricultural industry in this state. I... This fact sheet that I have here is erroneous in the amount of dollars generated to agriculture. It will be about twelve and a half million dollars. I urge your support on this Bill."

Speaker Greiman: "The Gentleman from Champaign, Mr. Johnson."

Johnson: "Thank you, Mr. Speaker and Members of the House. There's two issues that I want to address. First and by far the most important, is education. This Bill designates, as no other legislation we have, the net proceeds from this program specifically for the school children of the State of Illinois. Our schools are in a perpetual fiscal crisis, and the kind of reasonable projections that we have in terms of the income from this operation would do wonders to provide not only basic educational support, but frankly, some of the worthwhile programs that have been introduced through the course of this Session that might not otherwise be able to be sufficiently funded - various programs for... merit programs for teachers, special scholarships for good students, and on and on and on. This Bill directly addresses that issue in the most constructive way of any

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Bill we've had introduced this year'. The second and, I guess, equally important, is the issue of jobs. We all talk with great sincerity about the necessity of attracting new industry, attracting new jobs to the State of Illinois to widen the tax base and to make this an economically prosperous area, not only in the area of construction, which is really a dramatic area, the trade unions and crafts and other people that would be put to work in the construction of these operations and the renovation of existing tracks into dog tracks, but in terms of the number of jobs directly attributable to the industry, the job projections are dramatic, but just as important is the support services - the concessionaires and those who build and operate their businesses and provide jobs because we had dog racing and because the economic mix is so good for a particular geographical area. Those two things are important, and those... those alone ought to be sufficient to render support for this Bill. Representative Kubik has his statistics and I have mine with respect to the impact of combining racing and combining various forms of gaming, and the statistics that I have, the studies that I've seen, indicate just as locating two supermarkets or two department stores near one another, that the juxtaposition in terms of gaming operations in a geographical area can not only not hurt one, but have dramatic positive effects on both - new Jersey, for example, with their combination of gaming operations. This is a good Bill. There is no... The Bill is so designed as to totally protect against any of the potentially inhumane aspects of this operation that are, really nonexistent. Good for jobs, good for the people of Illinois and most important of all, because it's designed that way by Representative Bullock and others, good for the school children of Illinois, and I would

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urgently ask you to give this a 'yes' vote and let Illinois join the 20th century in terms of providing a new industry, new tax revenues, new businesses and a new operation for all the people of this state."

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

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

Speaker Greiman: "The Gentleman from Cook, Mr. Piel, moves the previous question be put. All in favor say 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it, and the previous question will be put. Mr. Bullock to close."

Bullock: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. I appreciate my colleagues standing and addressing the substance of this issue, especially the remarks of Representative Johnson and Representative Woodyard, and I'm sure some of the other colleagues will explain their vote. Horses, greyhounds and off-track betting can thrive in Illinois. Specifically, greyhound racing can help revive the harness industry. Some of the tracks of harness industry are now marginally profitable at best, and as I indicated earlier, two of them have closed. Filling the dark days with greyhounds can assure continued operation and financial success of those harness tracks to the benefit of the harness industry and the greyhound industry. The fact of the matter is that Representative Woodyard indicated the agribusiness in Illinois will benefit to the tune of approximately five hundred thousand dollars in soybeans per track and three million dollars in meat product sales. The tourist industry downstate and central Illinois will thrive once again, rivaling the major metropolitan area in the northern part of Illinois. More importantly, if horse racing tracks apply and racing greyhounds during the dark days, the Common School Fund can

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achieve a minimum of a hundred million dollars of funds sorely needed to bring about education reform in Illinois. The 'regap' money comes from the purses, not from the state. The Humane Society in Florida said this is the best and best drafted greyhound legislation in the nation, a testimonial from Florida 'regap' Incorporated. And finally, for those that believe in strong enforcement, law and order, Class 4 felony for forgery, Class 4 felony for using live animals to train or race in greyhound racing, I urge an 'aye' vote."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Representative Panayotovich, one minute to explain your vote."

Panayotovich: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, let's listen again at who we're helping in this legislation, here. When we have fully developed... When our greyhound program is fully developed, we're talking about 17 tons of food a day, which is soybean meal. There are... We are the number one state for soybean in the union. We have other states that have existing horse racing and greyhounds - Arizona, Arkansas, Colorado, Oregon, Florida and Massachusetts - they have existing, and they're working together. Maybe we should start asking ourselves what's wrong with the horse industry. We have existing tracks and they're going to be grandfathered in - Sportsmen's Park, Hawthorne Park, Maywood Park, Balmoral Park, Fairmont Park, Fox City... Fox Fields Race Track, Quad Cities Downs, Cahokia, Arlington Park. This Bill will help education with approximately 18 million new dollars to the aid of school children of Chicago and 32 million dollars... new dollars for the state... "

Speaker Greiman: "Bring your remarks to a close."

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Panayotovich: "Thank you. I will. We have a chance to start a new industry, create 850 jobs on the front end with a new track, 8,000 permanent jobs. As DeJaegher said... Representative DeJaegher, take this dollar, watch the tax dollar grow, watch the dollars grow. Take it, and let's have 'aye' votes up there."

Speaker Greiman: "Mr. Huff, one minute to explain your vote."

Huff: "Thank you, Mr. Speaker. I was just laughing over the image of what kind of race are you going to get from dogs that consume 17 tons of dog food a day? But anyway, Ladies and Gentlemen, that's... that is a familiar ring in this proposition, and that is, like lottery, these proceeds are going to go to education. Don't believe it, and worse yet, don't bet on it. Financially speaking, Mr. Speaker, on this proposition it is all too easy, Ladies and Gentlemen, for these hounds to become like the proverbial wolf, and Ladies and Gentlemen, those of us who had to face this animal can tell you, unequivocally, that that animal never becomes a pet. I urge us to stick all the red votes we can on this Bill. Thank you very much."

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

Pedersen: "I think we ought to recognize that there's a limit to the amount of money out there that we're going to get from gambling. We're on a binge, we're at the casinos, and pretty soon we're going to be taking, presumably, more money in on gambling than we're making. And I think we have in place a horse industry, a thoroughbred industry. They're paying the... one of the highest taxes in their business of any place in the country, and what it needs is help by lowering those taxes so they can have better purses to attract better horses and make more money. That would... That would be the solution. You're not going to

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do them any good by adding another industry and destroying the old one. You won't have the jobs. You won't have the help to agricultural. You'll lose it. I think the important thing that we have to remember here is that we've got an industry that needs help. You're not... You can't compare New Jersey, because they've got lower taxes, and maybe they can survive there. We can't afford to take that risk here."

Speaker Greiman: "Mr. Saltsman, one minute to explain your vote."

Saltsman: "Thank you, Mr. Speaker. Senator Vadalabene's got a Bill over in the Senate that's going to be over here very shortly, sponsored, I hope, by Representative DeJaegher, and I'm going to support that Bill. And that Bill's going to allow us to alleviate some tax to put more money into our three downstate tracks. I'm going to support them. The money will raise more, handle more prize money and so on for horsemen. But the dog industry isn't hurting the handle in these race tracks in other states. Ours is down 25 percent without even dogs running. You can't blame the dog racing sport, because ours is down 25 percent here. So let's increase the economy. Let's have our dog racing... The mayors of the several cities from my area - very conservative cities - East Peoria, Pekin, Peoria, Creve Coeur, the county boards of these areas, sure we're subject to have a track, and we need one bad. We need those 100 jobs. We need it really bad in Peoria. Twenty-two percent unemployment in my district. Let's give this a vote. Let's give it a try. We need... We need dog racing in our area, and let's share our wealth. We don't need to have a battle between Moline and Peoria. There's plenty there for both of us, and our 30 percent of the people will still keep coming to Moline."

Speaker Greiman: "The Lady from Cook, Ms. Parcels, one minute to

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explain your vote."

Parcells: "Thank you, Mr. Speaker. I think Representative Bullock has a wonderful idea here - new business for Illinois. It's good for agriculture, good for jobs, and one thing I'd like to explain. My brother owns both horses, standard breds, thoroughbreds, and dogs, and as far as this inhumane bit goes, horses end up with bloody mouths from the bit, and they get hit with whips that would knock your arm off after about three pounds with that. They have men on their backs, and dogs run absolutely free. They do make good pets. He has two of them. Through this REGAP program, they take older dogs and they turn them into pets, and they're wonderful. And I think it's a wonderful idea and a good new business for Illinois."

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

Turner: "Thank you, Mr. Speaker. And to my distinguished colleague, Representative Bullock, my vote here today does not reflect the fact that my dog is only 50 percent greyhound, thereby making him ineligible to run in the greyhound races, but because of the fact that I'm certain that we do not need any more gambling in this state. Yes, you mentioned that we're going to have charity nights for retired dogs, but how about charity nights for social service programs, for those people who spend their monies at these tracks? Yes, we talk about more money for education, and this is the year, and all this Session, we've been talking about reform and educational reform. And one thing that I've heard and have been hearing is that more money is not needed, that money into the school system is not the solution. And yes, like one of my colleagues stated earlier, when we first voted on the lottery, and I wasn't here at that time, but I do hear back home all the

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time from my colleagues that yeah, the lottery money is going to education. I'm not so certain that the guarantees are there, and I ask our colleagues to vote 'no' on this Bill."

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

Tuerk: "Mr. Speaker and Members of the House, I think this vendetta between the horse and the dog is a red herring, actually, that's being spread about. I don't think there's that much of a problem connected with the... with the two methods of racing here in Illinois. I think, as has been pointed out, it's good for business, it's good. I know we're ready to put in a track near Peoria and East Peoria. It would be good for the Peoria area. I think it would give the people of that area some recreational opportunities. Not only that, but I think it's going to build some real business for the state, and I... it will create some jobs. I know several hundred jobs in our area would be created. I think it's a good idea, and the time has come. I think we ought to put some more green votes on there."

Speaker Greiman: "Mr. Regan, the Gentleman from Will, one minute to explain your vote. "

Regan: "Mr. Speaker and Members of the House, I have a race track in the district near me that affects my district economically. We have a situation where, in the last five years, they have been in the red. They are thinking of closing down, and that's 600 jobs that's going to affect my district. They have called and said that they support dogs. This can save the Balmoral Race Track, and I think that it's a very good issue. We have taxes and taxes and taxes, and it's obviously this is the most common and popular way to get money for education, is entertainment.

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So I think we should have dogs for entertainment, dogs for education and dogs for eastern Will County. Please vote 'aye'."

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

Ropp: "Thank you, Mr. Speaker. I want to just allow the people to make sure that you're not saying that this is going to really help agriculture, because on the one hand, if you're eat some soybean meal, you're going to eliminate that horse that is eating hay and oats and some other areas. So it's going to be just a wash. It's not going to be a real increase. It really takes more people to operate and to handle and to train horses than it does dogs. So you have to weigh in your mind if you're going to increase dog racing and offset horse racing, you're going to end up losing more jobs than you're intending to create, and that's why I'm voting 'no', because I think we have a viable, healthy industry that needs some work on it, but certainly, it is in place and operative, and I don't want to hurt it."

Speaker Greiman: "Have all voted who wish? Mr. Clerk, take the record. On this question, there are 48 voting 'aye'... I'm sorry. 47 voting 'aye', 62 voting 'no'. Mr. Tate, for what purpose do you seek recognition?"

Tate: "Vote 'no'."

Speaker Greiman: "Mr. Tate votes 'no'. Mr. Preston votes 'no'. Mr. Richmond votes 'no'. Yes, Mr. Flinn? For what purpose do you seek recognition?"

Flinn: "Well, I suspect that you thought that I was going to move the previous question, but I would like to explain my vote. One of the... One of the previous speakers complained about the fact that it was a trade-off in the food that the dogs or the horses would eat. I think he more suspects

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something worse than that, that we're going to take away his agricultural fund for his county fair and give it to the school kids. That's terrible. We shouldn't do that. But we have a track down in my district - Cahokia Race Track - which is grandfathered in here, and there were over a hundred people laid off about six years ago, some of which have not found jobs yet, and almost all, not all, but almost all of those would go back in if we could have dog racing there. I'm not going to waste much more time. Obviously, it's not going to pass at this time, but I'd like to see it get on Postponed Consideration. Maybe we could twist a couple of arms between now and midnight."

Speaker Greiman: "On this question, there are 49... Yes, Mr. Bullock? Mr. Bullock asks for a Poll of the Absentees. Yes, Ms. Flowers, for what purpose do you seek recognition?"

Flowers: "I would like to change my vote, please."

Speaker Greiman: "Ms. Flowers goes from 'no' to 'aye'. Who else? Mr. Bullock, for what purpose to you seek recognition?"

Bullock: "Poll the absentees, please."

Clerk Leone: "Poll of the Absentees. DeLeo. Alexander. Klemm. Zwick. No further."

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

Shaw: "To change my vote from 'no' to 'aye'."

Speaker Greiman: "Mr. Shaw goes from 'no' to 'aye'. On this question, there are 49 voting 'aye', 63 voting 'no', 2 voting 'present'. Mr. Bullock?"

Bullock: "Speaker, I request the Bill be placed on Postponed Consideration."

Speaker Greiman: "And Mr. Bullock requests that the Bill be placed on the Order of Postponed Consideration, and it is so ordered. On the Order of Legalized Gambling, Special

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Call, Subject Matter... Yes, Ms. Wojcik? For what purpose do you seek recognition?"

Wojcik: "Yes, I rise for a point of inquiry. I noticed that you inadvertently went around House Bill 645, which I am a Cosponsor on. Inadvertently."

Speaker Greiman: "Well, no. We're on a Special Call, Subject Matter, Legalized Gambling, so... "

Wojcik: "Games of chance."

Speaker Greiman: "No, we're not on that call. We're on Special Order, Special Call, Special Subject Matter - Legalized Gambling. Now, on the Order of House Bills Special Call, Legalized Gambling, appears House Bill 1558, on page 29. Mr. Clerk, read the Bill."

Clerk Leone: "House Bill 1558, a Bill for an Act to amend an Act to authorize paramutuel wagering at the State Fair and at county fairs. Third Reading of the Bill."

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

Vitek: "Watch it, Huff."

Speaker Greiman: "Mr. Huff, could you... Yes, Mr. Vitek?"

Vitek: "Yeah, I'm waiting for Amendment 4 to be adopted."

Speaker Greiman: "Mr. Vitek, is the... Mr. Clerk, is the Amendment here, printed and distributed?"

Vitek: "Yeah, it's been there two weeks."

Speaker Greiman: "Alright. Mr. Vitek asks leave of the House to return the... this Bill to the Order of Second Reading for the purposes of an Amendment."

Vitek: "Right."

Speaker Greiman: "There being no objection, the Gentleman has leave."

Vitek: "This is just a small technical Amendment... "

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

Clerk Leone: "Amendment #4, Vitek, amends House Bill 1558."

Speaker Greiman: "The Gentleman from Cook, Mr. Vitek, on

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Amendment #4."

Vitek: "Amendment #4 is just a technical Amendment proposed by LRB where, by deleting the word 'board' and inserting in lieu thereof 'board shall'. I move for the adoption of this Amendment."

Speaker Greiman: "The Gentleman from Cook moves for the adoption of Amendment #4 to House Bill 1558. On that, is there any discussion? There being none, the question is, 'Shall this Amendment be adopted?' All in favor signify by saying 'aye', those opposed 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment's adopted. Further Amendments?"

Clerk Leone: "Amendment #5, Vitek, amends House Bill 1558."

Speaker Greiman: "The Gentleman from Cook, Mr. Vitek, on Amendment #5."

Vitek: "I ask leave to withdraw Amendment #5."

Speaker Greiman: "Amendment #5 is withdrawn. Further Amendment?"

Clerk Leone: "No further Amendments."

Speaker Greiman: "Third Reading. Mr. Clerk, was this an Amendment... was Amendment suggested by the... by the LRB to correct... make a technical correction? Accordingly, the Gentleman does not leave... need leave to have the Bill heard on Second... on the Order of Third Reading. And Mr. Clerk, call the Bill."

Clerk Leone: "House Bill 1558, a Bill for an Act to amend an Act to authorize paramutuel wagering at the State Fair and at county fairs. Third Reading of the Bill."

Speaker Greiman: "The Gentleman from Cook, Mr. Vitek, on House Bill 1558."

Vitek: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I'm going to be very brief, because we have a lot of work to do here, but I just want to read one letter that approves among a half a dozen others, and this is from Mr.

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Jack Whiteside of Decatur, Illinois. 'I have clearly read the House Bill 1558, and I feel these revises (sic - revisions) are very adequate. I am very much in fair (sic - favor) of paramutuel wagering at the State Fair and the county fairs. A few reasons for my decision of favor are, ability to improve the racing facilities, more interest to the public, more purse money at the county fairs, more jobs created. As stated in Section 50(b), having a racing program at the State Fairgrounds in Springfield consisting of 30 days in June, 30 days in October is a very good idea. This will provide another good track to race at during the periods of time, and it is a place centrally located. Jack Whiteside, President of Big Ten, Decatur - Macon County Fair, and also President of Decatur - Macon County Horsemen's Association.' That is just one of the many letters that we have supporting this Bill. So James 'Patton', just for those Gentlemen that realized before, Duncan 'Price', the past President of the Illinois Horse Racing Association, and James 'Patton', President and General Manager of Quad City Downs. This is familiar to a lot of you fellows. Marilyn Ater, Secretary of the Illinois Quarter Horse Race. On behalf of Tom 'Ewing', 'Sadie Ann Rumley', Northern Illinois Colt Association, Bill Rutledge, President of the Farmer City Fair, DeWitt County, Farmer City Fair; Carl Becker - many of you remember him - he was the racing steward at Fairmont for seven years; Roy 'Roberson', President of DOT, Farmer City, Illinois; and our friend, Jack Whiteside. I ask for the support and ask for affirmative votes. Thank you."

Speaker Greiman: "The Gentleman from Cook moves for the passage of House Bill 1558. And on that, is there any discussion? There being none... Yes, Mr. Ropp, the Gentleman from McLean."

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Ropp: "Thank you, Mr. Speaker. In all due respects to my colleague, it is my feeling, as well as many other people throughout the state, a lot of them who are horse people who feel that there is no need to set up a separate director in charge of racing when the racing profession was taken over by the Department of Agriculture a few years ago. From that point on, the whole operation, in terms of organization and operation, have really improved. This particular idea is nearly brought up every year because of a very special, special interest. It is my feeling and the feeling of a lot of people that the operation currently going on is successful, is satisfactory and is one that does not need changing. Now, in regards to paramutuels, that's another story that could be handled currently by legislation. I don't believe that by setting up a separate board, you're going to create any more money than we currently have, because this Body, the Illinois General Assembly, would have to appropriate it anyway. If we need more money at the tracks, then this Body ought to be appropriating it, if we can get enough votes to pass it in that area, and I would certainly support it, as I have on many occasions, but to set up a separate director in charge of racing is not needed."

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

Woodyard: "Thank you, Mr. Speaker and Members of the House. Well, if you didn't like dogs, let's expand and increase the horse racing industry, and that's what this Bill does. We presently have about a billion and a half dollar horse racing industry in the State of Illinois today. This particular Bill that will allow the paramutuel at county fairs is one of the things that is needed to develop all the way for expansion of breeders through saving a lot of small county fairs to creating additional jobs. And if you

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want something that will really help the horse racing industry - and many of you spoke a few minutes ago on the dog racing Bill, the problems that the horse racing industry was in - this is the Bill that will expand that horse racing industry. And I urge an 'aye' vote on it."

Speaker Greiman: "The Gentleman from Rock Island, Mr. DeJaegher."

DeJaegher: "Thank you, Mr. Chairman. John, there was a question asked of you by a Representative, which was Gordon Ropp, and I would use his name, and one of the concerns that... I think that many of them have in the structuring of your package that you have become involved in, and to the best of my knowledge, you've been working on this particular package for a couple of years, you have no other legislation besides this legislation that you're bringing before the Body at the present time. Has that been clarified by an Amendment, and if it has not been clarified by an Amendment, would you be acceptable to keeping this within the realm of the racing board and no new director being implemented for this particular position?"

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

Vitek: "Mr. DeJaegher, as I explained to you, Amendment #5 was what you were discussing about the director, and I promised you that I would not enter that Bill in the Senate. I would keep it as the present Bill is with Amendment #4. And I will not change it over in the Senate and put that Amendment on. I withdrew it. It's Amendment #5. If you look at it, you'll see. The first line says, 'by deleting 'the Illinois Racing Board' and inserting in lieu thereof, 'the Director of Fair Racing', so it will stay because I withdrew this Amendment. It will stay under the Illinois Racing Board."

Speaker Greiman: "Mr. DeJaegher, do you have further... "

DeJaegher: "Mr. Vitek, I think that you have resolved Mr. Ropp's

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problems, and I think that you have resolved my particular problems pertaining to this, and if the State of Illinois is to flourish and be competitive with other states in the horse racing industry, we must have areas that we can promote racing, and fairgrounds is a beautiful place to promote those racing, and for those particular reasons, I am totally supportive of your House Bill."

Vitek: "Thank you very much, and I have support of all the other Members."

Speaker Greiman: "Further discussion? There being none, Mr. Vitek to close. Mr. Mautino, did you... Mr. Vitek to close."

Vitek: "I ask for an affirmative vote, and I hope you'll give me a big vote on this, because we straightened it out."

Speaker Greiman: "The question is, 'Shall this Bill pass?' All those in favor signify by voting 'aye', those opposed vote 'no'. This is final action. Voting is now open. The Gentleman from Bureau, Mr. Mautino, to explain his vote. One minute."

Mautino: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, Representative Vitek has worked long and hard over the past three Sessions trying to put together this package. There are very few, if any, track investors who will be providing the necessary electronic equipment - the tote boards, et cetera - at the county fairs for racing once a year. I find it very difficult to understand how the State Fair would also be able to involve themselves with those type of expenses necessary in paramutuel wagering. But John does deserve to have his Bills heard and passed, because we know exactly how hard you've worked on it, John, and I'll be voting 'aye', right along with you, even though it's a very difficult thing to do."

Speaker Greiman: "Have all voted who wish? Have all voted who

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wish? Mr. Clerk, take the record. On this question, there are 63 voting 'aye', 38 voting 'no', 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. Representative McPike in the Chair."

Speaker McPike: "Continuing on the Special Call, Legalized Gambling, page 29 on the Calendar, House Bill 2522. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 2522, a Bill for an Act to amend the Illinois Horse Racing Act. Third Reading of the Bill."

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

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2522 amends the Illinois Horse Racing Act, and it authorizes the Illinois Horse Racing Board to conduct blood tests on jockeys and drivers. This Bill was amended by Representative Giorgi and myself to specify that no driver can be tested more than three times during a racing meet. This met all the objections, and to my knowledge, there is no known opposition. And I would move for passage of this Bill."

Speaker McPike: "The Lady moves for passage of House Bill 2522. Is there any discussion? The Gentleman from Rock Island, Representative Brunsvold."

Brunsvold: "Will the Sponsor yield?"

Speaker McPike: "Indicates she will."

Brunsvold: "Representative, what does this do, now? Test what?"

Koehler: "Representative Brunsvold, what it allows the Illinois Horse Racing Board to do is to test jockeys, give blood tests to jockeys."

Brunsvold: "The horses?"

Koehler: "No, the jockeys. They already do it for horses."

Brunsvold: "I know it, but how far does the jockey run in this race?"

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Koehler: "He goes all the way around with the horse."

Brunsvold: "Yeah, but what does testing... So I test a jockey and I find he's on drugs. How is that affected how the horse is running?"

Koehler: "Well, what is is... It has been requested so that the... This is just another tool that the Horse Racing Board has in an effort to maintain the good reputation of horse racing in Illinois."

Brunsvold: "I just don't understand how... and the principle. I don't think they ought to be on drugs either, but I don't see how that, in any way, is going to affect how he's going to operate this horse underneath him? I mean, is him taking drugs going to stimulate the horse to run faster?"

Koehler: "No, Representative, it is a safety factor and of course, a preventative factor, that the Horse Racing Board would like to have this tool in an effort to maintain the... as I said, the good reputation of horse racing in Illinois. Furthermore, I would assure you that the jockeys are not in opposition to this and neither are the harness drivers. In fact, the harness drivers are in favor of it, and the one objection that was expressed by one of the jockeys to Representative Giorgi, Representative Giorgi and I worked out an Amendment that took away any of the objections to this piece of legislation."

Brunsvold: "Wouldn't it... Wouldn't it be a little cheaper if we put seat belts on these horses, and then they won't fall off?"

Koehler: "Well, I don't know. We could ask for a fiscal note on that."

Brunsvold: "Thank you."

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

McAuliffe: "Well, Mr. Speaker, to the Bill. I wonder if..."

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Speaker McPike: "Proceed."

McAuliffe: "If the tests come back positive, if they'll charge the jockey with driving under the influence."

Speaker McPike: "The Lady from Marshall, Representative Koehler, to close."

Koehler: "Thank you, Ladies and Gentlemen. I close with just asking you for your favorable consideration of this legislation that will be a further tool for the Illinois Racing Board to use in an effort to maintain the good reputation of horse racing in Illinois. Thank you very much."

Speaker McPike: "The Lady moves for the passage of House Bill 2522. The question is, 'Shall House Bill 2522 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 37 'ayes', 53 'nos', 10 voting 'present', and House Bill 2522, having failed to receive a Constitutional Majority, is hereby declared lost. Ladies and Gentlemen of the House, the Clerk has passed out Supplemental Calendar #1. It has a number of Senate Bills on them that need House Sponsors. We would appreciate it if you would look them over and pick up the Bills accordingly. The Clerk has tabulated the responses from the Consent Calendar earlier. Mr. Clerk? Consent Calendar Third Reading. And all the Bills passed. So, the Bills on the Consent Calendar, these Bills, having received a Constitutional Majority, is hereby declared passed. On the Order of Special Call, Business Regulations appears House Bill 1769, page 16 of the Calendar. Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1769, a Bill for an Act to amend the Illinois Aeronautics Act. Third Reading of the Bill."

Speaker McPike: "Representative Giorgi."

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Giorgi: "Mr. Speaker, this Bill amends the Aeronautics Act. It provides that no person shall operate a helicopter that is used... being used for raising, lowering or otherwise moving any external object unless the helicopter has two operating engines driving the rotors during the... above the vertical axis. This Bill is the result of public safety statistics of the National Transportation Safety Board, and also because of a couple of instances in the Chicago Loop. I urge the adoption of this Bill."

Speaker McPike: "The Gentleman has moved for the passage of House Bill 1769. Is there any discussion? Being none, the question is, 'Shall House Bill 1769 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 98 'ayes', 14 'nos', and 1 voting 'present', and House Bill 1769, having received the Constitutional Majority, is hereby declared passed. On the same Subject Matter, Business Regulation, page 16 of the Calendar appears House Bill 1984. Representative Vinson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1884, a Bill for an Act to amend the Illinois Funeral and Burial Funds Act. Third Reading of the Bill."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. This is the Bill that we amended yesterday to reduce the trust requirement from 95 percent to 75 percent and to exempt insurance companies and the Catholic Church. I believe that it is a compromise which reflects the public interest and would urge an 'aye' vote."

Speaker McPike: "The Gentleman has moved for the passage of House Bill 1984. Is there any discussion. On that, the

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Gentleman from Cook, Representative Brookins."

Brookins: "Mr. Speaker, and Ladies and Gentlemen of the Assembly, I rise in support of this Bill. There has been work done by Representative Vinson to compromise with industry, with the cemeteries, with the film directors, and we have moved and given that compromise. We are now asking 75 percent to be placed into an escrow account so that the consumer may be assured that all his money wouldn't be lost if he invests in the pre-arranged services. I ask an 'aye' vote on this Bill."

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

Terzich: "Yes, could I ask the Sponsor a couple of questions? Did the Comptroller's Office approve of this Bill? Representative Vinson, was this... "

Vinson: "I'm sorry. I didn't... "

Terzich: "Was the Comptroller's Office... Did he approve of this Bill? I know he had 1559 also, and Representative Brookins is maybe insinuating that the cemetery owners were bilking the public and that, you know, and the funeral directors were."

Vinson: "Well, I don't know... What... What is your question, Sir?"

Terzich: "Well, did the Comptroller's Office write off on this Bill?"

Vinson: "No, they did not."

Terzich: "And also, there was some inference, here. Is the cemetery owners trying to rip off the public or something or... "

Vinson: "Well, the Bill is in response to a series of problems from cemeteries... in the case of a couple of cemeteries that have gone bankrupt, and as a result, the space has not been available that was contracted for."

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Terzich: "Well, I assume the other Bill has something like a 50 percent escrow account? Was that a 50 percent?"

Vinson: "Yes."

Terzich: "Alright. Thank you."

Speaker McPike: "Further discussion? The Gentleman from Cook, Representative Peterson."

Peterson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill and 1559 were considered in Executive Committee, and I think it's important to know that the Committee approved the other Bill. They didn't... They turned this one down once and let it out of Committee only on the notion that when it did get out, that there would be work... there would be work to kind of resolve the problem. Those problems have not been solved. I believe, from the testimony, which was very persuasive, that what the cemetery group has tried to do is to do the right thing. They have worked with the Comptroller. They have made lots of concessions to the Comptroller to do the right thing and they have come up with something that, while it isn't perfect for them, they are willing to agree with it. The other thing they... and there are private for profit cemeteries out there and 1884 has kind of taken the onus away from the Catholic cemeteries, so what, in effect, we have now is the private cemeteries having to compete with a tax exempt institution. So, and it's my understanding that the Catholic cemeteries still really approve the other Bill. So, I think, in view of the real effort the cemeteries have made to try to do it right, I think we should vote this Bill down and go to the other Bill."

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

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

Speaker McPike: "Yes, indicates he will."

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Ewing: "What is the amount of money now when you sell a cemetery lot that has to go into the trust fund?"

Vinson: "75 percent."

Ewing: "And originally it was 95 and you reduced it to..."

Vinson: "Yes, Sir."

Ewing: "Yes. Ladies and Gentlemen of the House, I certainly hesitate to rise against my colleague, but I have some concern if you were the developer of a cemetery how you can put 75 percent of the proceeds from the sale of your lots into a trust fund, pay your commission and pay for the land that you are developing. I think the percentage is still way too high. The difference between that and the undertaker who is putting the prepaid money away is that he's not giving anything up, but the developer has to give title to the land. He has to buy it and that's going to at least be... probably 50 percent would be fair. I think probably that's still high."

Speaker McPike: "Gentleman from St. Clair, Representative Flinn."

Flinn: "Well, Mr. Speaker, I believe the Sponsor referred to the Bill as being ... coming about because of the bankruptcy of a couple of cemeteries and I suspect if this Bill passes there will be more than a couple of cemeteries go bankrupt. I don't know how you handle a bankrupt cemetery. The people there don't care much about it, but since all of us are heading that way some day, I suggest I'd like to have one that's still soluble, at least when I get there, and after that I really don't care. So, I'm going to vote 'no' on the Bill."

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

Vinson: "Well, Mr. Speaker, I can assure Mr. Flinn that he's making a grave mistake. I did, after the Executive Committee met and considered this Bill and passed it out,

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convene, I believe, five meetings in regard to the Bill. We were able to resolve problems... two problems that are represented in Mr. McGann's Amendment with the insurance industry and with the Catholic church. We attempted to reach a compromise between the funeral directors and the cemetery industry and it became impossible to reach a compromise between them. So, what we chose to do was to reduce the trust requirement from 95 percent to 75 percent and in addition to that to authorize a system of payouts from the trust fund as construction is completed. So that the cemetery owner can take 20 percent up front to begin the process and then on a regular basis, as construction occurs, he can draw down on the trust fund. What that ensures is that the money and the space will be there when the person is in need. I believe that it represents a proper recognition of the public interest and I would move for an affirmative Roll Call."

Speaker McPike: "Gentleman moves for the passage of House Bill 1984. The question is, 'Shall House Bill 1984 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Curran, 'no'. Clerk will take the record. Representative Daniels. Gentleman from DuPage, Representative Daniels."

Daniels: "Is this the Gentleman's first Bill? Maybe he wants to change the Roll Call if it is."

Speaker McPike: "Representative Piel, 'no'. Mr. Clerk, what's the count? On this Bill there are 26 'ayes', 70 'nos', 14 voting 'present'. House Bill 1984, having failed to receive the Constitutional Majority, is hereby declared lost. Representative Brookins, for what reason do you rise?"

Brookins: "... I rise to explain my vote, Mr... I had my light on, Mr. Speaker. It's been pointed out that some may think

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this is a conflict of interest on my part. It is not. I gain no monies whatsoever, one way or the other and I voted my conscience."

Speaker McPike: "Proceeding on this subject matter, page 17 of the Calendar, House Bill 1980, Representative Wait. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1980, a Bill for an Act to amend the Highway Advertising Control Act. Third Reading of the Bill."

Speaker McPike: "Gentleman from Boone, Representative Wait."

Wait: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1980, as amended, would basically say that the signs that are along the tollway would be permitted to the tollway rather than to IDOT, as is currently the case. The tollway feels that they should have jurisdiction over these signs because if it's a safety hazard or whatever, they are the ones that should decide this factor rather than the Department of Transportation. I'd be happy to answer any questions."

Speaker McPike: "Gentleman moves for the passage of House Bill 1980. Is there any discussion? Gentleman from Bureau, Representative Mautino."

Mautino: "Will the Gentleman yield?"

Speaker McPike: "Indicates he will."

Mautino: "Why?"

Wait: "Well, basically, the tollway feel that since it's a... could be a safety factor, that they should be the ones to determine if there's a... hazard there rather than IDOT."

Mautino: "In other words, who... and the second question would be who sets the fees for the rental off of that property and who controls?"

Wait: "Okay, all the fees would be would be the same fees as what they are currently and there's just a five dollar fee."

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They would not get any of the money other than the five dollar fee."

Mautino: "Is that in the... Is that in your Bill or are you changing that to whatever the highway... the Toll Highway Authority determines, rather than the five dollar fee?"

Wait: "No, they plan to keep it the same as what it is currently."

Mautino: "Okay."

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

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation. The Tollroad Authority has other kinds of highway authorities on the tollroad as opposed to the Department of Transportation. This would just create consistency and I would ask for your support."

Speaker McPike: "Gentleman moves for the passage of House Bill 1980. The question is, 'Small House Bill 1980 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 91 'ayes', 19 'nos', 2 voting 'present'. House Bill 1980, having received the Constitutional Majority, is hereby declared passed. Subject Matter - Business Regulation, page 17 in the Calendar appears House Bill 2084, Representative Hallock. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2084, a Bill for an Act to amend the Court Reporters' Act. Third Reading of the Bill."

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

Hallock: "Thank you, Mr. Speaker, Members of the House. House Bill 2084 merely provides that when a court utilizes an audio or video recording system to record court proceeding, a court reporter must be in charge of that system."

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Obviously, the need for this Bill is very great in the sense that the court reporter is responsible for the accuracy of testimony within the court room. This would ensure that, in fact, occurs and I would ask for your support."

Speaker McPike: "Gentleman moves for the passage of House Bill 2084. Is there any discussion? Being none, the question is, 'Shall House Bill 2084 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 108 'ayes', 4 'nos', 1 voting 'present'. House Bill 2084, having received the Constitutional Majority, is hereby declared passed. Page 17 of the Calendar, House Bill 2179, Representative Vinson. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2179, a Bill for an Act to amend an Act in relation to preferred organizations. Third Reading of the Bill."

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

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. House Bill 2179 is a Bill to authorize preferred provider organizations in Illinois. It does prohibit exclusive provider organizations. It provides systematic safeguards for members of preferred provider organizations and ensures appropriate utilization review. I would move for passage of House Bill 2179."

Speaker McPike: "Gentleman moves for the passage of House Bill 2179. Is there any discussion? Being none, the question is, 'Shall House Bill 2179 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill there are 97 'ayes', 16 'nos', 1 voting 'present'. House Bill 2179, having received the

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Constitutional Majority, is hereby declared passed. Same Order of Business, on page 17 of the Calendar appears House Bill 2247, Representative Daniels. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2247, a Bill for an Act relating to nursing home care. Third Reading of the Bill."

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

Daniels: "Ladies and Gentlemen of the House, House Bill 2247 creates within the State Treasury the Excellence in Nursing Home Care Fund to receive monies pursuant to a voluntary checkoff on the Illinois individual income tax return. I ask for your favorable support."

Speaker McPike: "Gentleman moves for the passage of House Bill 2247. Is there any question? Any discussion? There being none, the question is, 'Shall House Bill 2247 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', 4 'nos', 12 voting 'present'. House Bill 2247, having received the Constitutional Majority, is hereby declared passed. Continuing on this Order of Business, page 17 in the Calendar, appears House Bill 2400, Representative Capparelli. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2400, a Bill for an Act to create an Act relating to motorcycle dealers franchise. Third Reading of the Bill."

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

Capparelli: "Thank you, Mr. Speaker. 2400 creates the Motorcycle Dealers Franchise Act and it defines the terms. It lists prohibits trade practiced by manufacturers, distributors or franchisers. It provides that a franchiser or manufacturer or distributor shall take no action to diminish the value of the franchise dealership. Third, it prevents the

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manufacturer or franchisers or distributors from refusing to give effect to the succession of ownership or management or control. Four, provides that the establishment and the relocation of a dealership, when a manufacturer, factory branch or distributor or franchiser seeks to enter into a franchise establishing or relocating a motorcycle dealer within the relevant marketing area. Fifth, it establishes terms for a dealership, compensation upon determination or cancellation of any franchise. It also requires the franchisers to compensate the dealer for the labor, parts and other expense incurred to comply with the manufacturer. It also prevents the manufacturer or distributor or the franchiser from requiring dealers to transfer any retail sales, installment contracts or to require the dealer to act as an agent or a manufacturer. The Bill is designed to protect the consumers and the dealers of Illinois in Illinois and it makes certain that motorcycle dealers can operate in an environment where they can expect a reasonable profit for their investment. This Bill does not restrict or infringe upon existing franchise laws which have already been passed to protect automobile dealers and implement dealers. And I would ask for a favorable Roll Call."

Speaker McPike: "Gentleman moves for passage of House Bill 2400. Is there any discussion? There being none, the question is, 'Shall House Bill 2400 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 93 'ayes', 19 'nos', 3 voting 'present'. House Bill 2400, having received the Constitutional Majority, is hereby declared passed. Subject Matter - Public Utilities and Energy, page 16 of the Calendar appears House Bill 1814, Representative

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Hastert. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 1814, a Bill for an Act to amend an Act concerning public utilities. Third Reading of the Bill."

Speaker McPike: "Gentleman from Kendall, Representative Hastert."

Hastert: "Thank you, Mr. Chairman and Ladies and Gentlemen of the House. It's my pleasure to bring you House Bill 1814. 1814 is a Bill which amends and changes and creates... it changes the Public Utility Act. Matter of fact, it creates the Universal Telephone Service Protection Act of 1985. It's a culmination of two years of study. It's also a culmination in recent times of about 50 hours of hearings, many days of deliberations and finally, a... the recommendation by the Joint Committee on Public Utility Reform and the Bill that you have before you. What 1814 does is conforms to the necessary federal policy changes that were dictated with the Judge Green decision and the FCC regulatory decisions to break up AT&T. It also addresses the issues of opening up competition in the telecommunications industry and along with the State of Illinois, most states in the United States of America at this time are trying to address this issue and are also developing Bills on telecommunications. What you should remember about this Bill is in the process and the philosophy that was developed over this period of time was that we are trying to maintain available and affordable telephone service for all the people in the State of Illinois. A matter of fact, 90 percent... 97 percent of all the households in the State of Illinois now enjoy telephone service. This Bill tries to maintain that standard. What we are also trying to do is to phase in between now and 1991 is the increased competition and opening up competition in the telecommunications area. The

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provisions of the Bill deal with maintaining traditional utility regulation of the telephone industry where ever service is provided on a monopoly basis while gradually relaxing regulation of service becomes offered and the competitive market place opened by federal actions. If we don't allow gradual relaxation of regulation, one thing is certain. Rates will go up. However, if we do relax regulation, we must be sure that users of basic phone services are protected. And House Bill 1814 contains all of the protections we could find to keep basic local rates as low as possible. This Bill contains a five year sunset provision. It contains a mandate to the Illinois Commerce Commission to closely monitor changes in industry and to report to us at least annually on the need to add protections for customers should that be necessary. This Bill also contains... Mr. Speaker..."

Speaker McPike: "Could the Gentleman have your attention, please?"

Hastert: "This Bill also maintains... contains guidance and discretion for the Commerce Commission on all aspects of undertaking in the new and difficult challenge of regulation. Mr. Speaker, I would be happy to yield to any questions."

Speaker McPike: "The Gentleman moves for the passage of House Bill 1814. Does anyone stand in opposition? There being none, the question is, 'Shall House Bill 1814 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Representative Huff, to explain his vote."

Huff: "Yes, Mr. Speaker. I'd like to commend the Sponsor of this Bill who was confronted with, in my opinion, with one of the most complicated, most stultifying pieces of legislation I've ever had the opportunity to look at. It required the wisdom of Solomon and that's exactly what

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Representative Hastert brought to this situation and I'm proud to put my 'aye' vote on that Bill. Thank you."

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

Levin: "Representative Hastert has done a marvelous job, a lot of work involving also both Leaderships over a long period of time to come up with a balanced Bill and as one of the Sponsors last year of Senate Bill 1803, this is consistent with 1803. 1803 provided for competition in intrastate and this Bill expands upon that."

Speaker McPike: "Have all voted? Have all voted who wish? The Clerk will take the record. Representative Mulcahey, 'aye'. On this Bill, there are 93 'ayes', 18 'nos', 4 voting 'present'. House Bill 1814, having received the Constitutional Majority, is hereby declared passed. Continuing this subject matter, page 18 of the Calendar, appears House Bill 2418, Representative Daniels. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 2418, a Bill for an Act in relation to Illinois coal and energy development. Third Reading of the Bill."

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

Koehler: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. House Bill 2418 establishes the Illinois Coal Industrial Utilization Program, which is a revolving loan program used to encourage Illinois Industries to convert to the use of Illinois coal. The basic purpose of the program is to increase environmentally sound uses of Illinois coal by Illinois manufacturers and industries. The Illinois Department of Energy and Natural Resources will administer the program and will supervise the programs that are used to encourage new boiler production programs using Illinois

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coal. The funds provided by the state will be for a portion of the total project cost and will bear a below market interest rate. The repayment of the loan shall be made to the Department of Energy and Natural Resources and deposited in the industrial coal utilization fund for use of new loans and ongoing programs. The loan shall be limited to 25 percent of the total project cost or two and a half million dollars, whichever is less. This particular type of program has fostered such projects such as those that are used in central Illinois for the development of environmentally accepted uses of coal such as in the fluidized bed boiler projects that have been in ongoing demonstration project at both Midwestern Solvents in Pekin, Illinois and at the B. F. Goodrich plant in Henry, Illinois. And I might just add that when Midwest Solvents dedicated their boiler project, they said that had it not been for the cooperative attitude of the state in helping them to put in this new boiler project, that they were operating at such a low margin of profitability in their business that they would not have been able to retain their company in the State of Illinois. They would have moved their workers and their plant to their home office in Kansas. So, I think that this shows how important it is that we, in Illinois, establish this type of program. And I would move for the adoption of House Bill 2418."

Speaker McPike: "The Lady moves for the passage of House Bill 2418. Does anyone rise in opposition? Being none, the question is, 'Shall House Bill 2418 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. Hicks, 'aye'. On this Bill, there are 115 'ayes', no 'nays', 1 voting 'present'. House Bill 2418, having received the Constitutional Majority, is hereby declared

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passed. On the Subject Matter - Sanitary Water and Port Districts, page 16 of the Calendar, appears House Bill 1598, Representative Pullen. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1598, a Bill for an Act to create sanitary districts and remove obstructions from the Des Plaines and Illinois Rivers. Third Reading of the Bill."

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

Pullen: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1598 would prohibit the Metropolitan Sanitary District of Greater Chicago from enforcing standards concerning sewer connections that are not cost effective. The reason that the Bill has been introduced is that the sanitary district is seeking to enforce standards that are unrealistic and costing taxpayers within the sanitary district millions of dollars of tax money in their municipalities for an unrealistic standard. Currently, 112 of the 127 communities effected are out of compliance which I believe leads one to question the standard, not the efforts. Many of these communities have already spent many millions of dollars seeking to meet the standard, but have not been able to do so. This Bill seeks to bring reason into this situation and I urge its passage. Thank you."

Speaker McPike: "The Lady moves for the passage of House Bill 1598. Does anyone stand in opposition? Gentleman from Cook, Representative Kulas."

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

Speaker McPike: "She indicates she will."

Kulas: "Why is this Bill necessary, Representative Pullen?"

Pullen: "This Bill is necessary, as I said, because the sanitary district is seeking to enforce unrealistic standards within its boundaries and costing the taxpayers of municipalities within the boundaries millions and millions in dollars to reach standards that they cannot reach."

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Kulas: "Is the sanitary district in favor of this piece of legislation?"

Pullen: "I do not know."

Kulas: "Well, your Bill was heard in my Committee. At that time, the sanitary district testified against this Bill. Now, let me ask you, how long has the sanitary district been in business?"

Pullen: "I don't know that, Sir."

Kulas: "Do you think they have been in existence longer than the Illinois EPA or the Illinois Pollution Control Board?"

Pullen: "Yes, they have."

Kulas: "Then do you think they should know what they are doing when they are concerned about the drinking water of people?"

Pullen: "Yes, they should. I would hope they would."

Kulas: "Well, then, to the Bill, Mr. Speaker."

Speaker McPike: "Proceed."

Kulas: "I would just... I would just remind all my colleagues that the sanitary district is opposed to this Bill and if you are concerned about the health and welfare of the people of the State of Illinois, you will vote 'no'."

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

Terzich: "Yes, I'm always aware of good government and certainly I think that this Bill will go a long way to enhance that image and especially with the Metropolitan Sanitary District and I would urge your support."

Speaker McPike: "The Lady from Cook to close, Representative Pullen."

Pullen: "Thank you, Mr. Speaker. I thank the previous Gentleman that I know is very concerned with the sanitary district and I would also like to thank the Chairman of the Committee for his vote in Committee on this Bill. And I urge you today to pass House Bill 1598 so that we can seek

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some reason in the enforcement of these standards. Thank you."

Speaker McPike: "The Lady moves for the passage of House Bill 1598. The question is, 'Shall House Bill 1598 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill, there are 73 'ayes', 34 'nos', 8 voting 'present'. House Bill 1598, having received the Constitutional Majority, is hereby declared passed. Subject matter, same page 16, House Bill 1687, Representative Van Dyne. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1687, a Bill for an Act to amend an Act concerning the Illinois Financial Assistance Programs for Capital Development projects within Illinois port districts. Third Reading of the Bill."

Speaker McPike: "Gentleman from Will, Representative Van Dyne."

Van Dyne: "Thank you, Mr. Speaker. This very simply and quickly put bolsters the borrowing power of our 13 port districts of the state and it is statewide. They started out with a borrowing power of 24.8 million and that fund is now down to 818,000. I want to assure everyone that it applies to all the... all of the port authorities in the state. It doesn't spend any money this year. It just now designates the fund and they have to go through all the impact study, the EPA and otherwise to become eligible for this and I... I ask your 'aye' vote."

Speaker McPike: "Gentleman moves for the passage of House Bill 1687. Is there anyone stand in opposition? Gentleman... Gentleman from Livingston, Representative Ewing."

Ewing: "Would the Spqnsor yield?"

Speaker McPike: "Indicates he will."

Ewing: "What is the need for the new borrowing power?"

Van Dyne: "The Bill is intended to go hand in glove with the

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Build Illinois. Now, Senator Virginia McDonald has a Bill to create an import-export business in the State of Illinois that goes along with the importation and exportation of goods out of the State of Illinois. Essentially, it gets the jump... it gives the jump to the State of Illinois in reference to the other states that border the Mississippi and the St. Lawrence Seaway and the Great Lakes. The... I said before in my initial comments that the need is there because it starts... the aid to the port authorities throughout the State of Illinois started out at 24.8 million dollars in funds and that fund has been depleted. We are now at... they only have \$818,000 in the fund."

Ewing: "Well, Representative, you say that it's part of Build Illinois. Then I assume that the Governor has given his blessing to this?"

Van Dyne: "Ironically, the Governor has publicly stated after starting out a little late by not putting it in his budget, that he does back the concept. Publicly, on the front page of one of our state newspapers. Not to mention the fact that I have talked to the Department of Transportation under which the auspices of this Bill will be taken care of and they say that their opposition to the Bill is passive at the worst, if you want to put it that way, just strictly because it is not in the budget. But I want to reiterate what I said before, that there... the timeframe of the people applying for this money is such a length that they would not get it this year anyway. So, there would be no financial impact to the Governor's budget at all."

Ewing: "But the Governor is not in support of this. His man just told me that. Now, you are going to say that he is..."

Van Dyne: "Well, then the Governor talks differently to the newspapers because it was on the front page of either the

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Tribune, I think it was the Tribune, but it may have been the Suntimes that said he does support the concept. But I also qualified that by saying that it is not in his budget and it's only the timeframe that it's due to."

Ewing: "How many of our ports have access to any waterway that of all these ports where we can get anything but a rowboat in?"

Van Duyne: "Well, I know the Joliet Port Authority does. I know the Tri-State covers 70... 70 some acres. The Chicago Port Authority has access to the Great Lakes and the St. Lawrence Seaway. And I'm not acquainted with the rest, but we have a lot of Representatives and Senators... Representatives in this Body... this specific Body that do have them and I'm sure they can tell you. You've got one yourself, I believe, don't you?"

Ewing: "No, the one I used to have, they tried to build an airport on because there wasn't any water around."

Van Duyne: "Well, we all have access to the Mississippi River, the Illinois River, the Ohio River and, of course, the sanitary canal that gets you into the Chicago River into the Great Lakes."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I am certain that my good friend and colleague from Joliet and all due respect to him believes that this money is needed in this project. We, in Illinois, have not spared the bond, so to speak. We have issued bonds at an ever increasing rate. I think that we ought to study this very carefully. I think it ought to be part of the Governor's budget if we are going to do it. We are... We want to issue a lot of bonds for other projects. Don't waste them on port authorities that aren't even within miles of any water. Let's vote 'no' on this Bill."

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

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Vinson: "Yes, Mr. Speaker, Members, I just want to say that anybody that couldn't get this on Build Illinois today certainly doesn't deserve it tonight."

Speaker McPike: "Gentleman from Will, Representative Van Duynes, to close."

Van Duynes: "Yes, I'll defer to Representative Panayotovich, my hypenated Co-sponsor to close."

Speaker McPike: "Representative Panayotovich."

Panayotovich: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Let me just tell you a little thing that I found out the other day and I gave this information to the people from the Waukegan area, Representative Matijevich and Representative Churchill. We have a company that is building jeeps for exporting in Southbend, Indiana. They take those jeeps to ship them overseas for trade and they take them across the Great Lakes. They do not go to the Port of Chicago, they do not go to the Port of Waukegan. They go to the Port of Milwaukee and ship them, when they have the two closest ports, which are Chicago and Waukegan cannot get the business to export these jeeps overseas. We need this capital development money in place so that the 13 ports throughout this state would have the money to keep up their facilities. And if I could just read from the Tri-City Regional Port District here. 'The impact significance of Illinois port facilities upon Illinois overall... economy in keeping Illinois farmer, manufacturers, producers and shippers competitive...' That's what we are trying to do is keep us competitive. The future economic viability of Illinois business depends on transportation, competitiveness and we need to keep our ports open, keep them going and I urge 'aye' votes on this. This is not a Republican issue. This is not a Democratic issue. This is an Illinois issue. We've got 13 ports

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throughout this state that need this capital development money and I urge an 'aye' vote."

Speaker McPike: "Gentleman has moved for the passage of House Bill 1687. The question is, 'Shall House Bill 1687 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Gentleman from Madison, Representative Wolf, to explain his vote."

Wolf: "Thank you, Mr. Speaker and Members of the House. This program would certainly help the Tri-City Regional Port District which is located in my home town. This is one of the largest port districts south of Chicago. The port district consists of about 157 acres at the present time and it's presently negotiating with the GSA in Washington, D. C., to acquire a good portion of the abandoned Granite City Engineer Depot. I think this is a good program and it would greatly assist the port districts throughout the state."

Speaker McPike: "Representative Matijevich, to explain his vote."

Matijevich: "Speaker, Ladies and Gentlemen of the House, often during this year we have heard Leaders talk about helping with the infrastructure programs. If there is anything that we can do in this House in helping the economy, it's in aiding the port districts around the State of Illinois. You are not hurting anybody by this. You are helping the economy. If we are going to compete with other states, we as the State of Illinois, have to assist these port districts. This is a good business economy vote. I would urge the Members to vote 'aye'. It's a good Bill."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Bill, there are 56 'ayes', 52 'nos', 4 voting 'present'. Gentleman requests a Poll of the Absentees. Representative Hastert."

Hastert: "Aye."

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Speaker McPike: "Representative Mulcahey. From 'no' to 'aye'.
Mr. Clerk, that was Representative Hastert, 'aye'.
Mulcahey, 'aye'. Representative Stephens. Representative
Stephens changes from 'aye' to 'no'. Representative
Mautino, 'aye'. Representative Shaw, 'aye'.
Representative Washington, 'aye'. Representative Brookins,
'aye'. Representative McGann. Representative McGann,
please."

McGann: "Thank you, Mr. Speaker and Members of the General
Assembly, let me just share with you a little story and
it's a true story..."

Speaker McPike: "Representative McGann. Representative McGann."

McGann: "...that occurred... Yes, I'm explaining my vote, if I
may."

Speaker McPike: "One minute to explain your vote."

McGann: "And that was just recently, Mayor Washington, from the
City of Chicago, took a trip over to Milano, Italy, and he
obtained two businesses coming over there and the idea of
it was to develop the trade between the two ports so that
everything won't be just going into New York, but will come
into Chicago. This is an important Bill. I think we
should have those 'aye' votes."

Speaker McPike: "On this Bill, there are 61 'ayes', 48 'nos', 4
voting 'present', and House Bill 1687, having received the
Constitutional Majority, is hereby declared passed. House
Bill 1857, page 16 of the Calendar, Representative Hoffman.
Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1857, a Bill for an Act to amend an Act
relating to water commissions. Third Reading of the Bill."

Speaker McPike: "Representative Hoffman."

Hoffman: "Thank you very much, Mr. Speaker and Ladies and
Gentlemen of the House. During the last Session of the
General Assembly, we passed House Bill 557, which became

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Public Act 93-1123, which applied to water commissions and House Bill 1957 is a cleanup of that Act. There was some disagreement among members of the water commission and the municipalities in the County of DuPage over their responsibilities to one another and what was identified as the responsibility of the water commission vis a vis the municipalities. This legislation clarifies that as far as the parties in DuPage County are concerned. They have all agreed to this and I would ask for the passage of House Bill 1957."

Speaker McPike: "Gentleman has moved for the passage of House Bill 1957, and on that, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, would the Sponsor yield?"

Speaker McPike: "Indicates he will."

Cullerton: "Representative Hoffman, does the Bill contain any funding mechanism?"

Speaker McPike: "Representative Hoffman."

Hoffman: "No, it does not."

Cullerton: "Will there be a need for a funding mechanism this year?"

Hoffman: "There may very well be, but it is not contained in this Bill."

Cullerton: "Thank you."

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

Mulcahey: "Would the Sponsor yield for a question? Does this contain a front door or back door referendum?"

Hoffman: "For general obligation bonds, there's a front door referendum."

Mulcahey: "This is a front door referendum?"

Hoffman: "Yes, it is."

Mulcahey: "Well, Mr. Speaker, if this gets the number of votes, I

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would ask for a verification."

Speaker McPike: "Further discussion? Representative Hoffman, to close. Representative Hoffman, to close. Representative Hoffman, would you like someone else to close?"

Hoffman: "No, that's fine. I was just gathered around with my counselors to make sure I understood what was happening here. Mr. Speaker, Ladies and Gentlemen of the House, with all due respect to the last speaker, all the parties who at least currently are directly concerned and involved with this legislation agree with the form that it's in. At the present time, the only county that's effected by this legislation is DuPage. Other counties could be effected at some other time, but are not currently and, therefore, I would ask for your support of this legislation."

Speaker McPike: "Gentleman moves for the passage of House Bill 1857. The question is, 'Shall House Bill 1857 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 75 'ayes', 39 'nos', 2 voting 'present'. Representative Mulcahey, did you want a verification?"

Mulcahey: "I think it would be..."

Speaker McPike: "Silly."

Mulcahey: "... useless at this point right now, so we'll... on this one anyway, Mr. Speaker, we'll just let it go."

Speaker McPike: "Thank you. On this Bill, there are 75 'ayes', 39 'nos', 2 voting 'present'. House Bill 1857, having received a Constitutional Majority, is hereby declared passed. Page 18 in the Calendar appears House Bill 631. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 631, a Bill for an Act to amend an Act relating to sanitary districts in the Des Plaines and Illinois Rivers. Third Reading of the Bill."

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

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 631 provides... the General Assembly passed legislation to restore the districts construction fund. The purpose of this fund is to finance construction of smaller projects without the issuance of bonds and thereby realizing a savings in interest costs and I would urge your support."

Speaker McPike: "The Gentleman moves for the passage of House Bill 631. Is there any discussion? Being none, the question is, 'Shall House Bill 631 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 61 'ayes', 45 'nos', 6 voting 'present'. House Bill 631, having received the Constitutional Majority, is hereby declared passed. Subject matter - Retirement Systems, appears on page 29. House Bill 164, Representative Capparelli. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 164, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker McPike: "Representative Capparelli."

Capparelli: "I ask leave to bring it back to Second Reading for Amendment, please."

Speaker McPike: "Gentleman asks leave to return House Bill 164 to Second Reading. Is there any objections? Hearing none, leave is granted. House Bill 164, Second Reading."

Clerk Leone: "Amendment #... Amendment #5, Terzich - et al, amends House Bill 164 as..."

Speaker McPike: "Representative Terzich, Amendment #5."

Terzich: "Yes, Mr. Speaker... Amendment #5 increases the heart - lung from 50 to 65 percent, provides technical corrections for a widow's formula for the Chicago firefighters and also

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removing the restriction on orphans' benefits. I would move for its adoption."

Speaker McPike: "Gentleman moves for the adoption of Amendment #5. Is there any discussion? Being none, the question is, 'Shall Amendment #5 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk Leone: "Floor Amendment #6, Terzich - et al."

Speaker McPike: "Representative Terzich, Amendment #6."

Terzich: "Amendment #6 is the hold harmless clause relieving the state of any financial responsibility and I would move for its adoption."

Speaker McPike: "Gentleman moves for the adoption of Amendment #6. Is there any discussion? Being none, the question is, 'Shall Amendment #6 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments."

Clerk Leone: "No further Amendments."

Speaker McPike: "Third Reading. Gentleman asks leave to hear the House Bill 164 at this time. Are there any objections? Hearing none, the Attendance Roll Call will be used. Leave is granted. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 164, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

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

Capparelli: "Thank you, Mr. Speaker. The Amendment now is the Bill, increases the heart - lung to 50... from 50 to 65 percent. Makes a technical connection in the widow's formula and removes the restriction on alcoholism which has no cost, and I would ask for a favorable Roll Call."

Speaker McPike: "Gentleman moves for the passage of House Bill 164, and on that, the Gentleman from Livingston, Representative Ewing."

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Ewing: "Yes, Mr. Speaker and Ladies and Gentlemen of the House, in dealing with your side of the aisle on these pension matters we thought we had pretty good rapport with what's happening and now we come up with these two Amendments and I would be interested in knowing what the costs are."

Speaker McPike: "Representative Terzich. Representative Capparelli."

Capparelli: "The cost on it is... \$161,000."

Ewing: "You are saying that... what's the accrued liability?"

Capparelli: "I think it's 48 percent limited. There is no increase in accrued liability. No increase... no new tax either."

Ewing: "Are we talking about the Bill as amended? Our staff shows about \$750,000 of accrued liability and over a million dollars cost."

Capparelli: "As it is amended, there is only \$181,000 cost."

Ewing: "That's pretty reasonable. Is the second Amendment the exemption that exempts it from the Mandates Act?"

Capparelli: "Yes, it is."

Ewing: "And do we have... Is there anything from the City of Chicago asking that this be exempted, that they are willing to accept this new mandate?"

Capparelli: "Mr. Ewing, a letter is forthcoming and that's why we haven't got it."

Ewing: "You don't have it yet?"

Capparelli: "No, but it is... These are the..."

Ewing: "Have you ever waited for the mails from Chicago to get down here?"

Capparelli: "I beg your pardon?"

Ewing: "Have you ever had to wait for the mail to get here from Chicago?"

Capparelli: "We just agreed on these benefits last night and he said we are going to bring a letter in from Chicago, yes."

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Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, I find that we were trying to work out, to look at these pension Bills so that both sides of the aisle know what's in them. And I, personally, don't like to see two Amendments going on at the last minute completely changing the Bill. In fact, the Amendment becoming the Bill. For our side of the aisle, I'm sure your side will want to vote for the Bill, this thing shows that it may have considerable cost. It is an exemption to the Mandates Act, and I would advise either a yellow vote or a 'no' vote."

Speaker McPike: "The Gentleman from Cook, Speaker Madigan."

Madigan: "Mr. Speaker, Ladies and Gentlemen of the House, in response to Mr. Ewing... Mr. Ewing, we are very appreciative that you are concerned with the affairs of the City of Chicago. So am I. I've been close to these negotiations and I can tell you as one who has been close to the negotiations that all of this has been negotiated with the City of Chicago as represented by the administration, so that this particular Bill is agreed. Thank you."

Speaker McPike: "Representative Capparelli, to close."

Capparelli: "Move for a favorable Roll Call."

Speaker McPike: "Gentleman moves for the passage of House Bill 164. The question is, 'Shall House Bill 164 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Gentleman from Cook, Representative McAuliffe, one minute to explain his vote."

McAuliffe: "Mr. Speaker, since Representative Madigan said this is an agreed Bill, this is for the firefighters in Chicago. It only effects the taxpayers of Chicago. It won't effect... won't cost downstate any money at all. It won't cost any money outside of Chicago. This is for the firefighters in Chicago. Thank you."

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Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. Representative Mautino, 'aye'. On this Bill there are 96 'ayes', 11 'nos', 6 voting 'present'. House Bill 164, having received the Constitutional Majority, is hereby declared passed. House Bill 202, Representative Satterthwaite. Read the Bill, Mr. Clerk."

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

Speaker McPike: "Lady from Champaign, Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, this Bill applies to the Municipal Retirement System. It provides for benefits for the covered employees to provide sick leave benefits for them comparable to the sick leave benefits in the downstate teachers system. Many of the employees in our school systems who are not teachers are covered by this fund. We have found that it is an incentive for the people to stay on the job and get the benefit of these unused sick leave credits at the end of their time in employment. The Bill was also amended so that it includes a number of cleanup kinds of things that the system has requested in order for them to have clarifying language in regard to some federal tax law changes and things of that sort and then Representative Giorgi amended the Bill to further provide for joint group accident and health insurance programs if the units of local government choose to participate in that and to allow the system to coordinate those programs. I'll be happy to try to answer any questions. Otherwise, ask for your support of the Bill."

Speaker McPike: "The Lady moves for the passage of House Bill 202, and on that, the Lady from Cook, Representative

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Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This... the Lady... This Bill, at one time, had the prospective South African divestment Amendment on it, but pursuant to an agreement with the Lady, that Amendment was withdrawn because insofar as no dollars are involved in this pension Bill, it was therefore... those dollars would not go to South Africa. I think most of you know that without regard to the pension Bill involved and without malice to anybody that many of the black Members feel very strongly that we cannot vote additional dollars to go to South Africa and so have restrained from voting on pension Bills which involve an expenditure of money. But this one does not. There are no dollars involved and so we rise in support of this Bill."

Speaker McPike: "Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, if I may first, my memory has been refreshed and legitimately so, and I want to apologize to the last Sponsor because they had talked with me about that Amendment. It had been some time and I had forgotten. And I did indicate they hadn't and I want to apologize for that. Now, I'd like to ask the Sponsor on this Bill a question."

Speaker McPike: "Proceed."

Ewing: "Yes, Representative, could you give us the cost on this Bill?"

Satterthwaite: "The fiscal note that has been filed indicates that it would be a cost in the neighborhood of \$200,000, but I remind you that that is not a cost to the state because we are talking about a number of individual systems, a number of school districts, a number of municipalities and so the cost to any one entity would be

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extremely small."

Ewing: "It is an exemption though to the Mandates Act."

Satterthwaite: "Yes, it's my understanding that because it is estimated that the expenditure to any one unit would be so small that it would not come under the limitations within the Mandates Act."

Ewing: "And did the note that was filed on it indicate that the accrued liability would be about a million one?"

Satterthwaite: "No, the accrued liability would be \$670,000 according to the fiscal note."

Ewing: "And that's as the Bill is finally amended?"

Satterthwaite: "That... Yes, the other Amendments do not have a fiscal impact."

Ewing: "And the annual cost, do you have that figure?"

Satterthwaite: "The annual cost would be \$200,000."

Ewing: "Thank you."

Speaker McPike: "Being no further discussion, the question is, 'Shall House Bill 202 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 82 'ayes', 29 'nos', 2 voting 'present'. House Bill 202, having received the Constitutional Amendment... having received the Constitutional Majority, is hereby declared passed. House Bill 317, Representative Braun. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 317, a Bill for an Act to amend the Illinois Pension Code, an Act in relationship to state monies. Third Reading of the Bill."

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

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This is the South African divestment Bill, one of two of them, 317 is one and the other is 330. Many of you, and I would recommend to you, have seen a copy of the

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report of the Auditor General dated May of 1984 that talks about the operation of our pension system. And in that book, on page 16, it says, 'at the close of fiscal 1983, for the State Board of Investment, two investment managers,' and by that they mean people, not groups or organizations, 'two investment managers controlled 1.4 billion dollars in assets.' At the same time, it said that those... that the return on investment on the State Board of Investment was below the average rate of return for investments and, in fact, if those investments had been made in treasury notes, the State Pension Fund would have done better. Similarly, on page... on a further page, when it talks about the teachers and the university retirement systems... I'd like your attention just for half second because we are going to move on to something else quickly... the universities retirement system, it said that were they had diversified and they had groups actually managing the money for the universities, the state paid 1.8 million dollars in management fees in 1983, and for the teachers retirement system, the state paid \$3,365,000 in management fees in 1983. Again, this report also concludes that these retirement systems did less well than if the money had just simply been invested in savings bonds for example. Now, the relevance of those statements to what I am about to say is this. We have battled the divestment issue. We have talked about it. We have gone somewhat into depth with it. We have not, however, fully explored the impact of the pension systems on investments in South Africa, on what happens with the pension systems in Illinois. I have made it clear to Representative Oblinger and other people who are concerned about retirees that we have always supported the retirees and we want to continue to support them, but we think that the risk that has been

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taken with these South African investments only hurts them. That given all of that, given the performance of the pension system, given the craziness of the investment policies of our pension systems now, we believe that at this time, it is not timely to call these Bills for a vote and we are going to now ask, Mr. Speaker, that House Bills 317 and 330 be recommitted to the Committee on Urban Development for Interim Study."

Speaker McPike: "The Lady asks leave to recommit House Bills 317 and 330 to the Interim Study of the... Representative Braun, what Committee?"

Braun: "The Urban Redevelopment Committee..."

Speaker McPike: "Of the Urban Redevelopment Committee. Does the Lady have leave? Leave is granted and the two Bills will be recommitted to Interim Study. House Bill 357, Representative Saltsman. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 357, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker McPike: "Gentleman from Peoria, Representative Saltsman."

Saltsman: "Thank you, Mr. Speaker and Members of the House. This Bill amends the downstate policemen's pension fund and it's a series of legislation that was among three different Bills. There is no cost factor... which is is very little. It's pretty much agreed upon with everyone. The main issue is the same thing that happened with firefighters last year, we are allowing upon retirement police officers to receive a health care program, but they do have to pay their share toward this. I ask for your passage of this Bill."

Speaker McPike: "Gentleman moves for the passage of House Bill 357. Is there any discussion? Being none, the question is, 'Shall House Bill 357 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all

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voted? Have all voted who wish? Clerk will take the record. On this Bill there are 100 'ayes', 2 'nos', 2 voting 'present'. And House Bill 357, having received the Constitutional Majority, is hereby declared passed. House Bill 374, Representative McGann. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 374, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

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

McGann: "Thank you, Mr. Speaker, Members of the Assembly. I'll make this as quickly as possible. House Bill 374 provides that after January 1 of '86 amounts earned in non-civil service positions in excess of the salary attached to a first class captain shall not be considered as salary for pension purposes. And the pension fund will... This will enhance the pension fund somewhat. This has been cleared with the City of Chicago and there is no cost involved and I would ask for its approval."

Speaker McPike: "Gentleman moves for the passage of House Bill 374. Does anyone stand in opposition? Being none, the question is, 'Shall House Bill 37... Gentleman from Cook, Representative Preston."

Preston: "Would the Gentleman yield for a question?"

Speaker McPike: "Indicates he will."

Preston: "Representative McGann, do I understand that this would have to do with people on the Chicago Police Department?"

McGann: "That is correct."

Preston: "And that if they are a commander, for example, who makes more than the salary of a captain, that additional salary would not be included for pension purposes?"

McGann: "That is correct."

Preston: "Alright, well, just to the Bill. I think it's a terrible Bill. I think that police officers in Chicago

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should be justly compensated in their pension based on what their salary is. And to take that away from them I think is ridiculous and the fact that they rise to a high level of rank shouldn't hurt them. That should enhance them. So, I'm voting against this."

Speaker McPike: "Representative McGann, to close."

McGann: "Yes, thank you, Mr. Speaker and Members of the Assembly. I appreciate Representative Preston's remarks. It just has got out of hand in recent years with exempt personnel earning a salary of \$90,000, \$95,000 and as a result, it is hurting the pension fund and it is a discriminatory position for other members of the pension or paying in the pension. And that's the reason they have asked for this Bill. The Police Pension Board has asked for it and it has been approved by the City of Chicago... affirmative vote."

Speaker McPike: "Gentleman has moved for the passage of House Bill 374. The question is, 'Shall House Bill 374 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 91 'ayes', 7 'nos', 8 voting 'present'. House Bill 374, having received the Constitutional Majority, is hereby declared passed. House Bill 398, Representative McGann. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 398, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

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

McGann: "Thank you, Mr. Speaker and Members of the Assembly. Could I ask your leave to return this House Bill 398 to Second Reading for purpose of Amendment?"

Speaker McPike: "Gentleman asks leave to return House Bill 398 to Second Reading for Amendments. Any objections? Hearing

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none, leave is granted. House Bill 398, Second Reading."

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

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

McGann: "Mr. Speaker and Members of the Assembly, the purpose of these next two Bills, this Bill and also House Bill 561 is we have not completed an agreement with the City of Chicago as yet in these two areas. So, therefore, we are sending the Bill over as a simple vehicle to the Senate and we would ask your cooperation. Hopefully, that the problems that exist in regards to the city employees and the police department of the City of Chicago will be resolved. So, I'd ask for the... This Amendment is a vehicle Amendment and I would ask for its approval."

Speaker McPike: "Gentleman moves for the adoption of Amendment #3 and on that, the Gentleman from DuPage, Representative Daniels."

Daniels: "Gentleman yield?"

Speaker McPike: "Indicates he will."

Daniels: "Representative McGann, didn't you have another Bill that we passed out dealing with the Chicago... City of Chicago, negotiations you were having with them?"

McGann: "Yes, that was the House Bill 374 that we passed out and, of course, the fire Bill, was not Bill. That was agreed upon with the City of Chicago."

Daniels: "So, couldn't you use that Bill if you had any further agreements instead of passing this one out too?"

McGann: "Mr. Minority Leader, I think that to keep this in its individual Bills for present form would be much better."

Daniels: "Well, we don't think you should have all those floating around, so, respectfully, I would have to oppose that."

McGann: "Well, may I ask, Mr. Leader, for your cooperation on this here because we would like to keep each Act in its own separate position and I don't think we'll have any problem."

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The Bill is going to come back here to us and, hopefully, with a resolved situation with the City."

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

McCracken: "I have reviewed Amendment #3. What is... What is stricken? What is left now, Representative?"

McGann: "Actually, everything has been taken and... except Amendment... Amendment #1 is still on the Bill."

McCracken: "Alright, so you have left the title and deleted everything else?"

McGann: "That's correct."

McCracken: "So, we are sending over a title and nothing else?"

McGann: "Pardon me. No, we have Amendment #1 on there."

McCracken: "That's right. We are sending over an enacting clause and a title. Thank you."

Speaker McPike: "There being no further discussion, the question is, 'Shall House Bill 398 pass?' All those in favor signify... I'm sorry. The Gentleman has moved for the adoption of Amendment #3. Question is, 'Shall Amendment #3 be adopted? All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Gentleman asks leave to hear House Bill 398 at this time. Are there any objections? Hearing none, leave is granted. House Bill 398, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 398, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

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

McGann: "Yes, I have given all the information we have on this House Bill 398 and we'd ask your affirmative vote."

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Amendment #1 is actually the Bill presently and will be sent to the Senate accordingly."

Speaker McPike: "Gentleman has moved for the passage of House Bill 398. The question is, 'Shall House Bill 398 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Representative Greiman, to explain his vote."

Greiman: "Yes, thank you, Speaker. During this year we had about 220 pension Bills that were filed. This Pension Committee and the Leadership and... of... really of both parties worked very hard and very diligently to make these Bills the... this package the cheapest, least expensive pension package probably in the history of the Illinois General Assembly, careful to get letters from each of the various people who were local government units who were going to be paying for them. At all times, the Republican Leadership person... point person was informed of what the plans were. At all times, each Bill was discussed with Republican staffers with respect to this. They became, I think, a full... a full partner in this. We sifted the Bills down until there were about one for every system so that one system wouldn't get involved with another system, so that people could, for example, as they did, they voted against Mr. Rea's Bill today because the House rejected the concept that Mr... was on Mr. Rea's Bill. And that's why we did this and I think that at this late date, to refuse to not cooperate in this endeavor is, perhaps, not the best of faith and I would recommend that the Minority Leader might want to rethink it."

Speaker McPike: "Representative Oblinger, to explain her vote."

Oblinger: "Thank you, Mr. Speaker. I agree with Mr. Greiman. We were told that. We were to have one pension Bill per group. I came out with the one, killed all the other Amendments and all the other Bills and went with 115 and as

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you can see, that was ignored so I don't think that that agreement really had any... any backing."

Speaker McPike: "Have all voted? Representative Terzich, to explain his vote."

Terzich: "Yes, Mr. Speaker, Ladies and Gentlemen of the House. I have been in this House fifteen years and I have been basically involved with pensions during those fifteen years and I have seen many, many systems get benefits. And out of any group of individuals that have not received their just due, that have always made their contribution, have always been on the short end of the stick because they were the lowest paid and everything else has always been the Chicago municipal employees and also the laborers. The park district and everyone else got their benefits and I'm not saying that they were not deserved or generally funded, but the municipal employees... and I might add, not only the municipal employees, but most of the Chicago systems are some of the best funded systems in the entire state. They exceed the General Assembly Retirement System, the state universities, the state employees, the state teachers, all of them are properly funded. And I would urge your support of at least getting this Bill out and giving some of the lowest paid and the most deprived individuals of all of the system happens to be the municipal employees and I would appreciate if you could possibly give this your support and let it out."

Speaker McPike: "Representative Daniels, to explain his vote."

Daniels: "Well, Mr. Speaker, Ladies and Gentlemen of the House, I did consult with Mr. Greiman and Mr. Ewing on our side of the aisle and what I am advised is that they will work very, very closely with the City, making sure that whatever agreement they reach is agreeable to the City and keeping the expenses as low as possible and as I understand, will

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not move the Bill unless the City has agreed to it and that it will have no mandate cost to it, as far as the state is concerned. Is that correct? Alright, alright, on that basis, I would change my vote to green."

Speaker McPike: "Have all voted? Have all voted who wish? Clerk will take the record. On this Bill, there are 84 'ayes', 18 'nos', 1 voting 'present'. House Bill 398, having received the Constitutional Majority, is hereby declared passed. House Bill 510, Representative Dunn. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 510, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

Speaker McPike: "Gentleman from Macon, Representative Dunn."

Dunn: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This Bill, to the best of my knowledge, is agreed by everybody. It does have the contents added. This is a Bill that we have talked about. It has a number of Bills amended into it. It has... It is revenue neutral, has no cost. Makes some administrative changes and I would ask for a favorable Roll Call. Gentleman moves for the passage of House Bill 510. Is there any discussion? Being none, the question is, 'Shall House Bill 510 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? Clerk will take the record. On this Bill, there are 97 'ayes', no 'nays', 1 voting 'present'. House Bill 510, having received the Constitutional Majority, is hereby declared passed. House Bill 561, Representative McGann. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 561, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

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

McGann: "Thank you, Mr. Speaker and Members of the Assembly.

This is the same kind of a situation we had with House Bill 398, except this is House Bill 561. And this House Bill 561 covers the Chicago municipal employees. Once again, I would like to impress upon you, I have been personally in meetings with representatives of the City of Chicago on a number of occasions. I made a commitment to each one of them, Tom Coffee from the City and the others, that I would not do anything with this Bill unless we had an agreement with... from the City. I will still be in control of the Bill. The Bill will go no place without the support of the City of Chicago. I ask your affirmative vote."

Speaker McPike: "Representative McGann, did you intend to put an Amendment on this Bill?"

McGann: "I'm sorry, Mr. Speaker, I... yes, I have to... I have to return..."

Speaker McPike: "Yeah, the Gentleman asks leave to return House Bill 561 to Second Reading for purpose of an Amendment. Is there any objections? Gentleman from DuPage, Representative McCracken, do you object? No objections. House Bill 561, Second Reading."

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

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

McGann: "I think I have given enough remarks on it. I'd ask for it's support."

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

McCracken: "Alright, I... This just doesn't... It does not seem to read the same as the last one. This doesn't delete everything but the enacting clause, does it?"

Speaker McPike: "Representative McGann."

McGann: "Has Amendment #1, which puts the Chicago Municipal

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Retirement Fund in compliance with the federal age and sex non-discrimination requirements. These are the only provisions that are remaining in the Bill."

McCracken: "Well so then... what is it we are sending out? Can you explain what's left of the Bill?"

McGann: "Yes, we are sending out what's left of the Bill in the fact that we are complying with the federal age and sex non-discrimination requirements. That's all that's left in this Bill, Representative McCracken."

McCracken: "Is there any cost associated with this as amended?"

McGann: "No, no cost."

McCracken: "Any why is that?"

McGann: "There has been no cost set up on this here at all. Right. We are complying with... Representative McCracken, we are complying with a federal mandate and that is the reason there is no involvement here in the cost."

McCracken: "Okay, you are changing the basis on which the actuarial determination is made, is that correct, to a unisex basis?"

McGann: "That is correct."

McCracken: "Now, has there been a cost attributed to that change or are you aware of that cost?"

McGann: "My staff... Stephens, come here."

McCracken: "Maybe we can speed this up. I'm told it's 500,000 per year as a result of that change. Is that... Is that your figure?"

McGann: "That is correct. It's 500,000 a year. It's correct."

McCracken: "And has the City agreed to this?"

McGann: "The City has agreed to this portion of the compliance and anything else for the municipal employees would have to come after the resolution takes place in negotiations."

McCracken: "Okay, thank you."

Speaker McPike: "Gentleman moves for the adoption of Amendment

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#3. Question is, 'Shall Amendment #3 be adopted?' All those in favor signify by saying 'aye', opposed 'no'. The 'ayes' have it and the Amendment is adopted. Further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker McPike: "Third Reading. Gentleman asks leave to hear House Bill 561 at this time. Are there any objections? Hearing none, leave is granted. Attendance Roll Call will be used. House Bill 561, read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 561, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

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

McGann: "Thank you, Mr. Speaker, Members of the Assembly. You have my commitment. I will stick to it. I ask for your affirmative vote."

Speaker McPike: "Gentleman moves for the passage of House Bill 561. The question is, 'Shall House Bill 561 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 86 'ayes', 15 'nos', 2 voting 'present'. House Bill 561, having received the Constitutional Majority, is hereby declared passed. House Bill 623, Representative Wolf. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 623, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

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

Wolf: "Thank you, Mr. Speaker, Members of the House. House Bill 623 amends the Judges Article of the Pension Code to allow Supreme Court and Appellate Court Clerks to participate in the Judges Retirement System. This Bill effects only six people in the State of Illinois. Each of the Appellate

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Court Clerks in the five judicial districts, plus the Supreme Court. The Judges Article of the Pension Code currently restricts coverage to Judges and Associate Judges and the administrative director appointed by the Supreme Court. This Bill would extend that coverage under the Judges Article to Clerks of the Supreme Court who work very closely with the Judges in those particular systems. Precedent has been established for this extension of coverage by the General Assembly Retirement System which allows the Clerk, the Assistant Clerk, the Secretary of the Senate and the Assistant Secretary of the Senate to participate in the General Assembly Retirement Systems who have ten years or more in that particular position. In Committee, I know there has been an indication that the Judges Retirement System is not in favor of this particular Bill. We did, in Committee have the benefit of testimony by several Judges who testified in behalf of this Bill. I could have had a former Chief Justice of the Supreme Court testify in that same Committee if I had asked. I think this is a good Bill. I think it deserves your support."

Speaker McPike: "Gentleman from Madison, Representative Wolf, moves for the passage of House Bill 623. On that, the Gentleman from Livingston, Representative Ewing."

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

Speaker McPike: "Indicates he will."

Ewing: "Representative Wolf, can you tell me now who else is entitled to participate in our retirement system beside Members of the General Assembly and members of the Judiciary?"

Wolf: "Which retirement system are you talking about, Tom?"

Ewing: "The one we are amending here."

Wolf: "The Judges?"

Ewing: "Yes, I think it's one system."

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Wolf: "Yeah, just the Judges, the Associate Judges and the Administrative Director of the Supreme Court."

Ewing: "The Administrative Director, that's one person?"

Wolf: "That's correct."

Ewing: "There isn't any other clerks or other employees that are in that?"

Wolf: "No, Sir."

Ewing: "Well, Ladies and Gentlemen of the House, this probably isn't a bad Bill, but we do set a precedent here where we allow the six clerks into that system and if we do that so often in our pension legislation where we open the door just a crack, put our toe in and next time we come along and we add more. And if we add all of the judiciary employees, certainly that is going to be very dangerous to the financial security of that system. This Bill may be the end of it. It may not, but you should know what it does and what the precedent that you may be setting."

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

Hoffman: "Thank you very much, Mr. Speaker. Will the Sponsor yield for a question?"

Speaker McPike: "He will."

Hoffman: "I wasn't listening very carefully, so I apologize, Representative Wolf. Do I understand that this legislation would put six clerks of the court into the Judges System?"

Wolf: "We are talking about the Appellate Court Clerks of each of the Appellate Courts in the five judicial districts, plus the Supreme Court. We are talking about six individuals, six positions."

Hoffman: "And you would put them in with the Judges?"

Wolf: "Yes, in with the Judges System."

Hoffman: "Are there... Are there any other category of people other than Judges currently in the Judges System?"

Wolf: "Associate Judges and the Director of the Supreme... the

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Administrative Director of the Supreme Court."

Hoffman: "Alright, so you have elected Judges, Associate Judges and a single Executive Director of the Supreme Court?"

Wolf: "That's correct."

Hoffman: "Alright, thank you... thank you very much. I appreciate that bit of information."

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

Vinson: "Thank you."

Speaker McPike: "Representative Wolf, to close."

Wolf: "Thank you, Mr. Speaker and Members of the House. I think a remark was made a minute ago that there was not precedent for this. I thought I explained in my opening remarks that there is a precedent for this and right here in our own General Assembly Retirement System. And rightfully, rightfully as it should be, we should include the Clerk and the Assistant Clerk and the Secretary of the Senate and the Assistant Secretary of the Senate. These are individuals who work very closely with us right here in the General Assembly Retirement... General Assembly system and I think they do such a job that they are certainly entitled to benefit in our retirement system. I want to extend that same type of benefit to the individuals who work very closely with the Judges in the five Appellate Courts and in the Supreme Court system. As I indicated before, in Committee we had the benefit of the testimony of several Judges who testified in support of this legislation and as I indicated before, I could have had the testimony of a former Chief Justice of the Supreme Court to also testify in support of this legislation. I think it's a good Bill. I would hope that we will not think that any pension system in this state is sacrosanct and that it cannot be considered for the admission of other individuals. I would ask for your support."

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Speaker McPike: "Gentleman moves for the passage of House Bill 623. The question is, 'Shall House Bill 623 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Representative Wolf to explain his vote."

Wolf: "Well, Mr. Speaker and Members of the House, I... I thought I pointed this out before. The system that we're talking about here, an Amendment was added to this Bill which provided that no clerk of the Appellate Court nor Supreme Court clerk could apply for admission to that system until they had 10 years or more. This is on the same basis as individuals in the General Assembly Retirement System. I would hope you would give that consideration."

Speaker McPike: "Have all voted? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this Bill, there are 58 'ayes', 43 'nos', 2 voting 'present'. The Gentleman asks for a Poll of the Absentees."

Clerk O'Brien: "Poll of the Absentees. Alexander. Braun. Brookins. Flowers. Huff. Klemm. LeFlore. Leverenz. Rice. Shaw. Soliz. Turner. Washington. Anthony Young and Zwick."

Speaker McPike: "Representative Curran."

Curran: "Mr. Speaker, how am I recorded as..."

Speaker McPike: "You're recorded as voting 'no'."

Curran: "Change me to 'aye', please."

Speaker McPike: "Representative Curran 'aye'. Representative Brunsvold 'aye'. Representative Hensel 'aye'. On this Bill, there are 61 'ayes', 40 'nos', 2 voting 'present'. House Bill 623, having received a Constitutional Majority, is hereby declared passed. House Bill 717, Representative Giorgi. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 717, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of

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the Bill."

Speaker McPike: "The Gentleman from Winnebago, Representative Giorgi."

Giorgi: "Mr. Speaker, House Bill 717 has been amended and Amendment #2 is succinctly explicit in the simplicity of the Bill. This Amendment plainly states that you get no credit for time off during a dispute over wages, hours or working conditions unless you're allowed... when allowed you make the required contributions. And I also have the South African Amendment on it, and it's acceptable to the people that sponsored the Bill. I urge the support of the Bill."

Speaker McPike: "The Gentleman moves for the passage of House Bill 717. And on that, the Gentleman from DeWitt, Representative Vinson."

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

Speaker McPike: "He will."

Vinson: "Amendment #3 is on the Bill?"

Giorgi: "Yes, Sir."

Vinson: "And that's the Amendment that would divest Pension Funds from South Africa?"

Giorgi: "Only prospective and future, Sam."

Vinson: "But it is a South Africa divestiture Amendment."

Giorgi: "It could be identified as such."

Vinson: "Thank you."

Speaker McPike: "Representative Piel. Representative Giorgi to close."

Giorgi: "It's only future investments, not past."

Speaker McPike: "Representative Giorgi has moved for the passage of House Bill 717. The question is, 'Shall House Bill 717 pass?' All those in favor signify by voting 'aye', opposed vote 'no'. Have all voted? Have all voted who wish? The Clerk will take the record. On this Bill, there are 66

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'ayes', 40 'nos', 5 voting 'present'. House Bill 717, having received a Constitutional Majority, is hereby declared passed. House Bill 910, Representative Terzich. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 910, a Bill for an Act to amend Sections of the Illinois Pension Code. Third Reading of the Bill."

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

Terzich: "Mr. Speaker, Ladies and Gentlemen of the House, House Bill 910 amends the Chicago Sanitary District Article of the Pension Code. First it allows employees to withdraw from service at age 60 or over with 10 or more years of service, and the option of receiving a pension based upon a regular flat 2% formula. It also allows an employee to choose and utilize early retirement option to avoid early retirement penalty by making a one time contribution. And further, the Amendment provides that widows may remarry at any age without loss of benefits. These Bills were presented by the Pension Board of the district. They were also approved by the Sanitary District Board of Commissioners. The increase in the actuarial liability is estimated at 21 million dollars. The total increase in annual amount is estimated at 2.5 million dollars - this consistent increase in the normal cost and the annual amount required to pay off the increase in the accrued liability over 30 years. This fund is, however, currently reasonably well funded having a ratio of assets to accrued liabilities of 70.6%, and also the current level of the employer contribution is more than sufficient to meet the normal costs and interests in the unfunded liability. And it also does relieve the state under the state mandate, and the letter has been filed with DCCA with the local unit of

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government approving the benefits. And I would urge your support."

Speaker McPike: "The Gentleman moves for the passage of House Bill 910. Is there any discussion? The Gentleman from Livingston, Representative Ewing."

Ewing: "Mr. Speaker, Ladies and Gentlemen of the House, the Sponsor of this Bill has been most forthright and up front with us and has indicated the cost which I would like to repeat of 21 million dollars accrued liability and 2.5 million dollars cost per year. And I do have in my file a letter from the Metropolitan Sanitary District of greater Chicago indicating that they would like to have this Bill passed. I would make the point though, just because we work closely together doesn't mean that we have to agree on everything that comes out. And, of course, they'll have enough votes here in the chamber probably to pass this Bill. Maybe it's a good Bill. But I would point out the fact that because the Metropolitan Sanitary District sent us a letter, and that does give it an exemption under the Mandates Act, I really don't know if it's for the benefit of the taxpayers in the Metropolitan Sanitary District to pass this legislation. For my part, I think it's too expensive, and I'm going to vote 'no'."

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

Greiman: "Well, I think what we have to decide in the whole concept of mandates is whether we will respect the request of a unit of local government. For years we were... went blithely by passing all kinds of pension cost mandates that impacted on state... on local government. Then we said, no, we can't do that. Local governments should take care of themselves. We ought not to mandate them, and local governments ought to be able to steer their own course."

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Here is a unit of local government which says, 'We want you to pass' - cause that's what the language of the Mandate Act is - '...pass at the request of a unit of local government.' So here is a unit of local government that says, 'We have considered the employee package, if you will, for our employees, and we believe that this pension is part of that employee package.' They are like us. They must face their taxpayers. They have fulfilled their obligation under the Mandate Act. They have gone out and written a letter to the General Assembly saying, increase these pension benefits. And it is sort of on their shoulders. We are, if you will, a conduit carrying out their will. And accordingly, I believe that we should, if we are not going to pass... if we're not in the business of passing... which we shouldn't be any longer, then we should at least respect the request of a unit of local government. Therefore, I would ask that we do respect the request of a unit of local government and pass House Bill 910. Thank you."

Speaker McPike: "Representative Terzich to close."

Terzich: "Yes, as I mentioned, I did everything by the book. And in addition, I said that this... and this is from the Economic and Fiscal Commission, there's no increase to the taxpayers. They are one of the highest funded systems in the state. They are 70.6%. At the present time their assets are 176 million 270 thousand dollars. And I stated in the economic statement that the fund is currently reasonably well funded having this ratio, and the current level of the employer contributions is more than sufficient to meet the normal cost and interest. So the system can handle it. I mean, their... their assets are growing in excess of their liabilities, and the employee and employer contribution is more than sufficient to pay for these

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certain indebtedness of the Chicago Park District. Third Reading of the Bill."

Speaker Madigan: "Mr. Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. With leave of the House, I'd like to bring House Bill 2492 back to Second Reading for the purposes of an Amendment."

Speaker Madigan: "There leave? Leave is granted. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Amendment #2, offered by Representative Farley and Cullerton."

Speaker Madigan: "Who is the Sponsor?"

Clerk O'Brien: "Representative Farley."

Speaker Madigan: "Mr. Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Because of the late date that the Bill was introduced, there were errors that Amendment #2 does now correct. And what Amendment #2 does is establishes letters of credit. It allows redemption of general obligation bonds prior to maturity, and it permits the county collector to establish escrow accounts for note, lease and installment contract indebtedness. These three changes will give the Chicago Park District flexibility and greater bond in financial markets so that they can take advantage of lower interest rates. It's estimated that there'd be an approximate savings of two million dollars, Mr. Speaker and Ladies and Gentlemen of the House. And I would, therefore, move for the adoption of Amendment #2."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The Amendment is adopted. Is there... Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Is there leave to place the Bill on the Order

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Speaker Madigan: "Mr. Matijevich."

Matijevich: "Speaker, Ladies and Gentlemen of the House, this is a Bill we discussed on Second Reading on improving our statewide probation system. We worked out the Bill, I think, in real good shape now and appreciate your unanimous support in favor of it."

Speaker Madigan: "Those in favor of the passage of the Bill will vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 104 'ayes', 4 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 19 of the Calendar, there appears House Bill 1589, Mr. Leverenz. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1589, a Bill for an Act to amend an Act in relation to pre-need cemetery sales. Third Reading of the Bill."

Speaker Madigan: "Mr. Leverenz."

Leverenz: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1589 would create the Illinois Pre-Need Cemetery Sales Act, and it would be administered by the Comptroller's Office. It would require the licensing for the selling of pre-need property or service. It would set up that 50% of all monies collected would go into a trust and further establish a super fund with a certain amount, I believe it's five dollars of every sale, going to the Comptroller's Office to be held in a super fund which would literally guarantee 100% of the monies that have been derived from the consumer sales. The Bill patterns itself somewhat after Florida and the State of Kansas. The Bill is four years in creation. I would ask for your 'aye' vote."

Speaker Madigan: "Mr. Brookins."

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of Third Reading? Is there leave to consider the Bill?
Leave is granted. Mr. Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I just did explain the Bill, so I would appreciate a favorable Roll Call."

Speaker Madigan: "Those in favor of the passage of the Bill will vote 'aye', those opposed will vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 86 'ayes', 18 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 23 of the Calendar, House Bill 1453. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1453, a Bill for an Act to amend Sections of the Local Governmental Tax Collection Act. Third Reading of the Bill."

Speaker Madigan: "Mr. Hicks."

Hicks: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, House Bill 1453 provides that if a school district does not elect to have the earned interest that the county treasurer is able to collect on taxes paid in the district for school funds, that if the districts do not decide to take those funds that they will run into the school superintendent's fund, and I ask for passage of the Bill."

Speaker Madigan: "Those in favor of the passage of the Bill will vote 'aye', those opposed will vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 101 'aye', 6 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of State Administration, on page 11 of the Calendar, there appears House Bill 777, Mr. Matijevich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 777, a Bill for an Act in relation to the system of probation. Third Reading of the Bill."

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Brookins: "Yes, Mr. Speaker and Ladies and Gentlemen of the Assembly, this is a consumer Bill, and we try to adjust it to give the consumers the best that we could think that they deserve and that would have been a higher percentage. But I guess something is better than nothing; so, therefore, I will support this 50% and hope we can prevail to still work some types of agreement. I have a... I may have a conflict of interest, but I will vote my conscience in this matter. Thank you."

Speaker Madigan: "Those in favor of the passage of the Bill will vote 'aye', those opposed will vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 98 'ayes', 9 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page two of the Calendar, House Bill 1973, Mr. Hoffman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1973, a Bill for an Act to repeal Sections of an Act for the regulation of mass gatherings. Second Reading of the Bill. Amendment #1 was adopted previously."

Speaker Madigan: "Mr... For what purpose does Mr. Cullerton seek recognition?"

Cullerton: "Thank you, Mr. Speaker. At this time, since Amendment #1 amended the title, I would ask that House Bill 1973 be returned to the Order of Second Reading First Legislative Day."

Speaker Madigan: "Mr. Hoffman."

Hoffman: "Thank you, Mr. Speaker. I wanted the opportunity to withdraw Amendment #1."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "That Amendment was adopted in Committee, Mr. Speaker."

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Speaker Madigan: "Mr. Vinson."

Vinson: "Mr. Speaker, I might explain this so that everybody can understand it a little bit better. Amendment #1 was adopted on the floor."

Speaker Madigan: "Mr. Vinson, you do understand the end result, don't you?"

Vinson: "Amendment #1 was adopted on the floor, Mr. Speaker, not in Committee. Mr. Cullerton questioned me at length about that. Other Amendments are pending. I would like to move on those Amendments. His...His Motion might be in order at that time, but it's not in order until other Amendments are considered."

Speaker Madigan: "Mr. Vinson, Mr. Cullerton's point is well taken. Mr. Vinson."

Vinson: "Mr. Speaker, what that means is that any time Amendments are offered in sequence you return after the first Amendment to Second Day... Second Reading First Day, and you can't really do that until there's an attempt to move the Bill to Third Reading."

Speaker Madigan: "Mr. Vinson, upon reflection, Mr. Cullerton's point was not well taken, and the Clerk tells me that Amendment #1 is a Floor Amendment. What is your pleasure relative to Amendment #1?"

Vinson: "I'd just like to proceed with Amendment #2, Mr. Speaker."

Speaker Madigan: "But we have 1 as a Floor Amendment. So would you wish to withdraw 1 or... Mr. Clerk. Alright, I'm sorry. The Clerk tells me that 1 has been adopted to the Bill; and, therefore, we are now on Amendment #2. And the Chair recognizes Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the Assembly. It is ironic that the issue that we are... now before the Assembly in Amendment #2 occurs just as night

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descends precisely fifty years after the first night baseball game in the Major Leagues. And that is ironic... that is ironic because what Amendment #2 does is to repeal the state law which prohibits lights at Wrigley Field in Chicago and preempts the city ordinance on the subject, so that the state of the law would be that night baseball could be played at Wrigley Field. Mr. Speaker, in my judgment, two things absolutely occur if we don't pass this law. Number one, there will be no more baseball in Wrigley Field, because it's simply impossible to earn the revenues necessary to sustain a Major League team there; and, number two, either the Cubs will move to some other city or it will be necessary for the taxpayers of this state to build a domed stadium in Chicago. I submit that both of those things are wrong. We ought to reject both of those things, and we ought to permit night baseball in Wrigley Field now. I would move for a favorable Roll Call on Amendment #2 to House Bill 1973, so that we can keep pace with the modern world."

Speaker Madigan: "There are four people seeking recognition. The Chair plans to proceed now to the question of the adoption of the Amendment. Then we will proceed to the recognition of those seeking recognition. So those in favor of the adoption of the Amendment say 'aye', those opposed say 'no'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. The Chair recognizes Mr. Cullerton."

Cullerton: "Yes, at this time, Mr. Speaker, since Amendment #1 and 2 amended the title, I would ask that House Bill 1973 be returned to the Order of Second Reading First Legislative Day."

Speaker Madigan: "Mr. Vinson."

Vinson: "Well, Mr. Speaker, the rules clearly provide for what

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the Gentleman is doing. I just want him to understand the he and he alone is blocking night baseball in Wrigley Field, and I want him to understand that he's saddling the taxpayers of this state with paying for a domed stadium or moving the Cubs to Indianapolis or Florida."

Speaker Madigan: "Mr. Vinson, for purpose of our friends in the boxes, could you amend your statement to indicate that both Mr. Cullerton and Mr. Levin are blocking night baseball at Wrigley Field. Mr. Vinson."

Vinson: "Mr. Speaker, I'd ask leave to put this Bill in Interim Study."

Speaker Madigan: "Representative Braun."

Braun: "Thank you, Mr. Speaker. I was only going to make a parliamentary inquiry, since this preempts home rule what... the vote would be required, but since it's going to Interim Study, I..."

Speaker Madigan: "And Mr. Levin moves to accept Mr. Vinson's Motion for Interim Study. Is there leave? Leave is granted. The Bill will be placed on the Order of Interim Study. On page 14 of the Calendar, House Bill 2299, Mr. Vinson. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2299, a Bill for an Act to create an Institute of Robotics. Third Reading of the Bill."

Speaker Madigan: "Mr. Vinson."

Vinson: "Thank you, Mr. Speaker. I would move for favorable passage of House Bill 2299, which simply creates an Institute of Robotics at the University of Illinois for the purpose of spreading the application of this technology."

Speaker Madigan: "Those in favor of the passage of the Bill will vote 'aye', those opposed will vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 103 'aye', no one voting 'no'. This Bill, having received a Constitutional

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Majority, is hereby declared passed. On page 24 of the Calendar, House Bill 2303, Mr. McCracken. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2303, a Bill for an Act relating to certain liabilities of local public entities. Third Reading of the Bill."

Speaker Madigan: "Mr. McCracken."

McCracken: "Thank you, Mr. Speaker. Ladies and Gentlemen of the House, 2303 would amend the... Tort Immunity Act to provide for economic loss as well as injury currently as defined under the Act which... that being personal injury and property damage and allow a levy by ordinance for the purpose of satisfying judgments pursuant thereto. I move its favorable passage."

Speaker Madigan: "Mr. Mulcahey."

Mulcahey: "Thank you, Mr. Speaker. Would the Sponsor yield for a question?"

McCracken: "Yes."

Mulcahey: "Representative McCracken, is this another tax increase without referendum?"

McCracken: "Well, I could say 'no', but let me explain. Under the Tort Immunity Act currently, the limitations for actionable; or I should say those damages which are currently covered are personal injury and property damages. They are defined in the law differently than economic damages which are more common to contract or other types of legal actions. We're asking that the Tort Immunity Act be amended to... to include as a compensable loss economic loss, and it will be covered for... by levy the same way other injury is currently covered under the Tort Immunity and Counties Act."

Mulcahey: "Is that with or without referendum?"

McCracken: "It's... It's without referendum, but referendum is

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not the correct issue."

Mulcahey: "Thank you."

Speaker Madigan: "Mr. McCracken, are we ready for Roll Call?"

McCracken: "Yes, Sir."

Speaker Madigan: "Those in favor of the passage of the Bill will vote 'aye', those opposed will vote 'no'. Have all voted who wish? Have all voted who wish? Mr. Hoffman to explain his vote."

Hoffman: "Thank you very much, Mr. Speaker. Ladies and Gentlemen of the House, this is another one of those good Bills that... been introduced on behalf of some of the urban counties who are trying to meet some of their needs, and we would appreciate support for those of us who want to address these problems in this particular fashion. Thank you."

Speaker Madigan: "Mr. Cullerton to explain his vote."

Cullerton: "Yes, even though I voted against this Bill in Committee, I think that it's one that perhaps we should consider voting for. The President of the Cook... the DuPage County Board, Mr. Jack - well, it's hard to pronounce, 'Kennifer', I think it is - personally came down and testified on behalf of this. This is apparently a very important Bill for DuPage County. And I know if there's any Republicans over there who are not voting for it, you really should get on, because this is for... this is for DuPage County, where my mother and father live and my brothers and sisters. And I think that... Yeah, I did. I grew up out there, and I think this is a good way to complete the deal."

Speaker Madigan: "Mr. McCracken to explain his vote."

McCracken: "Currently actions against local units of government, which are not in the nature of personal injury or damage are subject to separate levy to satisfy the judgment. It's

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done in response to that judgment for the limited purpose of that judgment and is raised in the same manner as it would be raised under this Act. It is a separate levy for a judgment, as opposed to self-insurance or the immunities that are offered by the Act. I think it's unfair to characterize this as a tax without referendum. Currently, an economic judgment against a unit of local government is satisfied by a tax levy. That tax levy is not preceded by a referendum. It's as simple as that. All we're saying is that under the Tort Immunities Act, economic injury is going to be satisfied."

Speaker Madigan: "Mr. Mulcahey."

Mulcahey: "Mr. Speaker, if this gets the proper number of votes, I ask for a verification, which it looks like I'll have to."

Speaker Madigan: "Have all voted who wish? The Clerk shall take the record. Mr. Clerk, poll the absentees."

Clerk O'Brien: "A Poll of the Absentees. Alexander. Johnson. Klemm. Nash. Olson. Preston. Stange. Van Duyne and Zwick."

Speaker Madigan: "Mr. Clerk, read those voting in the affirmative."

Clerk O'Brien: "Barger. Barnes. Berrios. Bowman. Braun. Brookins. Bullock. Capparelli. Churchili. Countryman. Cowlshaw. Cullerton. Currie. Daniels. Davis. DeLeo. Ewing. Flinn. Dwight Friedrich. Giglio. Giorgi. Greiman. Hastert. Hensel. Hoffman. Krska. Kulas. Laurino. LeFlore. Levin. Matijevich. McCracken. McGann. McMaster. McPike. Panayotovitch. Pangle. Parcels. B. Pedersen. W. Peterson. Rice. Ronan. Saitsman. Shaw. Slater. Soliz. Steczo. Sucker. Terzich. Tuerk. Turner. Vinson. Vitek. Wait. Washington. White. Wolf. Anthony Young. Wyvetter

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Younger. And Mr. Speaker."

Speaker Madigan: "Mr. Barger."

Barger: "Mr. Speaker, I think that possibly I could clarify this situation and put it into words that are easily understood; if you would like me to, or at least try. If a court enters a judgement against a local government, they have only two ways of paying it. Either they pay it out of the General Fund revenues that they possess, or they can levy a temporary tax to cover the cost. But this is a mandatory judgement by the court, and it must be met. I hope that would help simplify it and get someone to change their vote."

Speaker Madigan: "Representative Pullen. Record representative Pullen as 'aye'. Mr. Mulcahey."

Mulcahey: "Thank you, Mr. Speaker. Representative Kulas"

Speaker Madigan: "Remove Mr. Kulas."

Mulcahey: "Representative Shaw."

Speaker Madigan: "Mr. Shaw."

Mulcahey: "There he is. Representative Flinn."

Speaker Madigan: "Mr. Flinn is in his chair."

Mulcahey: "Representative Laurino."

Speaker Madigan: "Mr. Laurino? Remove Mr. Laurino and remove his voting key, please."

Mulcahey: "Representative Jane Barnes."

Speaker Madigan: "Representative Jane Barnes. Remove Representative Barnes. And someone remove her voting key and put it in the drawer."

Mulcahey: "Representative Berrios."

Speaker Madigan: "Mr. Berrios. Remove Mr. Berrios and remove his key."

Mulcahey: "Representative Panayotovich."

Speaker Madigan: "Mr. Panayotovich? Remove Mr. Panayotovich and remove his key."

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Mulcahey: "Representative Giglio."

Speaker Madigan: "Mr. Giglio"

Mulcahey: "He's here. Representative Hastert."

Speaker Madigan: "Mr. Hastert is in the rear of the chamber."

Mulcahey: "Thank you. Representative Pangle."

Speaker Madigan: "Mr. Pangle? Remove Mr. Pangle. Remove his key
also."

Mulcahey: "Representative Turner."

Speaker Madigan: "Mr. Turner. Is Mr. Turner in the chamber?
Remove Mr. Turner and remove his key"

Mulcahey: "Representative Anthony Young."

Speaker Madigan: "Mr. Young is in the chamber."

Mulcahey: "That's all, Mr. Speaker."

Speaker Madigan: "Mr. Piel."

Piel: "Please change me to 'aye', Mr. Speaker."

Speaker Madigan: "Record Mr. Piel as 'aye'. Mr. Hallock."

Hallock: "Please record me as 'aye'."

Speaker Madigan: "Record Mr. Hallock as 'aye'. Mr. Tate. Mr.
Tate as 'aye'. Record Mr. Kubik as 'aye'. Mr. Clerk,
record Representative Deuchler as 'aye'. Record Mr. Ryder
as 'aye'. What's the count, Mr. Clerk? On this question
there are 60 'ayes', 39 'nos'. This Bill, having received
a Constitutional Majority, is hereby declared passed.
House Bill 2328, Mr. Regan, on page 14 of the Calendar.
Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2328, a Bill for an Act to amend
Sections of the Criminal Code. Third Reading of the Bill."

Speaker Madigan: "Mr. Regan."

Regan: "Yes, Mr. Speaker, thank you. Members of the House, I ask
for leave to bring it back to Second Reading for purposes
of an Amendment."

Speaker Madigan: "Mr. Regan?"

Regan: "Yes, I'd like to have..."

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Speaker Madigan: "The Gentleman requests leave to take the Bill to the Order of Second Reading. Is there leave? Leave is granted. Mr. Clerk, are there any Amendments?"

Clerk O'Brien: "Amendment #4, offered by Representative Regan and Homer."

Regan: "I'd like to ask..."

Speaker Madigan: "Mr. Regan."

Regan: "... Homer if he would please remove Amendment #3."

Speaker Madigan: "Mr. Clerk, what Amendment are we on?"

Regan: "I know, but we've got to remove 3."

Speaker Madigan: "Chair recognizes ..."

Regan: "I'll make a Motion to table Motion #3... Amendment #3."

Speaker Madigan: "The Gentleman moves to table Amendment #3. Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Motion carries. The Amendment is tabled. Are there further Amendments?"

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

Speaker Madigan: "Mr. Regan."

Regan: "Make a Motion to withdraw Amendment #4."

Speaker Madigan: "Is there leave to withdraw the Amendment? Leave is granted. Are there further Amendments?"

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

Speaker Madigan: "Mr. Regan."

Regan: "I make a Motion to accept Amendment #5. Amendment #5 simply adds additional criminal Sections to the Bill. Broadening the Bill was suggested in Committee and Representative Homer's suggestion."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

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Speaker Madigan: "Third Reading..."

Regan: "Move it to Third Reading, please."

Speaker Madigan: "Is there leave to consider the Bill on Third Reading? Leave is granted. Mr. Regan."

Regan: "Representatives, very, very quickly I will explain the Bill. Simply, it provides for the seizure of vehicles involved in transportation of children that might be abducted, child molested. We have the same thing right now in regards to marijuana. We can seize the vessels or vehicles. And I would move that the Bill passes please."

Speaker Madigan: "Those in favor of the Bill signify by... For what purpose does Mr. Cullerton seek recognition?"

Cullerton: "I just wanted to indicate that I support the Bill in spite of the fact that it's his first Bill."

Speaker Madigan: "Those in favor of the passage of the Bill vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 102 'ayes', 1 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 25 of the Calendar, House Bill 2336, Representative Braun. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2336, a Bill for an Act to amend Sections of the Unified Code of Corrections. Third Reading of the Bill."

Speaker Madigan: "Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2336 simply provides that employment and counseling in job placement services shall be provided by the Department of Corrections. It is not intended that this is to usurp or displace other services that are presently offered by the Department. The Department agrees with the Bill and I know of no opposition to it."

Speaker Madigan: "Those in favor of the passage of the Bill

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signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 99 'ayes', 3 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 17 of the Calendar, House Bill 2350, Mr. Matijevich. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2350, a Bill for an Act concerning authority over Interstate 290. Third Reading of the Bill."

Speaker Madigan: "Mr. Matijevich."

Matijevich: "Speaker, House Bill 2350 transfers control of Interstate 2090 (sic -290) between the northwest and tristate tollway from DCT to the Toll Highway Authority and permits operation of that interstate as a toll highway. By designating that as a toll highway, we can free up some monies for downstate interstates. And since we've got some keys missing on this side of the aisle, and we've been supporting all those tax Bills of yours on this side of the aisle, I think it's only fair that you give us some votes for this good Bill."

Speaker Madigan: "Mr. Vinson."

Vinson: "Mr. Speaker, I request a verification, should this appear to receive the requisite number of votes."

Speaker Madigan: "Mr. Daniels."

Daniels: "I am kind of receptive to the concept because we did this last year as you recall on Route 53. So we are interested in this provision. The only difficulty is, John, the Bill you've sponsored and the Bill you have your name on will cost the taxpayers of Illinois somewhere around 500 million dollars; because, under federal law, if you were to do this, you have to repay the Federal Government for any amount that they've expended in building the highway in the first place. So, I think that you kind

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of miss the point a little bit, but I am curious in your approach. I think if you vote for this Bill, if you're on the Bill, one, you want to spend 500 million dollars in funds and, secondly, you'll find out that you are in favor of tollways in other areas. So you may want to be the Sponsor of it. So, thanks for the ideas, John, but I'm going to have to decline."

Speaker Madigan: "Representative John Dunn."

Dunn: "I oppose the Bill. We don't need any more extensions of the toll road."

Speaker Madigan: "Those in favor of the passage of the Bill vote 'aye', those opposed vote 'no'. Mr. Giorgi."

Giorgi: "Speaker, I'd like to tell the House that everybody should have a tollway running through their area. We've got the northwest tollway. In 1955 Stratton told me that about 1985 it would be paid off. Then some guys from southern Illinois built five and now those wise guys are going to build one through DuPage tollway. So I told my constituents they won't see those tollways freeways in my lifetime or theirs. But I think everybody should have a tollway in their district really."

Speaker Madigan: "Have all voted who wish? Mr. Hallock."

Hallock: "I'd like to alert the Body that we have the ultimate solution. When we passed Build Illinois today, we passed 225 million dollars which will pay off all the tollways and make them all freeways."

Speaker Madigan: "Mr. Barger."

Barger: "Mr. Speaker, out of concern to all of my friends and relatives in North Ireland, I suggest that no one vote green."

Speaker Madigan: "Have all voted who wish? The Clerk shall take the record. On this question there are 42 'ayes', 54 'nos'. This Bill, having failed to receive a

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Constitutional Majority, is hereby declared lost. House Bill 2413, Mr. McAuliffe. On page 16 of the Calendar, House Bill 1767, Mr. Capparelli. Mr. Capparelli. Read the... Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1767, a Bill for an Act to amend an Act in relation to firearm training for peace officers. Third Reading of the Bill."

Speaker Madigan: "Mr. Capparelli."

Capparelli: "Thank you, Mr. Speaker. The Bill only increases the firearms mandatory training program from 24 hours to 40 hours. I'd ask for a favorable Roll Call."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question there are 105 'aye', no one voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On page 23 of the Calendar, House Bill 1552. Mr. Clerk, read the Bill"

Clerk O'Brien: "House Bill 1552, a Bill for an Act to amend an Act in relation to clerks of courts. Third Reading of the Bill."

Speaker Madigan: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 1552 simply makes a technical change and it's been introduced to serve as a potential vehicles for discussions that are going on currently between the various county officials. And I would move for the adoption of... or for the passage of House Bill 1552."

Speaker Madigan: "Those in favor of the passage of the Bill vote 'aye', those opposed vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 91 'ayes', 6 voting 'no'. This Bill, having received a Constitutional Majority, is hereby

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declared passed. 2433, Mr. Ewing. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2433, a Bill for an Act in relation to taxes and their enforcement. Third Reading of the Bill."

Speaker Madigan: "The Bill is on page 19 of the Calendar. Mr. Ewing."

Ewing: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, this is the Department of Revenue cleanup Bill for the year. It is a large Bill in volume. House Bill 2433 amends various statutes respect to our state's tax law. The proposed changes are pursuant to enhance tax equity and enforcement. It also simplifies some of the procedures. And we'd be glad to answer any questions. It's been thoroughly examined by the staff on both sides of the aisle and by the Revenue Committee."

Speaker Madigan: "Mr. Cullerton. Mr. McPike."

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

Speaker Madigan: "Sponsor indicates that he will yield?"

McPike: "Has Amendment #3 been adopted?"

Ewing: "Yes, it has."

McPike: "Would you explain it, please?"

Ewing: "It increased the investment tax carry forward on the number of years you can carry it forward from three to five. Five years is the standard that's in both the IAS statute and in other parts of our Revenue Code. Makes it conform."

McPike: "The synopsis says ten. It is five or ten? Do you have the Amendment?"

Ewing: "No, five. I have it right in front of me. From three..."

McPike: "Fine. Thank you."

Ewing: "Forward five years instead of three."

McPike: "This is the carry forward for tax credit?"

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Ewing: "That's correct, investment tax credit."

McPike: "Yeah. Thank you. To the Bill. You know, sometimes it's a little bit ridiculous how much money we give away in the name of God only knows what. We had to replace the personal property taxes in 1979 because of the Illinois Constitution, and we actually did... we tried to do a decent job. And the Governor amendatorily vetoed the taxes, reduced the rate. In 1979 we collected 479 million dollars in personal property taxes. In 1984, five years later, we collected and distributed 449 million dollars. In real dollars, we've lost about 300 million dollars, not we, but the local school districts have lost about 300 million dollars. On top of that, now we have an investment tax credit. And we apply that investment tax credit against the corporate replacement tax which goes to local school districts and to local units of government. And now we have a cleanup Amendment. And the cleanup Amendment says that you can carry forward your tax credits for five years now. I don't really know how we're going to fund schools; or, after the Federal Government has finished cutting revenue sharing for local units of government, I don't know how we're going to fund that. But I do know that if we continue to give away millions and millions and millions of dollars, not 200,000 like Representative Ewing objected to earlier tonight on pension Bills or 100,000 dollars on a pension Bill, or when he stood up and objected to adding six people to a pension Bill, but here is a Bill that has a carry forward provision that adds another two years for corporations to deduct their credits against the local replacement tax. About five weeks from now we're going to ask about 60 people in this chamber to vote for some new taxes, to raise 200 million dollars. In the last five years, we've given away 300 million dollars from the

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replacement tax. We're going to give away 50 million dollars more in an investment tax credit, and now we're going to carry it forward for two years so that we can give away another 20 million dollars. I think occasionally we should say enough is enough. We need some of this money. Not only that, but it's not the state's money. It's the locals' money. They need the money. They have problems. They have to fund their schools, their police and their fire. And it's this type of activity that destroys that ability. I think we should vote against the Bill."

Speaker Madigan: "Mr. Keane."

Keane: "Thank you, Mr. Speaker. I rarely rise in opposition to the Majority Leader, but one of the reasons... one reason for the extension from three to five years was mentioned. It was so that the Department would have conformity within the Department. But even more important is the fact that if we're trying to encourage new business to start, in the first three years they can't carry forward very much. They don't have any profits. A new business does not have profits to write it off against. So, if we're attempting to encourage new business to start up, they see that they don't have any earnings until the second or third year; and, at that point, their investment tax credit falls off, they may open up someplace else. This is a way of helping them out. I agree that all of these are two-edged swords. It cuts both ways. But I find that we went over this Bill line by line, and I have to agree with the Sponsor that all in all it's a good Bill."

Speaker Madigan: "Those in favor of the passage of the Bill vote 'aye', those opposed vote 'no'. Have all voted who wish? The Clerk shall take the record. On this question there are 56 'ayes', 41 'nos'. Mr. Ewing."

Ewing: "Poll of the Absentees, please."

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Speaker Madigan: "Mr. Clerk, poll the absentees."

Clerk O'Brien: "Poll of the absentees. Alexander. Barnes. Berrios. Capparelli. Johnson. Klemm. Kulas. Laurino. LeVerezh. Nash. Panayotovich. Pangle. Preston. Stange. Sutker. Wolf. And Zwick. No further."

Speaker Madigan: "Record Mr. Capparelli as 'aye'. Terzich as 'aye'. Krska as 'aye'. On this question there are 33 'aye', 41 'no'. The Bill fails. On the Order of Urban Minority and Economic Assistance, House Bill 2053, Representative Braun."

Clerk O'Brien: "House Bill 2053, a Bill for an Act in relation to bonds of minority and female business enterprises entering into contracts with public agencies. Third Reading of the Bill."

Speaker Madigan: "Representative Braun."

Braun: "Thank you, Mr. Speaker, ladies and Gentlemen of the House. One of the biggest hurdles that the new businesses that we're trying to create in the minority and female business community have is access to bonding. I have had several discussions with directors... with Central Management Services, as well as with DCCA. This Bill is not in its final form, but it is substantially in good form at this point. We are going to work on it a little more as we work toward an agreement that is acceptable to all parties. I encourage your support and will answer any questions you may have."

Speaker Madigan: "Mr. McCracken."

McCracken: "Will the Sponsor yield?"

Speaker Madigan: "Sponsor indicates that she will yield."

McCracken: "Authority for bonds is created in this Bill, is that correct?"

Braun: "No."

McCracken: "Authority for the issuance of bond?"

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Braun: "No, Sir. Oh, no, not that kind of bonding. Performance bonding. Surety bonding. This is not a bond, as in debt-type bond. What... Essentially what this is that it allows for a paper transaction that where a state contract is involved, that the state, when it uses a minority enterprise, will essentially provide the backing for that enterprise to get those contracts. It's not a debt type bond."

McCracken: "Alright. Thank you."

Speaker Madigan: "Those in... Yes, Mr. McCracken, proceed".

McCracken: "No... Oh, thank you."

Speaker Madigan: "Mr. McCracken."

McCracken: "Thank you. Under what circumstances are the bonds made available? These are surety bonds so that contractors can perform jobs?"

Braun: "Right."

McCracken: "Okay. I'm sorry. Under what circumstances are the bonds made available?"

Braun: "The bonds are to be made available where there is a certified minority or female business enterprise where that enterprise has applied for and is eligible for a state contract. And we... we're going ... one of the problems is there was going to be an Amendment which said... which would loosen up the language regarding the Department's discretion. I have committed to putting that language on later. But at the present time, we had some differences between CMS and DCCA in terms of the approach for this authority. But at this point I think the parties have agreed that the Bill is in substantially good shape to go over to the Senate."

McCracken: "Who are the parties to the agreement?"

Braun: "The CMS and DCCA."

McCracken: "And does this require an appropriation to secure the

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bonds?"

Braun: "No. No."

McCracken: "What secures the bonds? Oh, it was an agreement!"

Braun: "Right."

McCracken: "Oh. What are we doing? It was an agreement. I rise in objection to this Bill, and I would ask the Members of the Body to support me in this. This is a Bill which does not define adequately what businesses qualify for contracting bonds. And any of you in the business should know that without the opportunity or the ability to secure performance or surity bonds, you cannot compete, period. So this is giving not a balance, not a competitive level at which these types of firms can compete but, under certain circumstances, makes these firms the only firms that can get the job because of these bonding requirements. Now, this has gone too far. And if this gets the required number, I'm going to ask for a verification."

Speaker Madiyan: "Those in... Mr. Hicks."

Hicks: "Yes, Mr. Speaker, Ladies and Gentlemen of the House, having worked very closely with some minority business around the state, I think the Lady has an absolutely excellent idea. Just for what Representative McCracken said a while ago is somewhat correct. These are the businesses that cannot get performance bonds and, yet, we sit here for year after year after year and tell them that we're going to help you out or we're going to get you started in business and everything else. And, yet, then we stop them by seeing to it that they can't get performance bonds, and I would support the Lady's Bill wholeheartedly".

Speaker Madiyan: "Those in favor of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? Mr. Cullerton, to explain his

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vote."

Cullerton: "Yes, Mr. Speaker, I understand that one of the most prominent attorneys in Chicago, Mr. Bill Hart, was present during the agreement that was worked out on this Bill. They were all there. There was an agreement, and I understand that everyone agreed at the agreement, and I think we should all agree and put the Bill on and Representative McCracken should agree. We should have no more verifications because of the agreement. And I hope you all agree with me."

Speaker Madigan: "Mr. Shaw, to explain his vote. Representative Breslin in the Chair."

Shaw: "I... Thank you, Mr. Speaker. But I think this is a good Bill. I think that it's long overdue in Illinois. I think this is what's needed if we want to keep a viable economy in Illinois. And, you know, my good friends over on the other side of the aisle, you know, you talk about what you want to do in Build Illinois and what you're going to do for Illinois in the next ten years. Well, this has not costing the state a dime, not one dime. And what we are asking you to do here is make it possible for people to stay in business and do business in Illinois. And we're not talking about anybody from Michigan. We're talking about people from Illinois. And if you have any conscience at all, you would vote for this piece of legislation. It's a good piece of legislation. The Governor supports this legislation. This is a part of Build Illinois. This is what it's about. And these are citizens of Illinois that we are trying to help here, and I think that you should turn red into green. And I think that it's a worthwhile thing, and the people of Illinois would appreciate that. Thank you."

Speaker Breslin: "The Lady from St. Clair, Representative Younge,

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one minute to explain your vote."

Younge: "This is a very important Bill. We have set state policy that a ten to fifteen percent of the work or the construction of the State of Illinois will be available to minorities and to facilitate this bonding capacity is needed. And anyone wishing to help build Illinois, as has been said before, should be supporting this in order to stabilize the... the contracting group among minorities. It's just as simple as that."

Speaker Breslin: "The Lady from Cook, Representative Braun, one minute to explain your vote".

Braun: "Thank you very much. I don't know what went wrong here. I've had discussions with DCFS... DCFS... with DCCA, with CMS, with the Governor's representatives. This should be a logical part of what we do to make the pro... make the program regarding minority and female businesses work. If a female business can't get bonds to take these jobs, then they can't do business. Similarly, if minorities are kept from getting bonds, then they can't do business. And if we're going to be serious about promoting inner city development, promoting development in these communities, then these bonds ought to be made available to them and the state has an obligation, it seems to me, to undertake to help with that. I would encourage your support for this legislation."

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

Huff: "Yes, Madam Speaker, I was going to go home, but... but I pledge that if we can get this Bill out of here, I'll stay to the bitter end to help other Members get their worthwhile Bills out."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. The Gentleman from

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Madison, Representative Wolf, for what reason do you rise?
Representative Wolf wishes to be recorded as voting 'aye'.
There are, therefore, 54 voting 'aye', 28 voting 'no' and
19 voting 'present'. Representative Braun."

Braun: "Madam Speaker, before the Bill is declared, I'd like to
have it recommitted to Committee and to go into Interim
Study."

Speaker Breslin: "The Lady asks leave to recommit this Bill to
the Order of Interim Study. Does the Lady have leave?
Hearing no objections, the Lady has leave. House Bill
2187, Representative Braun. Clerk, read the Bill."

Clerk Leone: "House Bill 2187, a Bill for an Act to create the
Office of Urban Assistance and define its powers and
responsibilities. Third Reading of the Bill"

Speaker Breslin: "Representative Braun."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the
House. The Office of Urban Assistance is to provide a
vehicle to bring together resources available throughout
the state for business development in inner city
communities. It is an economic development approach which
suggests that the state has a role to play in coordinating,
not provide necessarily direct services, but coordinating
services, direction, technical assistance that is available
to inner city communities for development. I encourage
your support for 2187."

Speaker Breslin: "The Lady has moved for the passage of House
Bill 2187. And on that question, the Gentleman from Cook,
Representative Piel."

Piel: "Thank you, Madam Speaker, Ladies and Gentlemen of the
House. Would the Lady yield?"

Speaker Breslin: "The Lady will yield for a question."

Piel: "Representative... well, maybe more than one question.
Representative, can you give me an estimate of the cost of

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this Bill?"

Braun: "Fiscal note was filed indicating that the cost would be 375,000 dollars."

Piel: "Approximately 375,000 dollars. The current... current Bill is basically Amendment #1, correct?"

Braun: "I'm sorry. What was your question?"

Piel: "The Bill is now Amendment #1."

Braun: "No... is now amended, number one? I don't understand what you mean."

Piel: "Amendment #1 became the Bill, correct?"

Braun: "No, it was withdrawn."

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

Braun: "It was withdrawn."

Piel: "Amendment #1 was withdrawn?"

Braun: "Yeah."

Piel: "How is it set up now as far as the maximum contribution from an individual or a corporation?"

Braun: "Oh, no. None of that's part of the Bill."

Piel: "Or maximum..."

Braun: "No, no, no. No, no, no. That Amendment was withdrawn. That has nothing to do with this at all, nothing. The Bill is just as it appears on the face of it."

Piel: "So it is establishing the Office of Urban Assistance and is going to be governed by a seven member board for 375,000 dollars?"

Braun: "That's right."

Piel: "Okay. Thank you. No further questions."

Speaker Breslin: "There being no further discussion, the Lady from Cook, Representative Braun, to close."

Braun: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. Again, this issue has been discussed with the Departments that are involved here. It suggests that DCCA has a role to play in coordinating services to inner city

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communities and to help with business development in those communities. It's a viable economic tool and I encourage your support."

Speaker Breslin: "The question is, 'Shall House Bill 2187 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Cullerton, one minute to explain your vote."

Cullerton: "Madam Speaker, I just want to inquire of the Clerk. The Bill does not reflect any Amendments being adopted. A fiscal note has been filed as amended. And I don't know..."

Clerk Leone: "Amendment #1 was withdrawn."

Cullerton: "And the fiscal note was filed as amended with regard to Amendment #1?"

Speaker Breslin: "Mr. Clerk, do you have the answer? Representative Cullerton, there is no Amendment on the Bill, and there is a fiscal note filed."

Cullerton: "So, it's a fiscal note file... would be amended."

Speaker Breslin: "It says as amended. We don't know why it says as amended. That may be an error."

Cullerton: "Well, it's probably if the Amendment had been adopted, this is what the cost would have been."

Speaker Breslin: "Perhaps. Perhaps."

Cullerton: "So, a fiscal note filed if would be amended."

Speaker Breslin: "Perhaps. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 50 voting 'aye', 45 voting 'no' and 4 voting 'present'. I have declared the vote. Does the Lady now ask for leave for Interim Study? The Lady asks for leave for Interim Study. Does anyone object? No one objecting, the Lady has leave for Interim Study and this Bill will be placed there. House Bill 2384, Representative Steczo. Clerk, read the Bill."

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Clerk Leone: "House Bill 2384, a Bill for an Act to amend Sections of the Illinois Income Tax Act. Third Reading of the Bill."

Speaker Breslin: "Representative Steczo."

Steczko: "Thank you, Madam Speaker, Members of the House. House Bill 2384 affects businesses doing business in Illinois and other states that a portion of their income to Illinois for Illinois income tax purposes. That formula right now is a three factor formula based on property, based on payroll and based on sales in Illinois to those same factors everywhere else in the United States. The Bill amends the current... the currently equally weighted income tax formula by doubling the sales factor, thereby, lessening the tax impact on a company increasing its property and payroll in Illinois. A double weighted sales factor, I feel, would lessen the tax impact on a company increasing its property and payroll in Illinois and, hopefully, create an incentive to expand within the state and provide an incentive not to move out of Illinois. I would answer any questions and would appreciate passage of House Bill 2384."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2384. Does anyone stand in opposition to this Bill? No one standing in opposition, the question is, 'Shall House Bill 2384 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 101 voting 'aye', 1 voting 'no', none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2499, Representative Ronan. Clerk, read the Bill"

Clerk Leone: "House Bill 2499, a Bill for an Act to amend Sections of the Civil Administrative Code of Illinois.

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Third Reading of the Bill."

Speaker Breslin: "Representative Ronan."

Ronan: "Thank you, Madam Speaker and Members of the House. House Bill 2499 is a simple concept. It establishes a program in the Department of Commerce and Community Affairs to do a statewide study of local infrastructure needs. This concept has been established in other states. It will finally give State Government an opportunity to set priorities on grants and expenditures to local communities for water, sewer, road and bridge projects. I move for passage of House Bill 2499."

Speaker Breslin: "Gentleman moves for passage of House Bill 2499. And on that question, does anyone stand in opposition? No one standing in opposition, the question is, 'Shall House Bill 2499 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? This is final action. Have all voted who wish? The Clerk will take the record. On this question there are 99 voting 'aye', 2 voting 'no' and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1800. Clerk, read the Bill."

Clerk Leone: "House Bill 1800, a Bill for an Act in relationship to certain infrastructure research and technology development grants. Third Reading of the Bill."

Speaker Breslin: "Representative Bowman."

Bowman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1800 was amended yesterday with Amendment #3 which deletes all reference to incubators. As the Bill now stands, it is focused upon two things, one is developing our research laboratories and their capabilities, the other is to create the concept of a state tax increment finance district to overlay on the local tax

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increment finance districts to provide additional support to local governments and communities in their economic development efforts. And I am pleased to move for passage of House Bill 1800."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1800. Does anyone stand in opposition? Does anyone stand in opposition? Representative Cullerton."

Cullerton: "Just want to inquire of the Clerk as to how many Amendments have been adopted. Okay, fine. I understand. Amendment #8 becomes the Bill. That's fine."

Speaker Breslin: "The question is, 'Shall House Bill 1800 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 84 voting 'aye', 9 voting 'no' and 5 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1922, on page 16 on your Calendar. Clerk, read the Bill".

Clerk Leone: "House Bill 1922, a bill for an Act to amend the Illinois Environmental Facilities Financing Act. Third Reading of the Bill."

Speaker Breslin: "Representative Vinson."

Vinson: "Thank you, Madam Speaker, Members of the Assembly. This Bill would increase the bond authorization for the Illinois Development Finance Authority. It has been amended by an Amendment drawn by the Democrat staff to limit the funding to small business, and I would urge adoption of the Bill."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1922. Does anyone stand in opposition? Representative Cullerton."

Cullerton: "I oppose the Bill unless he brings it back to Second Reading."

Speaker Breslin: "Representative Dunn."

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Cullerton: "To adopt the Amendments that are..."

Speaker Breslin: "Representative Dunn."

Dunn: "Is it going back to Second?"

Vinson: "I ask leave to take the Bill back to Second Reading".

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Does the Gentleman have leave? Hearing no objection, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk Leone: "House Bill 1922, which amends the Illinois Environmental Facilities Financing Act. Motion to table. 'I move to table Amendment #2 to House Bill 1922, filed by Representative Vinson."

Speaker Breslin: "Representative Vinson. The Gentleman moves to table Amendment #2 to House Bill 1922. And on that question, is there any discussion? Hearing no discussion, the question is, 'Shall Amendment #2 to House Bill 1922 be tabled?' All those in favor say 'aye', all those opposed say 'nay' In the opinion of the Chair, the 'ayes' have it, and the Amendment is tabled. Are there any further Amendments or Motions?"

Clerk Leone: "Amendment #3, O'Connell."

Speaker Breslin: "Representative O'Connell."

O'Connell: "Madam Speaker, I'd like to withdraw Amendment #3."

Speaker Breslin: "Withdraw Amendment #3. Are there any further Amendments?"

Clerk Leone: "Amendment #4, O'Connell - Vinson, amends House Bill..."

Speaker Breslin: "Representative O'Connell."

O'Connell: "Madam Speaker, Amendment #4 simply deletes the word 'businesses or issuers' and substitutes the words 'user of proceeds'. This language makes it consistent with the vernacular of tax exempt financing and, furthermore,

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restricts the usage of the bond proceeds to specific users."

Speaker Breslin: "The Gentleman has moved for the passage... adoption of Amendment #4 to House Bill 1922. And on that question, is there any discussion? There being no discussion, 'Shall Amendment #4 to House Bill 1922 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the Amendments adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Vinson now asks leave to hear this Bill immediately on Third Reading. Are there any objections? Hearing no objections, the Gentleman has leave."

Clerk Leone: "House Bill 1922, a Bill for an Act to amend the Environmental Facilities Financing Act. Third Reading of the Bill."

Speaker Breslin: "The Gentleman has already presented the Bill. Does anyone stand in opposition? The Gentleman from Knox, Representative Hawkinson."

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

Speaker Breslin: "He will"

Hawkinson: "Representative, what does this Bill do as amended?"

Speaker Breslin: "Representative Vinson."

Vinson: "Representative, it increases the bonding authority for the Illinois Development Finance Authority. The purpose for taking it back to Second for that Amendment was to make that Amendment that had previously... was to correct a technical deficiency in the previous Amendment. And what it will do... what the thrust of the Amendment is and what the Bill will do is to reserve the additional financing

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authority for small business."

Hawkinson: "Is the bonding increased the same billion dollars it was in the original Bill?"

Vinson: "It is the same amount as previously"

Hawkinson: "Thank you."

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

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

Speaker Breslin: "He will."

Dunn: "What is... How many new bonds are authorized pursuant to this legislation? What is the increased amount of authorization?"

Vinson: "One billion dollars."

Dunn: "One billion dollars, is that correct?"

Vinson: "One billion."

Dunn: "Thank you."

Speaker Breslin: "The question is, 'Small House Bill 1922 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Homer. Representative Homer? Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 65 voting 'aye', 31 voting 'no' and 3 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2066. Clerk, read the Bill."

Clerk Leone: "House Bill 2066, a Bill for an Act to add Sections to the Illinois Export Council Act. Third Reading of the Bill."

Speaker Breslin: "Representative Tate."

Tate: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 2066 authorizes the Illinois Export Council to develop and administer and export development intern program. This program will place university students or recent graduates having completed studies in

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law or international business or marketing with Illinois business or other government agencies involved or wishing to become involved in international export trade. This legislation is a result of a Resolution passed unanimously by the Export Council which is represented by about 13 different small business people in the private sector, as well as organized labor serves on the Committee. I move for ..."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 2066. Does anybody stand in opposition? Representative Cullerton."

Cullerton: "I don't stand in opposition, but this isn't Short Debate anyway. I don't know if any of you people remember George Ryan, but he was a hell of a Speaker. He wants this Bill. If George wants it, I want it. He's a good guy. I hope he's down there listening. Vote for George. Give us an 'aye' vote."

Speaker Breslin: "The question is, 'Shall House Bill 2066 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? The Clerk will take the record. On this question there are 100 voting 'aye', none voting 'no' and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2066, Representative Mautino. Clerk, read the Bill. Read the Bill."

Clerk Leone: "House Bill 2066, a Bill for an Act to amend Sections of the Medical Practice Act. Third Reading of the Bill."

Speaker Breslin: "Representative Mautino."

Mautino: "Thank you very much, Madam Speaker. House Bill 2066 is now embodied in Amendment #1 to that legislation. Basically, it allows for the movement and provision of

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copies of existing diagnostic report, studies, x-rays and clinical evaluations from one physician to another physician licensed under the Medical Practices Act upon the request... written request of the patient. In other words the patient would like to have his or her records submitted to another physician who is licensed under the provisions can do so by this legislation. That's exactly what it does. And I'm sure that the question will be raised as to what type of people are licensed under the Act. It's physicians as well as chiropractors."

Speaker Breslin: "The question... The Gentleman has moved for the passage of House Bill 2006. Does anyone stand in opposition? The Gentleman from Cook, Representative Ronan."

Ronan: "Thank you, Madam Speaker and Members of the House. Even before I start questioning this esteemed Sponsor, I'd like to try to figure out how this Bill went to the Judiciary Committee as opposed to Health Committee where it properly belongs. Representative Mautino, I just have one question. This is basically a situation where we've got the transferring of records, of medical records, from physicians to who? Who do those records go to?"

Speaker Breslin: "Representative Mautino."

Mautino: "To any other individual who is licensed under that same Act - other physicians."

Ronan: "So we've got the... the situation we've got, physicians' records going to anyone else who's licensed under the Act. So, in other words, you've got physicians' records going to people who don't have the leg... the clinical training or the proper ability to evaluate these kinds of medical records. Obviously, I feel that there is a tremendous potential for misuse of those records and, more importantly, for people who are not really qualified to

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evaluate from a clinical perspective what those records contain. I feel that there should be strong opposition to this Bill, not only from myself, but from the Illinois State Medical Society. I move for a negative vote on House Bill 2006."

Speaker Breslin: "Representative Mautino, to close."

Mautino: "Thank you, Madam Chairman... Madam Speaker. I'm sorry. House Bill 2006 does exactly what the Amendment says. It allows for a patient to have his or her x-rays and records submitted to a chiropractor. If that causes some individuals in this House a problem, then so be it. But as long as the patient wants his or her record transferred to another doctor, whether that's a specialist in the general practice of medicine or to a chiropractor, I think that patient should have that right to do so. I don't believe there's anything wrong with this legislation. In fact, I think that it's a proper procedure that goes on in many cases without the legislation where the patient wants to have their records transferred, for example, from Springfield to Mayo's Clinic to a certain physician if they so desire. There's nothing wrong, I don't believe, with those same x-rays or records being submitted to a chiropractor if, in fact, that patient desires to have their personal property, which is their records, submitted to a chiropractor, and I ask for an 'aye' vote on House Bill 2006."

Speaker Breslin: "The question is, 'Shall 2006 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 45 voting 'aye', 43 voting 'no' and 3 voting 'present'. And the... Representative Mautino."

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evaluate from a clinical perspective what those records contain. I feel that there should be strong opposition to this Bill, not only from myself, but from the Illinois State Medical Society. I move for a negative vote on House Bill 2006."

Speaker Breslin: "Representative Mautino, to close."

Mautino: "Thank you, Madam Chairman... Madam Speaker. I'm sorry. House Bill 2006 does exactly what the Amendment says. It allows for a patient to have his or her x-rays and records submitted to a chiropractor. If that causes some individuals in this House a problem, then so be it. But as long as the patient wants his or her record transferred to another doctor, whether that's a specialist in the general practice of medicine or to a chiropractor, I think that patient should have that right to do so. I don't believe there's anything wrong with this legislation. In fact, I think that it's a proper procedure that goes on in many cases without the legislation where the patient wants to have their records transferred, for example, from Springfield to Mayo's Clinic to a certain physician if they so desire. There's nothing wrong, I don't believe, with those same x-rays or records being submitted to a chiropractor if, in fact, that patient desires to have their personal property, which is their records, submitted to a chiropractor, and I ask for an 'aye' vote on House Bill 2006."

Speaker Breslin: "The question is, 'Shall 2006 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. This is final action. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 45 voting 'aye', 43 voting 'no' and 3 voting 'present'. And the... Representative Mautino."

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Mautino: "I think I'll put this back in Interim Study if I may."

Speaker Breslin: "Does the Gentleman have leave to return this Bill to the Order of Interim Study? Hearing no objection, the Gentleman has leave. The Bill is on Interim Study. Ladies and Gentlemen, we're now going to the Order of Insurance Regulation. The first Bill on that Order is House Bill 2414, Representative Daniels. Clerk, read the Bill"

Clerk Leone: "House Bill 2414, a Bill for an Act to add Articles to the Illinois Insurance Code. Third Reading of the Bill."

Speaker Breslin: "Ladies and Gentlemen, Representative Daniels."

Daniels: "Yes, I need to return 2414 to the Order of Second for an Amendment and then I'm going to ask that it be heard immediately with another Motion."

Speaker Breslin: "Very good. The Gentleman asks leave to return this Bill to the Order of Second Reading. Are there any objections? Hearing no objections, the Gentleman has leave. Read the Bill, Mr. Clerk, on Second Reading."

Clerk Leone: "House Bill 2414, which amends the Illinois Insurance Code. Amendment #2, Daniels, amends House Bill..."

Speaker Breslin: "Representative Daniels."

Daniels: "2414, Amendment #2, is an agreed Amendment between the parties of interest, and I think it removes any opposition to the Bill"

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #2 to House Bill 2414. And on that question, is there any discussion? There being no discussion, the question is, 'Shall Amendment #2 to House Bill 2414 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

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Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Daniels."

Daniels: "Madam Speaker, Ladies and Gentlemen of the House, I would ask that the following Bills be heard on the same Roll Call on this Order of Insurance. 2414, 2422, 2438, 2443, 2444, 2445 and 2446. We might call this the insurance solvency section. All these Bills are sponsored by the Department of Insurance and requested by them."

Speaker Breslin: "We don't have 2445, Representative Daniels."

Daniels: "You don't? Yes, he does. Mr. LaPaille is shaking his head. He does."

Speaker Breslin: "Okay. It has been added to the call."

Daniels: "Thank you."

Speaker Breslin: "The Gentleman has asked leave to have all of these Bills heard on one Roll Call. All of them, however, will be explained individually. After the explanation, perhaps you will have objections, but let's listen to the explanations first. Okay, does the Gentleman have leave? The Gentleman has leave. Proceed, Representative Daniels."

Daniels: "2414 amends the Insurance Code to add a new Article providing for the regulation... licensing of third party administrators. That was amended and, I think, removed any opposition. 2422 amends the Insurance Company Code with respect to corporate regulation of insurance companies. It establishes provisions for indemnification of officers and the like. 2438 amends the Insurance Code and State Finance Act, increases and makes other changes in the law relating to certain filing fees and other fees and charges, creates the Insurance Financial Regulation Fund. 2443 amends the Insurance Code, makes changes in provisions concerning reinsurance assumptions by certain domestic insurance companies. 2444 prohibits discrimination on the basis of

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blindness. And this legislation amends Sections to prohibit discrimination because of blindness. 2445 amends the Health Maintenance Organization Act, increases the minimum amount of contingent reserve that a health maintenance organization shall have. And 2446 amends the insurance company systems Article of the insurance company prohibiting certain investments by a domestic company. I'm happy to answer any questions you may have."

Speaker Breslin: "The Gentleman has moved for the passage of House Bills 2414, 2422, 2438, 2443, 2444, 2445 and 2446. And on those Bills, is there any discussion? The Gentleman from Madison, Representative McPike."

McPike: "Yes, a few Members would ask that 2438 be removed and be voted on separately. Other than that, we have no objections to the rest of them being taken on one Roll Call."

Speaker Breslin: "Very good. The question is, 'Shall House Bill 2414, 2422, 2443, 2444, 2445, 2446 pass?' Read them, Mr. Clerk."

Clerk Leone: "House Bill 2414, a Bill for an Act to add Articles to the Illinois Insurance Code. Third Reading of the Bill. House Bill 2422, a Bill for an Act in relationship to the corporate regulations of insurance companies. Third Reading of the Bill. House Bill 2443, a Bill for an Act to add Sections to the Illinois Insurance Code and the Amusement Ride and Attraction Safety Insurance Act. Third Reading of the Bill. House Bill 2444, a Bill for an Act to amend Sections of the Illinois Insurance Code. Third Reading of the Bill. House Bill 2445, a Bill for an Act to add Sections to the Health Maintenance Organization Act. Third Reading of the Bill. And House Bill 2446, a Bill for an Act to add Sections to the Illinois Insurance Code. Third Reading of the Bill"

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Speaker Breslin: "All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative... Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 82 voting 'aye', 11 voting 'no' and 2 voting 'present'. These Bills, having received the Constitutional Majority, are hereby declared passed. House Bill 2438, Representative Olson. Clerk, read the Bill."

Clerk Leone: "House Bill 2438, a Bill for an Act in relationship to the insurance fees and recovery expenses incurred by the Department of Insurance. Third Reading of the Bill."

Speaker Breslin: "Representative Olson."

Olson: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 2438 had its genesis in a Conference Call last June by Speaker Madigan which was joined in by Representative Brummer, Representative Laurino and myself, Members of the Insurance Alliance of Illinois and the Department of Insurance. At that time, we were looking at something called targeted funding in assessment program which would have set in place a dedicated fund to fund the insurance department. The proposal that we have here, Amendment #1 to House Bill 2438, addresses the recommendation made to us in Conference that we go away from that and go to a increase in the number of filing and transitional fees imposed by Section 408 of the Insurance Code. That will raise about \$250,000. For this reason, these fees are deposited in a special insurance fund and dedicated to support the financial incorporate regulatory responsibility of the Department. It's important to note that this money can only be spent pursuant to appropriation by this General Assembly. It's also important to note, while this has been taken off the Consent Call, that the only two people in the industry who lobbied this Bill in

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this last week are those people, one the company of who has a major office in Indianapolis. The other people have not made themselves an evident. It's important that we consider accepting this Bill in that we have had some insurance companies go down. We haven't had a fee increase since 1961. And what we are doing is asking that the taxpayers of the State of Illinois should not be paying for this as opposed to the companies who are having the service. I would just like to reiterate that the money to... that we are in discussion on will still need to be appropriated by this Body contrary to the advise that the lobbyist were passing out earlier in the week. I'd be happy to respond to questions."

Speaker Breslin: "Does anyone stand in opposition to this Bill? The Gentleman from Macon, Representative Tate."

Tate: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. As the Sponsor had indicated, the Director and the Sponsor have worked extremely hard on this legislation and indeed, they have, in fact, have satisfied the many of the problems that the original Bill had incurred. However, there is still, at this time, opposition to the Bill. There are two companies that have opposed the legislation, and I... And the genesis of the opposition to dedicated funding has been based upon the fact that if a budget is allowed to grow without the traditional controls that a company, the regular appropriation process in full funding from GBF, an agency can grow uncontrollably. An uncontrolled growth will often result in a bureaucracy that we all are engaged in and get result in unnecessary regulation. So, I do somewhat reluctantly rise in opposition."

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

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

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

Wolf: "Representative Olson, the digest indicates that fees and charges collected by the Department are to be deposited into this regulation fund. Do those... any part of those fees have anything to do with the 2% domestic premium that..."

Olson: "Nothing whatsoever, Representative Wolf."

Wolf: "Thank you."

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

Shaw: "Yes, will the Sponsor yield?"

Olson: "Yes, I will."

Shaw: "Representative Olson, what's the purpose of taking... why would you set up a special regulation fund... Let me rephrase that. Originally, up until now, this money goes into the General Revenue Fund. Is that right?"

Olson: "That's correct."

Shaw: "Why would we want to take this money out of the General Revenue Fund and set up a special fund for it?"

Olson: "It's not being taken out. It'll still have to be appropriated. But what we are doing is dedicating this in the sense that we'll be making more possible, if this becomes the law, to provide additional monies, not from the general taxpayers, but from the companies who pay fees. And this is merely a filing fee increase. This was at the result and as a result of the Conference we had back in the Speaker's Office last summer in June of '83 when we sought to get this out of Rules, Bill."

Shaw: "Yeah, I understand that, but at the same time, we have taken it... What was wrong with it when it was in the General Revenue Fund? That's what I'm asking."

Olson: "It will be handled in the same fashion as it has been

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handled, but it'll be easier to track, and we'll meet the requirements of the people who challenge this. The money will still have to be appropriated."

Shaw: "The... We're talking about going from 7.9 million dollars to the request for 1986 is 9 1/2 million dollars, and you going to put this in the... in the... in this special fund - regulation fund, according to what the analysis indicate here."

Olson: "Yeah. What this will do will increase the revenue by about \$250,000 based on the companies that are doing business here, and the proposals to increase the fees which have been in place without a change since 1961."

Shaw: "Well, how is this... how would this increase the fee?"

Olson: "Because the fee schedule will be raised. But, in other words for companies permitted to be doing business here."

Shaw: "I've looked at the Bill, and where in the Bill does it... does it show where that the Legislator... the Legislature is... have to appropriate the money?"

Olson: "I didn't here you, Bill."

Shaw: "Where in the Bill does it say that the Legislature have to appropriate the money, and why would... why do we need this?"

Olson: "It sets up a special Act in the Finance Act. There... The hand out piece that you received does not portray it as we're offering it here. The Amendment became the Bill. We done away... We have done away with the targeted funding. And all we are seeking is an increase in the fees. That's all this is doing and the money still has to be appropriated unlike what the people were saying relative to this issue. The money has to be appropriated. The General Assembly can still decide how much money the Department of Insurance has to operate."

Shaw: "Well, it seems... To the Bill. It seems as though to me

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that the... this money has always gone into the General Revenue Fund and this year, we seem to want to change it. And I'm not certain that we are going to have any control over this money once we give the Department of Insurance the right to disperse the money anyway that they choose. This what it seems like to me. And I don't see anything in the legislation that would give us any additional rights to disperse the money and... Without going through the General Revenue Fund, I think that this Bill should be defeated. I don't think that we should set up a special fund for the Department of Insurance. I think that we should take a good look at this, and I know we did something like this a year or so ago, and give the Department of Insurance some money and we don't have anything to say about that. And I think this is the same type of thing that what we're doing here."

Speaker Breslin: "Representative Olson, to close."

Olson: "Thank..."

Speaker Breslin: "Yes, Mr. Shaw."

Shaw: "Number of votes - I'd like to verify the votes."

Speaker Breslin: "Representative Olson."

Olson: "Thank you very much. I appreciate... close on this. I just want to reiterate. This is the exact program which was suggested to us in the Speaker's Office last June when the Alliance of Insurers in the State of Illinois, the Department of Insurance, Representative Brummer, Representative Laurino and myself were there. The General Assembly still maintains the control... appropriation of this money. And what it gets down to, Representative Shaw, if I could have your attention just briefly, we have to decide whether you want the taxpayers of Illinois to pick up the cost of checking out companies doing business here or the people who are doing business in the State of

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Illinois. I ask for an affirmative vote on 2438."

Speaker Breslin: "The question is, Shall House Bill 2438 pass?
All those in favor vote 'aye', all those opposed vote 'no'.
Voting is open. Have all voted who wish? This is final
action. Have all voted who wish? Remember everybody vote
your own switch. The Gentleman is going to ask for a
verification. Let's keep this as short as possible. Have
all voted who wish? The Clerk will take the record. On
this question there are 55 voting 'aye', 33 voting 'no',
and 5 voting 'present'. Representative Olson."

Olson: "Poll the absentees."

Speaker Breslin: "The Gentleman asks for Poll of the Absentees.
Proceed, Mr. Clerk. The Gentleman from Jefferson,
Representative Hicks."

Hicks: "Yes, Madam Speaker, a point of personal privilege. If
anybody else is hungry, let's order something to eat."

Speaker Breslin: "Are you ready, Mr. Clerk?."

Clerk Leone: "Poll of the Absentees. Alexander. Barnes.
Berrios. Capparelli. Christensen. DeJaegher. Huff.
Johnson. Keane. Klemm. Krska. Kulas. Laurino.
Leverenz. Mautino. Nash. Panayotovich. Pangle.
Preston. Roman. Stange. Sutker. Terzich. Van Dwyne and
Zwick. No further."

Speaker Breslin: "Representative Olson, there are 55 voting
'aye', 33 voting 'no', and 5 voting 'present'. And this...
Representative Ryder wishes to be recorded as voting 'aye'.
Changes from 'no' to 'aye'. Representative Regan."

Regan: "To 'aye', please."

Speaker Breslin: "The Gentleman changes his vote from 'no' to
'aye'. Representative Soliz changes his vote from 'no' to
'aye'. Representative Stern goes from 'aye' to 'no'.
Representative Wojcik goes from 'no' to 'aye'.
Representative Daniels, for what reason do you rise?"

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Daniels: "What's the count right now, Madam Speaker?"

Speaker Breslin: "There are 58 voting 'aye', 30 voting 'no', and 5 voting 'present'."

Daniels: "How... am I recorded as 'aye'?"

Speaker Breslin: "You are recorded as voting 'aye', Sir."

Daniels: "Alright."

Speaker Breslin: "Do you wish to change?"

Daniels: "No, I think I'll like to stay there, but I need a couple of more."

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

Olson: "I just like to take a moment to explain my vote, if I may."

Speaker Breslin: "I'm sorry, the time has passed for that, Sir. Representative Ewing, for what reason do you rise?"

Ewing: "Just checking my vote."

Speaker Breslin: "You are recorded as voting 'aye'. Representative McCracken is recorded as voting 'aye', and Representative Piel is recorded as voting 'aye'. Representative Pullen. The Lady wishes to change her vote from 'no' to 'aye'. Representative Parcells changes her vote from 'no' to 'aye'. There are, therefore, 60 voting 'aye', 34... Mr. Clerk, what's the count? Representative Younge, for what reason do you rise? The Lady changes from 'aye' to 'no'. There are 59 voting 'aye', 29 voting 'no', and 5 voting 'present'. This Bill, having failed to receive the nec... This... The Gentleman asks for Postponed Consideration. So, the Bill will be placed on the Order of Postponed Consideration. The next Bill to be called on the Order of Drugs and Alcohol Prevention is House Bill 1841, Representative McCracken. Clerk, read the Bill."

Clerk Leone: "House Bill 1841, a Bill for an Act in relationship

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to offenses involved in the operation of vehicles while under the influence of alcohol or other drugs. Third Reading of the Bill."

Speaker Breslin: "Representative McCracken."

McCracken: "Thank you, Madam Speaker, Ladies and Gentlemen. This Bill amends various Acts in an effort to deal with the drunk driving problem in the State of Illinois. It makes wreckless homicide, which is currently a Class 4 felony, a Class 3 felony. It allows for the suspension of licenses for a certain duration, depending on whether or not a person is a first offender and the ability to get a driving... or a restricted license through the court system in the court's discretion. Now, there is a period during the suspension period when the person will not be able to get that restricted permit. However, for the remainder thereof, it is available in the court's discretion. The Bill also treats witnesses who are... or strike that - victims who are the victims of drunk driving or wreckless homicide cases as other victims are treated of violent crimes so that they are notified of various hearings and are given an opportunity to participate in the sentencing process of the convicted person and makes various other changes. And I'd be happy to answer any questions, and I move its adoption."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1341. Does anyone stand in opposition? Representative Dunn."

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

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

Dunn: "Will you relate to the Members the provisions that affect the drunk driving provisions of the Motor Vehicle Code?"

McCracken: "Any in particular?"

Speaker Breslin: "McCracken."

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Dunn: "The question is what does this Bill do with regard to suspension of licenses for drunk driving convictions?"

McCracken: "Alright. It allows for the suspension of the license where there's been a failure to take the breathalyzer or where there's been the breathalyzer taken and the results are .10 or greater, which is currently the legal standard of intoxication. A probable cause hearing in either case is afforded the defendant within 45 days of his demand for that hearing. The automatic suspension I refer to does not go in effect until the 46th day. And after the period of suspension or hard suspension, as its known, is served, the defendant is admissable - I'm losing my concentration - the defendant is available for a restricted driving permit to be issued in the discretion of the court."

Dunn: "How much so-called hard time does someone have to serve before they can apply for a hardship driving permit upon conviction under this Bill?"

McCracken: "You mean prior to conviction?"

Dunn: "Well, really, after conviction."

McCracken: "After conviction, under current law and under this law, or if this Bill were passed, the Secretary of State would revoke the license for at least one year."

Dunn: "What is the time frame... How much hard time... How long does someone have to walk if their drivers license is revoked before they can apply for a hardship permit to drive to and from work?"

McCracken: "I'm sorry. You're talking about before conviction, before a trial. Thirty days if it's a first offender. Ninety days if it's a second offender."

Dunn: "And what about after trial?"

McCracken: "After trial, the current law is unchanged. It's one year revocation minimum and then the Secretary has the discretion to return the license."

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Dunn: "The Secretary or the Judge?"

McCracken: "Well, maybe we're... maybe we're confusing ourselves. After conviction on the underlying charge of drunk driving, the license is revoked and the Secretary of State has the authority, as under current law. After the probable cause hearing, if there's a finding of probable cause and a proper suspension pursuant to this Bill, then there would be the 30 or 90 day hard suspension and the judicial... well, not the judicial, the restricted driving permit prior to trial. The statutory..."

Dunn: "To go to work."

McCracken: "... driving permit would be available in the court's discretion for the remainder of that suspension period."

Dunn: "Does this Bill affect, in any way then, the current provisions with regard to hardship drivers' permits after a suspension or revocation of a license by the Secretary of State following a conviction?"

McCracken: "I don't believe so. The Bill is long. I would have to look through it to make sure that that's correct, but I don't believe so."

Dunn: "Well, do we have someone who does know?"

Speaker Breslin: "Are you finished, Representative Dunn?"

Dunn: "No."

Speaker Breslin: "Proceed."

Dunn: "I asked... I'm waiting for an answer."

McCracken: "I told you. I don't think so."

Dunn: "Well, it's important that... whether someone can get a hardship permit or not. I thought this Amendment provided for some change after conviction. You think it does not?"

McCracken: "Representative O'Connell knows, I think."

Speaker Breslin: "The Gentleman from Cook, Representative O'Connell."

O'Connell: "Madam Speaker, if I may speak on this Bill. My

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understanding of the Bill, Representative Dunn, my understanding of the Bill was that under this new proposal, you could seek a hardship permit before the Judge and it would be defined as a judicial permit, as opposed to going before the Secretary of State. The difference is that presently in order to get a hardship license the license is to be suspended first and then you appear before the Secretary of State. Under this proposal, at the implied consent hearing before the Judge, the Judge would also be able to, on the first offense, issue a judicial restricted permit. Does that answer the question?"

Dunn: "No, it doesn't answer the question. We... I agree... Representative McCracken indicated that prior to conviction at implied consent hearings, the 30 day hard time applies. Judicial permits can be issued. But what about after conviction? Recognize McCracken."

Speaker Breslin: "Representative McCracken."

McCracken: "I apologize. The conditions under which the hardship may be granted have been broadened to include driving to and from medical or alcohol treatment, as well as employment, which is... which is in the current law."

Speaker Breslin: "Representative Dunn."

Dunn: "After conviction?"

McCracken: "Yes, Sir."

Dunn: "And when... how long after conviction does someone have to wait before they can apply? I presume this is not an automatic thing. I presume you have to petition or apply for it. Is that correct?"

McCracken: "The revocation is currently one year and remains one year. And after that..."

Dunn: "How soon after the revocation begins can someone apply for permission to drive to work?"

McCracken: "You can apply for it right away after the one year

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period."

Dunn: "Is there any... I thought in this Amendment that after conviction there was to be some hard time. Is that correct or not? Before you could apply for a hardship permit."

McCracken: "After conviction..."

Dunn: "There may be immediate application or not?"

McCracken: "No, no. No, no."

Dunn: "Okay."

McCracken: "We're a little confused, as you can see. What period are we talking about, prior to trial or after trial?"

Dunn: "Well, a conviction comes after trial. After a conviction and the Secretary of State is required to revoke the license for a year. We'll set that example to you."

McCracken: "Correct."

Dunn: "How... What is the quickest someone can... if this Bill becomes law, that someone can get a permit to drive to work?"

McCracken: "I don't know, but this doesn't change it."

Dunn: "Does not change existing law at all?"

McCracken: "No, Sir."

Dunn: "Okay. Alright. Then, Madam Speaker, to the Bill, there has been... this is supposedly an agreed Bill. I'd like to state for the record I certainly am not a party to this agreement. If a blood test is given or an alcohol breathalyzer test is requested and refused, as we all know, then a license can be taken immediately. This legislation addresses, in that situation, when the offending party can seek permission to drive to work. And as I understand, there is a minimum of 30 days when that person must walk. The Bill is supposedly a reform package to address a growing concern across this state about the need for hardship driving permits. There is a great need for hardship driving permits. Some people who are convicted of

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driving under the influence are really bad persons and particularly when they're convicted more than once. And they should be severely dealt with. We, I thought, believed that mercy seasons justice, however, and if it's a first offense, and particularly where no one is hurt, no one is injured, that we should treat this situation the same as we do most felonies which are not Class X felonies and provide for the possibility of the equivalent of probation. If someone is convicted of a felony and gets probation, the first thing the probation officer is going to say is, 'if you have a job, hold onto it. If you need to drive to work, do that. Stay away from convicted felons. Stay out of taverns. But, for goodness sake, go to work.' On the other hand, if you're convicted of driving under the influence, and, as I say, if no one is injured and it's a first conviction, God forbid, someone goes home from a party. The Secretary of State is going to say walk, and walk for a minimum of 30, 60, 90, 120 days before you can apply for a hardship permit and then go to an alcohol driving... an alcohol education school. Do whatever... jump through whatever hoops you have to jump through, but in the meantime, walk. And if you need a car to get to work, as most people do downstate, and if you're lucky enough to have a job - some people don't downstate - but some of us still do have jobs downstate, if you're fortunate enough to have a job, you'll have to walk. Most of us downstate can't walk to work. Most of us can't... don't have a spouse who can drive us to work, because the spouse has a job and may have to go off in a different direction. If you have to walk and it maybe too far to ride a bicycle, as the Representative is shouting out behind me too - some of us have bicycles, as I do. I would try to ride a bicycle, but sometimes work is even too far

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away for that. What we are saying is that there are no circumstances, if you have a driving under the influence conviction, when you should be allowed to have transportation to and from work. That is a harsh result. It is an issue not addressed by this Bill. I presented an Amendment to the General Assembly on another Bill earlier which was defeated. This should be brought to the attention of the Assembly that we are doing a real disservice to citizens of this state. We're telling them if you get one of these convictions, you're going to have to give up your job. If you have a family to feed, you're not going to be able to feed them. Everybody's going to be on the street, or you're going to have to go out and drive, as some people are prone to do, without a license and get a second conviction of some other offense, driving without a license, which will put you in jail. Where is the mercy? When are we going to take into consideration the ordinary working people who need a car to drive to work and who are not arch fiends? As I said earlier, if you steal a car, you'll get probation and you can drive to work. If you climb in the window at the Hucks convenience store and commit burglary, you'll get probation and can drive to work."

Speaker Breslin: "Representative Dunn."

Dunn: "If on the other hand, you get..."

Speaker Breslin: "Bring your remarks to a close, Representative Dunn. Your time is up. Bring your remarks to a close."

Dunn: "Under the rules, don't I have ten minutes?"

Speaker Breslin: "You have used your ten minutes, Sir."

Dunn: "I have not used my ten minutes, but I'll bring my remarks to a close. The timer was not on and I haven't used ten minutes."

Speaker Breslin: "Representative, the timer itself does not work."

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We have been using a regular timer, and it is..."

Dunn: "Alright. I will bring my remarks to a close. What I am trying to say is that in this situation, we are treating the defendants more harshly than if they had committed a felony, and I think that's a mistake and we should correct the situation and no attempt to do so has been made. And this is not good legislation. I'm know I'm going down to defeat, but I want everyone to know that you're doing the wrong think here and I wish you wouldn't do it because it will come back to haunt you someday, somehow, someplace, someway."

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

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

Speaker Breslin: "Representative Wolf has moved the previous question. The question is, 'Shall the main question be put?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it, and the main question is put. Remember, of course, Members will have an opportunity to express their... explain their vote afterwards. The question is, 'Shall... Excuse me. Representative McCracken, do you wish to close. No. The question is, 'Shall House Bill 1841 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Cullerton, to explain your vote."

Cullerton: "Yes, I just want to explain a couple of things concerning legislative intent in as much as I'm one of the Cosponsors of the Bill. First of all, it's my understanding that under the Bill that if you get stopped for drunk driving and you blow less than point one, that your license will not be taken from you. Number two, part of the Bill incorporates House Bill 19 which deals with an issue of reckless homicide. And what that provision says

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in this Bill is that if you are to be driving drunk and to blow over point one in the breathalyzer is a prima facie case that you been driving wrecklessly. That... purpose of that provision is to get pass and motion for directed verdict. That does not mean that the jury could not, indeed, find you not guilty of reckless homicide. It's unfortunate that we are perhaps voting on this Bill so late at night. Under the circumstances because it's unlike the Bill that Representative Daniels described last night was in agreement. This Bill, we have to spend as much time, perhaps, on this as we've spent on medical malpractice. Bar Association, Illinois State Bar Association, Chicago Bar Association, representatives of the Secretary of State's Office, just about everyone, except for Bill Hart was included in the negotiation on this particular Bill. It's a, believe me, a tremendous improvement over what the Governor's Task Force recommended because it result in more people in effect losing their licenses but also giving them the chance to realize the mistakes they have made. And, the tough part of the Bill, of course, is the fact people will lose their license for thirty days, no matter what. If they're out there drinking and driving, they're going to lose their license for 30 days. But thirty days is not six months. It's not three months. It's enough time that they can arrange to go... forego that inconvenience and find a way to work. I think it's a very good Bill. I appreciate your support."

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

Young: "Madam Speaker, Ladies and Gentlemen of the House, I know there was an agreement on this Bill, but there's been a lot of agreements that haven't passed here. And this is by far the worst agreement of the General Assembly this Session,

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aside from what Representative Dunn said. This Bill will create felons out of people who are convicted of drunken driving for the first time and then subsequently drive a second time. This Bill will allow police reports to be admitted into evidence in a courtroom situation without the policeman, and then the judge can study that police report. So as a practical matter, we will convict people without a police officer being in court. This Bill calls for a mandatory alcoholic and drug testing for people who are convicted of the first time and most importantly, as Representative Dunn said, this Bill calls for an all situations to lose your license for thirty days even when it's your first defense. You lose your license if you blow .10. You lose your license if you don't blow. So, if you don't blow and you have a good defense, you can go to court, no police officer there, admit a police report and get convicted of drunken driving and lose your license."

Speaker Breslin: "The Gentleman from Jefferson, Representative Hicks, one minute to explain your vote."

Hicks: "Yes, Madam Speaker, after Representative Cullerton's four and a half one minutes, I just like say that..."

Speaker Breslin: "He is the Chairman of the Committee."

Hicks: "I understand, Madam Speaker. I did have a chance in the Appropriations Committee to ask some questions of our Secretary of State concerning just the problem we've been talking about here today, having to do with hardship license and that type of thing. And I think Representative Dunn made some very very fine points in his discussion of the Bill a while ago. Probably the most calls I have in my office have to do with the matter of hardship license - have the matter of people trying to go to work and can't get there. We question the Secretary during the Appropriations and found that only less than one in ten

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applications for a hardship license. Less than one in ten ever was approved. I think that's a very horrible record whenever we talk about trying to help the job market in our state. We talk about trying to help people to keep their jobs, and I would certainly wish that this Bill would not receive the necessary 60 votes for passage."

Speaker Breslin: "Have all voted who wish? The Clerk will take the record. On this question there are 70 voting 'aye', 13 voting 'no', and 11 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 1565, Representative Countryman. Clerk, read the Bill. House Bill 1565. Where is that on the Calendar, Representative Countryman?"

Countryman: "Page 23."

Speaker Breslin: "Page 23, under Counties."

Clerk Leone: "House Bill 1565, a Bill for an Act to amend an Act in relationship to traffic and misdemeanor offenses. Third Reading of the Bill."

Speaker Breslin: "Representative Countryman."

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. House Bill 1565 is a simple Bill. It allows the clerks of the Circuit Court and it amends the Acts in relation to the clerks of the Circuit Court, Unified Code of Corrections, to permit payment of fines and costs related to traffic offenses, petty offenses and misdemeanors by credit cards. What it allows to do... the Clerk to do is permissively is to accept fines by payment of credit card. There has been an Amendment adopted which allows the clerk to charge the offender a fee of three dollars or the... in the amount of the service fee charged to the clerk of the court by the credit card company whichever is greater. This is a good Bill in areas where I'm involved. Many times the people come into court. They

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don't have all the money to pay the fine. If they use a credit card, they don't have to go back to the court house - cases don't have to be continued. And I would allow for the court dockets to be less crowded and collection to be made on behalf of the county and the state. It's a good Bill and I ask for your favorable vote."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1565. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Yes, a quick question. Representative Countryman, this Bill, basically, allows people to use credit cards to pay for their fines in traffic court and in misdemeanor court?"

Countryman: "That's correct. It'll be a good ideal not to leave home without it."

Cullerton: "Didn't you promise to amend this Bill so it would not be available for people who are charged with the deceptive use of credit cards to be able to charge their fines? Now, you promise, I thought, in Committee that you were going to not let a guy who was charged with the deceptive use of a credit card to come into court and charge his fine. I think to do anything other than that would be ludicrous and I thought you agreed to it. I know we had some discussion about other..."

Countryman: "I... I don't remember that..."

Cullerton: "...If you're a drunk driver, don't leave without..."

Countryman: "I remember that you gave that good lecture..."

Cullerton: "You didn't agreed to it?"

Countryman: "I don't remember agreeing to it. We put on this Amendment which allowed for the offender to pay the fee. Had some discussion with the people who are involved with representing the clerks who were there at the time in Committee when we had it. If, in fact, that's so important

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to you, Mr. Cullerton, we'll certainly take care of it in the Senate. It's a good Bill and we'll take care of it."

Cullerton: "Yes, that's one of... that's one of the three great promises. Okay, well, if you... Who's the Sponsor in the Senate?"

Countryman: "We'll come over and talk about this..."

Cullerton: "Who is your Senator?"

Countryman: "My Senator is Senator Welch. Be glad to give it to you."

Cullerton: "Good luck."

Speaker Breslin: "There being no further discussion. The question is, 'Shall House Bill 1565 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 86 voting 'aye', 6 voting 'no', and 1 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. On the Order of County Salaries and Pensions appears House Bill 2348. It is on page 17 on your Calendar. Representative Hoffman. Clerk, read the Bill."

Clerk Leone: "House Bill 2348, a Bill for an Act to amend the Illinois Pension Code. Third Reading of the Bill."

Speaker Breslin: "Representative Hoffman asks leave to return this Bill to the Order of Second Reading for the purposes of an Amendment. Hearing no objection, the Gentleman has leave. Read the Bill on Second Reading."

Hoffman: "Thank you very much, Madam..."

Speaker Breslin: "Excuse me, the Bill has to be read first."

Clerk Leone: "House Bill 2348, amends the Illinois Pension Code. Amendment #2, Hoffman."

Speaker Breslin: "Representative Hoffman."

Hoffman: "Thank you very much, Madam Speaker, Ladies and Gentlemen of the House. I would like to adopt Amendment

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#2. I've discussed this with interested parties. Adopt Amendment #2, return it to Third Reading and ask that it be placed in... on the Interim Study Calendar."

Speaker Breslin: "The question is, 'Shall Amendment #2 to House Bill 2348 be adopted?' All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk Leone: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Hoffman now asks leave to return this Bill to the Order of Interim Study. The Gentleman does have leave. Going to the Order of Environment and Natural Resources. On the Order of Environment and Natural Resources, I will call the following Bills: 1436; 1544; 1774; 2022; 2251; and 2061. The Chair recognizes Representative McPike for the purposes of a Motion."

McPike: "Thank you, Madam Speaker. I would move that those Bills be heard on one Roll Call."

Speaker Breslin: "The Gentleman has moved that these Bills be heard on one Roll Call. Representative Dunn objects. Representative McMaster, for what reason do you rise?"

McMaster: "Thank you, Madam Speaker. I am the sole and only Sponsor of House Bill 2372. I would like to return it to Interim Study, please."

Speaker Breslin: "Excuse me, Representative McMaster."

McMaster: "I am the only Sponsor of House Bill 2372. I would ask permission to return it to Interim Study in Counties and Townships."

Speaker Breslin: "Certainly. People can put Bills into Interim Study simply by filling out a form here, down at the Clerk's well. So, if you have Bills that want to go on that Order, please come up and do that. Representative

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Vinson, on the Motion."

Vinson: "Madam Speaker, I rise in support of the Gentleman's Motion. The Bills can be explained one by one. The Motion, I believe, is good. And I believe that people will find that there is no controversy in regard to the Bills."

Speaker Breslin: "Representative Dunn, for what reason do you seek recognition?"

Dunn: "I don't seek recognition, Madam Speaker. I'm going to look at these Bills one at a time and... until you take them one at a time or wait while I look at them or anybody else who wants to."

Speaker Breslin: "Why don't we explain them one at a time and then if there are objections, we can take them off of this one Roll Call."

Dunn: "That's fine with me."

Speaker Breslin: "Very good. Representative McPike, on the Bills. Please read the Bills, Mr. Clerk, first."

Clerk O'Brien: "House Bill 1436, a Bill for an Act in relation to the safety of hazardous substances stored and used in industrial plants. Third Reading of the Bill. House Bill 1544, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill. House Bill 1774, a Bill for an Act to amend the Environmental Protection Act. Third Reading of the Bill. House Bill 2022, a Bill for an Act relating to the disposal of solid waste. Third Reading of the Bill. House Bill 2061, a Bill for an Act to amend the Illinois Low-Level Radioactive Waste Management Act. Third Reading of the Bill. House Bill 2251, a Bill for an Act to amend the Illinois Low-Level Radioactive Waste Management Act. Third Reading of the Bill."

Speaker Breslin: "Representative McPike."

McPike: "Thank you, Madam Speaker. House Bill 1436 is a vehicle

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Bill. Representative Levin and Representative Hallock will add the Governor's recommendations on chemical emergency response. House Bill 1544, by Representative Zwick, deals with EPA municipal waste in center areas. I know of no opposition to that Bill. House Bill 1774, Representative Currie, is EPA air pollution fee. It's been agreed to by Chamber of Commerce and Manufacturer Association. I know of no opposition to that Bill. House Bill 2022, Representative Churchill, it's a Local Solid Waste Disposal Act. It's permissive. I know of no opposition to that. And finally, House Bill 2251, Representative Currie, deals with the radioactive waste compact."

Speaker Breslin: "Did you do House Bill 2061 too, Representative McPike?"

McPike: "Well... Fine, we can add this Bill. This is House Bill 2061 - put in by... it's the... Representative Churchill. It's a Governor's Bill. It deals with radioactive waste management. And it concerns various fees. Specifically, an annual fee for Nuclear Regulatory Commission of \$90,000."

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

McPike: "Variety of fee, but I no of know opposition of that either. Was explained on Second Reading."

Speaker Breslin: "The Gentleman has moved for the passage of House Bills 1436, 1544, 1774, 2022, 2061, and 2251. And on that question, the Lady from Cook, Representative Braun."

Braun: "No questions."

Speaker Breslin: "On that question, the Gentleman from Macon, Representative Dunn."

Dunn: "Yes, would whoever is appropriate explain House Bill 2022?"

Speaker Breslin: "2022, Representative Churchill."

Churchill: "Representative Dunn, 2022 creates the Solid Waste

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Disposal Act, which is a permissive Act, not a mandatory Act. And it permits counties and municipalities to enter into intergovernmental agreement for the treatment of solid waste. This has been studied by all of the interested parties for approximately three years at the culmination of an effort on behalf of all the parties who look at solid waste. It something that is very similar to a Bill that Representative Breslin had. She's a hyphenated Cosponsor of this Bill."

Speaker Breslin: "The question is... Representative Braun, for what reason do you rise?"

Braun: "Thank you, Madam Speaker. I realize it's late, but I would request that we separate the question as to House Bill 2022."

Speaker Breslin: "The Lady asks that 2022..."

Braun: "I withdraw that request."

Speaker Breslin: "The Lady withdraws her request. Representative Dunn."

Dunn: "Yes, I was asking questions about the package. I have a question about House Bill 2251, Representative Currie's Bill. Who can explain to me..."

Speaker Breslin: "State your question."

Dunn: "...What this Bill do and how does it affect the midwest compact with regard to radioactive waste...radioactive waste?"

Speaker Breslin: "Representative Currie, on the Bill."

Currie: "It does two things, Representative Dunn. First, it changes the time schedule for some of the items that were required in the Act when we first passed it. So is to permit public comments and the hearing schedule that the Department thinks will... so they'll be able to meet some of the deadlines in the Bill. The proposal seems a sensible one since the... the public hearings were

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important to the environmental community and to other members of the public. It also corrects the technical error in legislation that was passed last year."

Speaker Breslin: "Do you have any further questions, Sir? Representative Dunn."

Dunn: "I think Representative McPike... Is there a Bill 2066 in this package?"

Speaker Breslin: "Yes, he'd described House Bill 2061. House Bill 2061."

Dunn: "2061."

Speaker Breslin: "There being no further discussion. The question is, 'Shall House Bills 1436, 1544, 1774, 2022, 2061 and 2251 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Homer, one minute to explain your vote. Have all voted who wish? The Clerk will take the record. On this question there are 35 voting 'aye', 6 voting 'no', and 5 voting 'present'. This Bill, having received the Constitutional Majority... these Bills, having received the Constitutional Majority, are hereby declared passed. On the Special Subject Matter Call of State Administration appears House Bill 124, Representative Brookins. It's on page nine on your Calendar. House Bill 124, Representative Brookins. Clerk, read the Bill."

Clerk O'Brien: "House Bill 124, a Bill..."

Speaker Breslin: "Representative Brookins."

Brookins: "I'd like to have permission to return this to Second Reading for the purpose of an Amendment."

Speaker Breslin: "The Gentleman asks leave to return this Bill to the Order of Second Reading for the purposes of Amendment. Does the Gentleman have leave? Hearing no objections, the Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 124, a Bill for an Act to amend the

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Code of Criminal Procedure."

Speaker Breslin: "Representative..."

Clerk O'Brien: "Amendments 1 and 2 were adopted previously."

Speaker Breslin: "Are there any Motions filed?"

Clerk O'Brien: "No Motions filed."

Speaker Breslin: "Are there any Floor Amendments?"

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

Speaker Breslin: "Representative Homer."

Homer: "Okay. Thank you, Madam Speaker. Representative Brookins had called this Bill one time earlier and... Thank you. Thought I had forgotten, I guess, but Representative Brookins' Bill... When he brought it in Committee, there were some of the Committee Members including myself had question one portion. It has to do with continuances in the most serious of criminal cases in the conditions under which the court may grant a continuance, even at the defendant's request. But the Bill also did a second thing and that was to change the time within which a case must be brought to trial. It changed the time from 120 days to 90 days, but it moved the starting point forward for date of arraignment. So, what we've done in this Amendment is to bring it into accord with what was agreed to in the Judiciary 11 Committee and that is to go back to existing law with respect to the 120 day standard. So, I would at this time entertain any questions, otherwise move for the adoption of Amendment #3."

Speaker Breslin: "The Gentleman has moved for the adoption of Amendment #3 to House Bill 124. And on that question, the Gentleman from Knox, Representative Hawkinson."

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

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

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Hawkinson: "Representative, does this also restore the existing law as to a 160 days on a demand when the defendant is not in custody?"

Homer: "Yes, that's correct, Representative Hawkinson."

Hawkinson: "Thank you."

Speaker Breslin: "The question is, 'Shall Amendment #3 to House Bill 124 be adopted? All those in favor say 'aye', all those opposed say 'nay'. In the opinion of the Chair, the 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Breslin: "Third Reading. Representative Brookins now asks leave for immediate consideration of House Bill 124 as amended on Third Reading. Does the Gentleman have leave? The Gentleman has leave. Read the Bill, Mr. Clerk."

Clerk O'Brien: "House Bill 124, a Bill for an Act to amend Sections of the Code of Criminal Procedure. Third Reading of the Bill."

Speaker Breslin: "Representative Brookins."

Brookins: "Yes, Madam Speaker, Ladies and Gentlemen of the Jury (sic - House), this is what is called a speedy trial and this will move up so we can have crimes that are x rated... x felonies and murders held within a 120 days. I ask for immediate passage."

Speaker Breslin: "The question... The Gentleman has moved for the passage of House Bill 124. Does anybody stand in opposition? Seeing none, the question is, 'Shall House Bill 124 pass? All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? The Clerk will take the record. On this question there are 90 voting 'aye', 1 voting 'no', and none voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 725,

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Representative White. Clerk, read the Bill."

Clerk O'Brien: "House Bill 725..."

Speaker Breslin: "It's on page 26 on your Calendar."

Clerk O'Brien: "...a Bill for an Act relating to Illinois Department of Public Health. Third Reading of the Bill."

Speaker Breslin: "Representative White."

White: "Mr. (sic - Madam) Speaker and Ladies and Gentlemen of the House, House Bill 725 is an agreed Bill. It was... came out of Human Services Committee, and we worked very hard on both sides of the aisle to come up with the language that we found to be acceptable. This Bill will provide for a public information campaign for physicians, hospitals, health facilities, public health departments and the general public in the area of AIDS. A similar program will be conducted in the area of sickle cell anemia. That is the Bill. The Amendment, again, is supported by the Illinois Public Health Department."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 725. And on that question, is there any discussion? There being no discussion, the question is, 'Shall House Bill 725 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question, there is... there are 79 voting 'aye', 14 voting 'no', none voting 'present'. This Bill, having received the Constitutional requirement, is hereby declared passed. House Bill 1145, Representative Brookins. It's on page four on your Calendar. Representative Brookins. Mr. Clerk, read the Bill. On page four or... Excuse me, maybe it's page 11 on your Calendar. Page 11 on your Calendar."

Clerk O'Brien: "House Bill 1145, a Bill for an Act to create a Probation Challenge Program. Third Reading of the Bill."

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Speaker Breslin: "Representative Brookins."

Brookins: "Ladies and Gentlemen and Ms. Madam Speaker, this is what we call a second chance. This here gives mandatory attendance to classes so that you can get a GED mandatory training. If this does not happen, the probationer goes back into jail and serves the time. It's no ifs, ands and buts about it. This is what we call giving a second chance. We have established this program in one of the city colleges. It's a pilot program and we're getting wonderful results. I ask for passage and stand ready to answer any questions."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1145. Does anyone stand in opposition? The Gentleman from Kendall, Representative Hastert."

Hastert: "Yeah, is there a cost to this Bill? Would the Sponsor yield?"

Speaker Breslin: "Representative Brookins."

Brookins: "Yes, there is a cost, and we have reduced it down. If you remember last year... was something asking for something like \$250,000, but we reduced it down to \$150,000 by House and in one of the colleges in the City of Chicago."

Hastert: "What was the price tag on that? Did you..."

Brookins: "150. \$150,000."

Hastert: "And then, when is that suppose to end? It's experimental program?"

Brookins: "It's a pilot program. And we're trying to find if it really is doing what it's suppose to do. Have we cut the recidivism rates? We're finding that the recidivism rate has been cut considerable."

Hastert: "How long is the pilot?"

Brookins: "The pilot? It'll be one year."

Hastert: "Thank you."

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Speaker Breslin: "The Gentleman from Knox, Representative Hawkinson."

Hawkinson: "Thank you, Madam Speaker. I rise in opposition to this Bill. The Bill really is a well intentioned effort to correct problems that the Sponsor conceives as existing in the probation department in Cook County. But we passed earlier this evening House Bill 777, which is an extension of the probation effort to coordinate it statewide, to pour substantial new dollars into the probation system to make it work adequately. In addition, on House Bill 777 is a program for individualized purchase of community services which is another attempt to deal with the same subject. I think it'll be a serious mistake to add still another program on top of that. Let's give the new probation system a chance to work. We don't need to spend extra dollars on top of the substantial investment we're making in our probation improvement. And I would urge a 'no' vote."

Speaker Breslin: "Representative Brookins, to close."

Brookins: "Madam Speaker and my fellow Legislators, this is a legitimate attempt to keep young people off of... out of jail, to give them an opportunity to start over again. We find that those without education, those without a high school or grammar school diploma are the ones that are causing us the problem. If we can retrain them, if we can give them a chance to make useful citizens out of themselves, if we can prevent them from going to jail and spending this enormous amount of money in keeping them in jail, then we have did something. This is what this program is about. It's about training them. It's about putting them back into society. I ask for an 'aye' vote."

Speaker Breslin: "The question is, 'Shall House Bill 1145 pass?' All those in favor vote 'aye', all those opposed vote 'no'."

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Voting is open. Representative McGann, one minute to explain your vote."

McGann: "Thank you, Madam Speaker and Members of the Assembly. The hour is late, but this is truly a very good program. It has been most successful through the city college of Chicago, and I'd certainly urge an 'aye' vote. We ought to keep this program going and I applaud the Sponsor of this Bill because he has worked so hard, and they have prevented a lot of persons that may be going back into the cells. So, let's keep up the good program."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 46 voting 'aye', 50 voting 'no', and none voting 'present'. Representative Brookins."

Brookins: "Have leave to put this in Interim Study."

Speaker Breslin: "The Gentleman asks leave to put this Bill in Interim Study. Does the Gentleman have leave? The Gentleman has leave to put the Bill in Interim Study. House Bill 604, appearing on page 18 on your Calendar, Representative Ropp. Representative Ropp, you want to take that Bill out of the record? Out of the record. Representative Greiman, Representative Ropp wants to take his Bill out of the record. Again. Out of the record. House Bill 1466, Representative Countryman, appears on page 12 on your Calendar. Clerk, read the Bill."

Clerk O'Brien: "Senate (sic) Bill 1466, a Bill for an Act relating to student members of the governing body of certain public institutions of higher education. Third Reading of the Bill."

Speaker Breslin: "Representative Countryman."

Countryman: "Thank you, Madam Speaker, Ladies and Gentlemen of the Assembly. This Bill amends the Regency University Act. It allows the three student members who currently served on

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the Board of Regence and the Board of Governors to cast one collective vote at the meetings of the respected boards. It does not permit a student to vote on collective bargaining personnel or tenure decisions and in the event that there is a tie vote, the student vote shall not count. This Bill will allow the students who presently sit on these boards to have an active participation and have their hard work pay off by voting. I think it's a good Bill and would ask for your favorable vote. Thank you."

Speaker Breslin: "The Gentleman has moved for the passage of House Bill 1466. And on that question, the Gentleman from Rock Island, Representative Brunsvold. Brunsvold. Go to the one next to you. Go to the next one."

Brunsvold: "The Gentleman yield for a question?"

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

Brunsvold: "Three students on the Board?"

Countryman: "There are three student members of the Board of Regence."

Brunsvold: "They're going to vote?"

Countryman: "They collectively will have one vote."

Brunsvold: "Will collectively have one vote."

Countryman: "Right."

Brunsvold: "There's one... Is there one on there presently?"

Countryman: "There's three on there presently. One from each of the universities and the Board of Regence. I'd have to have Mr. Weaver tell you how many there are at the Board of Governors."

Brunsvold: "They have no vote now."

Countryman: "They have no vote now."

Brunsvold: "Oh, I think we ought to keep it that way."

Speaker Breslin: "The question is, 'Shall House Bill 1466 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Have all voted who wish? Have all voted

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who wish? Representative Weaver, one minute to explain your vote."

Weaver: "Madam Speaker, Members of the House, this... the genesis for this Bill was by the students themselves. The students at the Board of Regence and the Board of Governors ask us to see if they could be represented on their various respective boards. They don't want to run the Boards. They just want a voice in their future. And I'm casting my vote 'aye' for the students at my university."

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

Turner: "Thank you, Madam Speaker and Ladies and Gentlemen of the Assembly. I know it's getting late, but the students aren't here. So often, you know, we represent the doctors. We got lawyers that are represented. We take care of farmers and the students aren't quite old enough to vote in some cases. I mean, college students are, but I think that this is a good Bill. It warrants more green votes up on that board. Remember students do vote and some of them vote in college towns. This is a college town and I would encourage your support on this great Bill."

Speaker Breslin: "Have all voted who wish? Have all voted who wish? The Clerk will take the record. On this question there are 64 voting 'aye', 26 voting 'no', and 4 voting 'present'. This Bill, having received the Constitutional Majority, is hereby declared passed. House Bill 2009, Representative Parcels. Clerk, read the Bill. It's on page 17."

Clerk O'Brien: "House Bill 2009, a Bill for an Act to amend Sections of the School Code. Third Reading of the Bill."

Speaker Breslin: "Representative Parcels."

Parcels: "House Bill 2009 amends the School Code relating to boundary changes of school districts. It has been amended

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to provide that when two-thirds of the registered voters of any territory file a petition for deannexation from one school district to be annexed to the neighboring district. This petition will be heard by the Regional Board of School Trustee. After the Board reaches its decision, any person, school or business in the affected area may object and appeal that decision. A very important part of this Bill is that while the question is being adjudicated, the school district tax funds for this territory, which is the subject of the litigation, will be held in escrow and will be paid to the district adjudicated to receive the affected territory. In the meantime, the tuition payments for the students residing in the affected territory will be made from the escrow by the Circuit Court to whichever school the children are going to. It further deal... the Bill deals with which school the students may attend during and after the adjudication. The final Amendment on the Bill provides that petitions filed for the creation of consolidated school district make any boundary changes conformed to the provisions of Senate Bill 513 adopted in 1983."

Speaker Breslin: "The Lady has moved for the passage of House Bill 2009. And on that question, the Gentleman from Cook, Representative Cullerton."

Cullerton: "Thank you, Madam Speaker, Ladies and Gentlemen of the House. I congratulate Representative Parcels for somehow getting this Bill called. I suspect that the reason why we called it was because it was the only Republican Bill left on the Calendar that had not yet passed the House this year. This Bill should not be passed. This... this Bill has some Amendments on it that are very offensive to both Republicans and the Democrats - tears apart some seatmates over on the Democratic side. I had a discussion with

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Representative Parcels who, perhaps, somewhere here in this long Bill that has received so many Amendments might have a kernel of something that's worth passing. We think that we can, perhaps, find some kind of a vehicle to slip whatever that kernel might be onto a Senate Bill and I would please urge that the Democrats who remain in the chamber vote 'no', and the Republicans do the same. And please vote 'no' for this Bill."

Speaker Breslin: "The Gentleman from Knox, Representative Hawkinson."

Hawkinson: "Thank you, Madam Speaker. Will the Sponsor yield for some questions?"

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

Hawkinson: "First question, Representative. Will this Bill only have prospective affect? It won't affect any annexations that have already occurred?"

Parcels: "That have already occurred? No. As a matter of fact, the reason for this Bill was there was an...deannexation and annexation in my area of the elementary school and we're trying to line up the high school with that elementary school."

Hawkinson: "We had a deannexation in Representative McMaster's and my area, and I wanted to make sure that this Bill would not have any retroactive affect on any such annexation."

Parcels: "No, I meant for it to take effect or the... It says to take effect upon becoming law and that we did ask that anything that was now pending would be taken under this, but nothing that has already been adjudicated."

Hawkinson: "And what is the affect on the property taxes under your Bill?"

Parcels: "The... that is probably the best part of the Bill. In this particular case that I told you of, the school that is

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presently collecting the taxes are making money hand over fist because they have very few students coming and it's to their best interest to keep this case going to keep it in the courts because they're pulling in, to be exact, \$250,000 a year and spending, maybe, \$50,000 in legal fees and maybe another 20,000 educating the students. So, it behooves them to keep this case going. This, in my Bill, this money would go into an escrow to be held by the court. The tuitions for the students would be paid out of the escrow and at the end after the decision is made, those monies would go to the school districts that would be receiving this territory."

Hawkinson: "I believe that, and I may be in error, but I believe that under present law, once a final decision has been reached by the courts if it's taken to appeal or in the absence of any appeal once a final decision has been made by the regional superintendent and the map... the new map of the district is filed with the county clerk - that the county clerk is then to extend the taxes on the basis of the new map. And on the basis of the new map, the taxes would follow to the new district. Do you change that law in anyway once the case is over with the effective date of when the taxes go to the new district?"

Parcells: "No."

Hawkinson: "Does your Bill provide... As you know, in some of these situations, you may have the students attending the new school district in September and being in the old district until May. And, therefore, the old district will educate the..."

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

Cullerton: "Just a parliamentary inquiry. Could you please tell

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me who the Sponsor of this Bill is, House Bill 2009?"

Speaker Breslin: "Mr. Clerk, can you tell us who the listed Sponsor is? Representative Parcels, Representative Cullerton."

Cullerton: "The index indicates it's Representative Parcels and Parcels."

Speaker Breslin: "The index must be in error, Sir. Excuse the interruption, Representative Hawkinson, bring your remarks to a close."

Hawkinson: "I think this will be the last question that... To the first, Representative Parcels. As you know the first district will have educated the students up through May. The new district will educate them starting in September. However, will the taxes for that entire Calendar year go to the new district or does your Bill provide for any proration based on the length of time that the individual school district educated the student?"

Parcels: "It would... The taxes would be paid from the time of the decision by the Regional Board. Then while it's being... if somebody decides to take it to court while it's being adjudicated, those taxes would be held with the tuition for the students being paid to whichever school they went to. Then once the decision is made, the monies held in that escrow would go to the school to which the territory is given."

Hawkinson: "Regardless of whether... of the fact that the other school district may have educated them for half the year?"

Parcels: "Well, they would be getting the money prorated for the length of time that they educate the students out of this fund, out of the escrow fund."

Hawkinson: "Thank you. Thank you."

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

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

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

Parcels: "I think this is a good piece of legislation, and I would ask for your affirmative vote."

Speaker Breslin: "The question is, 'Shall House Bill 2009 pass?' All those in favor vote 'aye', all those opposed vote 'no'. Voting is open. Representative Ewing, one minute to explain your vote."

Ewing: "Madam Speaker, one of the prior comments on this Bill by Representative Cullerton indicated that it was the last Republican Bill, and I just wanted to clear that up as being erroneous. There are several more, and I thought maybe it might cause somebody to vote 'no' on this Bill if they thought it was the last Republican Bill."

Speaker Breslin: "Have all voted who wish? Speaker Madigan in the Chair."

Speaker Madigan: "Mr. Hoffman, to explain his vote."

Hoffman: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. I rise in support of this legislation. The Lady is trying to deal with a very difficult and complicated problem in her area. I think giving the circumstances under which she is operating, she'd worked very, very hard on this. I think at this juncture in the process that she has done an admirable job. Also included in this, of course, is an Amendment that Representative Van Dyne placed on to deal with the problem in his particular area, and I think the Lady deserves the requisite number of votes to move this across to the Senate."

Speaker Madigan: "Have all voted who wish? Mr. Davis, to explain

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his vote."

Davis: "Thank you, Mr Speaker. Not only will I echo what Representative Hoffman just said; but, if Representative Van Duynes was here right now, this is probably... he has an Amendment attached to this Bill that is probably the most important Amendment that can ever be considered for Joliet township and for Representative Van Duynes. I'm in support of that Amendment because some of my constituents go to Joliet Township High School. This is absolutely vital that that Amendment on Representative Parcells' Bill passes. And I wish he were here to say to you that that is the case, but let me tell you in all frankness and candor that is the case and this Bill should pass with that Amendment on it."

Speaker Madigan: "This Bill has 43 affirmative votes. And the Clerk shall take the record. On this question there are 47 'ayes', 46 'nos'. This Bill, having failed to receive a Constitutional Majority, is hereby declared lost. House Bill 1323, Mr. Washington. For what purpose does Representative Parcells seek recognition?"

Parcells: "May I ask to have that put on Interim Study, please. Thank you."

Speaker Madigan: "Leave for Interim Study? Leave is granted. House Bill 1323, Representative Washington. Mr. Clerk, read the Bill. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1323, a Bill for an Act to amend Sections of the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Madigan: "Mr. Washington."

Washington: "Yes, Mr. Speaker, Ladies and Gentlemen of the House of Representatives, House Bill 1323 establish a floor for public assistance grants in relationship to the standard of the system. Excess the floor at 52% of the standard which

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is, in fact, the current level of payment. This Bill will simply ensure that recipients would not fall below that percentage. It ensures that buying power of our very meager public aid grant will not be eroded by inflation. To give an example of what has happened in the absence of such legislation, during the fourteen year period between 1970 and 1984, the public aid grants in Illinois lost 49% of its purchasing power..."

Speaker Madigan: "Is there any opposition to this Bill? There being no opposition, those in favor of the Bill signify by voting 'aye'. Representative Wojcik. We have not begun a Roll Call, Mr. Clerk."

Wojcik: "Mr. Speaker, I do rise in opposition to this Bill. Do to the fiscal impact, we will be involved with \$21,000,000 here. It's a bad Bill."

Speaker Madigan: "Those in favor of the passage of the Bill will vote 'aye', those opposed will vote 'no'. Representative Braun, to explain her vote."

Braun: "Thank you very much, Mr. Speaker, Ladies and Gentlemen of the House. This Bill deserves everybody's support. It simply puts into law that which already is. It simply makes the grant level that which is already being paid. There are no increases involved here. All that it does is keep a decrease from happening. I realize that it's late. It's almost midnight, but it's not the fault of Representative Washington that public services came last, nor is it the fault of the poor people of this state that debate came after the tax break of business, et cetera. This Bill deserves your support. It's the least we can do for the neediest in our state."

Speaker Madigan: "Have all voted who wish? The Clerk shall take the record. On this question there are 41 'ayes', 50 'nos'. This Bill having failed to receive... For what

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purpose does Mr. Washington seek recognition?"

Washington: "Mike, I would like this Bill be placed in Interim Study."

Speaker Madigan: "Is there leave? Leave is granted. The Bill shall be placed on the Order of Interim Study. House Bill 2106, Mr. McNamara. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2106, a Bill for an Act to amend Sections of the Juvenile Court Act. Third Reading of the Bill."

Speaker Madigan: "Mr. McNamara."

McNamara: "Mr. Speaker, I would like leave to move this Bill back to Second Reading for a technical Amendment."

Speaker Madigan: "Is there leave? Leave is granted. The Bill is on the Order of Second Reading. Are there any Amendments?"

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

McNamara: "Amendment #2 moves the last paragraph to clarify which cases the legislation would apply and also numbers that paragraph as #7."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "The Bill shall be placed on the Order of Third Reading. Is there leave to hear the Bill on the Order of Third Reading? Leave is granted. Mr. McNamara."

McNamara: "House Bill 2106 deals with a problem of minors who have fallen between the cracks of the juvenile justice system. The youth addressed to in this Bill have been alleged to be delinquent and released to the parent or guardian pending trial. What we're really trying to do in this particular case is to find a solution..."

Speaker Madigan: "Is there any opposition to this Bill? Those in

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favor of the Bill will vote 'aye', those opposed will vote 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 93 'ayes', 4 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2369, Mr. McGann. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2369, a Bill for an Act relating to firearms and firearm ammunition. Third Reading of the Bill."

Speaker Madigan: "Mr. McGann."

McGann: "Mr. Speaker, may we ask leave of the House to take this Bill back for Second Reading for the purpose of an Amendment."

Speaker Madigan: "Is there leave? Leave is granted. The Bill is on the Order of Second Reading. Are there any Amendments?"

Clerk O'Brien: "Amendment #4, offered by Representative McGann and Rea."

Speaker Madigan: "Mr. McGann."

McGann: "Thank you, Mr. Speaker, Members of the Assembly. Actually this deletes... just deletes the requirement for mental... to report monthly to the Department..."

Speaker Madigan: "Those in favor of the Amendment will say 'aye', those opposed 'nay'. The 'ayes' have it. The Amendment is adopted. Are there further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Is there leave to hear the Bill on Third Reading? Leave is granted. Mr. McGann."

McGann: "Thank you, Mr. Speaker and Members of the House. We've had discussion on this. We have worked together with the Department of Law Enforcement, National Rifle Association, and we feel as though we have agreement here for to have a currently valid firearms card."

Speaker Madigan: "Mr. Vinson."

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Vinson: "Consulted with Mr. Tate. There is no opposition to this Bill."

Speaker Madigan: "Those in favor of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 86 'ayes', 5 'nos'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1474, Representative Braun. Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. 1474 simply allows the people on public aid to be able to go to school and get an education so that they can work. I encourage your support."

Clerk O'Brien: "House Bill 1474, a Bill for an Act to amend Sections of the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Madigan: "Those in favor of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 69 'ayes', 25 'nos'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1618, Representative Braun. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1618, a Bill for an Act to amend Sections of the Illinois Public Aid Code. Third Reading of the Bill."

Speaker Madigan: "Representative Braun."

Braun: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 1618 simply relates to the nondistinction and/or discrimination depending on the word...category the recipients in terms of prescription drugs. Representative Vinson is the Cosponsor on this legislation and he can close."

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Speaker Madigan: "Mr. Ewing."

Ewing: "Would the Sponsor tell us how much this cost, please?"

Speaker Madigan: "Sponsor yields. Sponsor yields."

Ewing: "Could you tell us, Representative Braun, what the cost would be?"

Braun: "I don't know. Hold on."

Ewing: "Representative Cullerton, I didn't ask her for that. I ask her if she could tell us the cost, if that's okay."

Speaker Madigan: "Ladies and Gentlemen, it's getting late. If we could hold down the dialogue."

Braun: "I don't... I don't have the information to answer that truthfully right now, Representative."

Ewing: "The report I had was \$12,000,000, would that be accurate?"

Braun: "Hold on. Hold on. Okay, according to the Department, that is so. But it's my understanding that that does not take into account the preventive aspect of allowing drug treatment, drug therapy as opposed to hospitalization."

Speaker Madigan: "Those in favor of the passage of the Bill will vote 'aye', those opposed will vote 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 49 'aye', 45 'no'. This Bill having failed... Representative Braun. Representative Braun."

Braun: "Thank you. On behalf of Lieutenant Governor Ryan, I'd like to put this in Interim Study."

Speaker Madigan: "Is there leave for Interim Study? Leave is granted. House Bill 2416, Representative Williamson, on page 14 of the Calendar. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2416, a Bill for an Act to amend Sections of the Rape Victims Emergency Treatment Act. Third Reading of the Bill."

Speaker Madigan: "Representative Williamson."

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Williamson: "Mr. Speaker and People of the House, this Bill simply amends the Rape Victims Emergency Treatment Act. Right now the State of Illinois is tied into buying the Vitullo rape kits. Simply removing the word 'vitullo' and giving the state the opportunity to buy generic rape kits. Vitullo kit is now manufactured out the State of Illinois. There are factories that make similar kits with the same amount of equipment, the exact same kits that are located in the State of Illinois. This Bill will give the State of Illinois the option to bid out for the rape kits that are available now being made in United States and it would save the State of Illinois money. I urge an 'aye' vote."

Speaker Madigan: "Representative, is this your first Bill?"

Williamson: "It is, Mr. Speaker."

Speaker Madigan: "Those in favor of the passage of this Bill shall vote 'aye', those opposed 'no'. Have all voted who wish? Mr. Cullerton, to explain his vote."

Cullerton: "Yes, I was going to go out on the limb and ask her if she'd yield, but it's kind of late for that so I'll vote 'aye'"

Speaker Madigan: "Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 94 'aye', 2 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of... House Bill 2451, Mr. Stephens, on page 19 of the Calendar. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2451, a Bill for an Act to protect and preserve cave resources. Third Reading of the Bill."

Speaker Madigan: "Mr. Stephens."

Stephens: "Mr. Speaker, Members of the House, House Bill 2451 creates an Act relating to caves. Prohibits removal of any natural or cultural material from any cave without the written permission of the land owner and authorizes the

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Department of Conservation to create an advisory council.
At this late hour, I'm sure this is kind of a Daddy Bill,
but I'd move for its adoption. It's passage."

Speaker Madigan: "Anyone seeking recognition? Mr. McPike."

McPike: "Thank you, Mr. Speaker."

Speaker Madigan: "Mr. McPike."

McPike: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. One of the things that the previous Legislator from the 110th District said to me shortly before he left, he said, 'If I have one regret, Jim, is that I've never passed a Bill to protect the caves in my district.' He said, 'I've worked on this for four years, but I've never gotten a Bill out of Committee, and I think that's why I lost my election.' This Gentleman in his first term has got a Bill on the House floor to protect children... I mean, caves. It's called the 'Cave Protection Act'. It is one of the most far reaching 'Cave Protection Act' that the state has ever had. It stops cave abuse, and it's tough. Now, it's a Class A Misdemeanor. There is no 'knowingly' in here, but it's a Class A Misdemeanor. One year in jail or \$1,000 fine if you would remove any water from the cave or if you may, perhaps, pick a couple flowers and take them out of the cave. A \$1,000 fine. One year in jail; and, what's more important, I think, if you were to disturb any cave life, like a rattlesnake or a rat, or a bat or anything else that would be in a cave or if you would disturb it, injure it, kill it or interfere with this cave life in anyway, one year in jail. Now..."

Speaker Madigan: "Excuse me, Mr. McPike. Excuse me. Those in favor of the Bill will vote 'aye', those opposed vote 'no'. Mr. Stephens, to explain his vote."

Stephens: "Well, after Mr. McPike words, is there any doubt why my predecessor was replaced?"

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Speaker Madigan: "Mr. Stephens is this your first Bill? Is this one and a half?"

Stephens: "Sir, this is my first time on the board. Yes, Sir. And this is also not the last Republican Bill..."

Speaker Madigan: "And it may... may be. This is the Gentleman's first Bill. Those in favor signify by voting 'aye'. Mr. Levin, to explain his vote. To either help or hurt the Roll Call."

Levin: "Mr. Speaker, I am known as a liberal and that means I like to regulate everything, but I think even this goes beyond what I think is reasonable in terms of regulation. There far, even I'm voting 'no' on this one."

Speaker Madigan: "The Clerk shall take the record. On this question there are 73 'ayes', 22 'nos'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1636, Representative Satterthwaite, on page 32 of the Calendar. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1536."

Speaker Madigan: "1636."

Clerk O'Brien: "1636, a Bill for an Act to amend the Professional Service Corporation Act. Third Reading of the Bill."

Speaker Madigan: "Representative Satterthwaite."

Satterthwaite: "Mr. Speaker and Members of the House, this Bill amends the Professional Services Corporation Act in order to bring Illinois law into conformance with Indiana law. What happens now is that only a few different types of professionals can organize under the Act and we expand that to include several other medical providers. The Bill was brought to me by medical providers in my district asking that I put it into effect; and, although they may have found another solution to their problem, I believe that this will provide us with innovative ways to provide health care so that the total problem of the patient is taken care

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of. And I would urge your support of the legislation."

Speaker Madigan: "Mr. Vinson."

Vinson: "Thank you, Mr. Speaker. There is opposition to this Bill. I..."

Speaker Madigan: "Having said that, why don't you sit down."

Vinson: "Alrigat. I just want to indicate, Mr. Speaker, you know, verification and all that on this one."

Speaker Madigan: "So, those in favor of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 56 'aye', 33 'nos'. Representative Satterthwaite. Representative Satterthwaite."

Satterthwaite: "Interim Study, please."

Speaker Madigan: "Is there leave for Interim Study? Leave is granted. House Bill 1106, Mr. Steczo, on page 23 of the Calendar. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1106, a Bill for an Act in relation to certain public hospitals. Third Reading of the Bill."

Speaker Madigan: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker. I'd ask leave to return House Bill 1106 to Second Reading for the purposes of an Amendment"

Speaker Madigan: "Leave is granted. The Bill is on the Order of Second Reading. Are there any Amendments?"

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

Speaker Madigan: "Mr. Steczo."

Steczko: "Thank you, Mr. Speaker. Amendment #3 represents an agreement between the Illinois Hospital Association and AFSCME which indicates that should a public hospital be converted to private that the person who takes over after the conversion would recognize the bargaining unit. I

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would..."

Speaker Madigan: "Those in favor of the Amendment will say 'aye', those opposed will say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Is there leave to hear the Bill on Third Reading? Leave is granted. Mr. Steczo."

Steczko: "Thank you, Mr. Speaker, Members of the House. House Bill 1106 is offered by the Illinois Hospital Association and would allow municipal county and township public hospitals outside of Cook County to convert to either private status or to another public entity by nature of a public hearing in ordinance of the corporate authority of that particular area. It's thought that this would allow struggling public hospitals should there be some to maintain services to an area. It mirrors the legislation that was passed last year for district hospitals with the exception of the public hearing and the ordinance and the other agreement. And I would appreciate the House approving House Bill 1106."

Speaker Madigan: "Those in favor of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 30 'aye', 15 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2447, Mr. Vinson. Alive and awake."

Clerk O'Brien: "House Bill 2447, a Bill for an Act in relation to family support. Third Reading of the Bill."

Speaker Madigan: "Mr. Vinson."

Vinson: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. This Bill simply brings Illinois law into compliance with federal law governing child support wage

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withholding."

Speaker Madigan: "Those in favor of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 95 'ayes', 2 'nos'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 722, Mr. McGann. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 722, a Bill for an Act to amend Sections of the Hospital Licensing Act. Third Reading of the Bill."

Speaker Madigan: "Mr. McGann."

McGann: "Thank you, Mr. Speaker. House Bill 722 just codifies the definitive ways... the definition of perinatal."

Speaker Madigan: "Those in favor of the passage of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? Have all voted who wish?"

McGann: "Mr... Mr. Speaker."

Speaker Madigan: "Mr. McGann."

McGann: "Yes, I just like to inform anyone in the House here, that this is not a pro life Bill. This is truly just the definition of perinatal. That's all it is. I had tabled Amendment #3 which would have been construed as the possible perinatal... pardon me, a pro life Bill. So, I'd appreciate your support. This is just to clarify the work we did, and everyone worked so hard in this Assembly, to take care of the high risk infant newborns and we wanted to bring about the taking care of the premature births along with the high risk infants and the perinatals."

Speaker Madigan: "Have all voted who wish? The Clerk shall take the record. On this question there are 51 'aye', 21 'no'. This Bill, having failed to receive a Constitutional

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Majority... Mr. McGann."

McGann: "Kindly place 722 in Interim Study with leave of the House."

Speaker Madigan: "Leave? Leave is granted for Interim Study. House Bill 1925, Representative Didrickson. Representative Didrickson."

Didrickson: "Thank you, Mr. Speaker."

Clerk O'Brien: "House Bill 1925, a Bill for an Act to amend an Act in relation to the Department of Mental Health. Third Reading of the Bill."

Speaker Madigan: "Representative Didrickson."

Didrickson: "House Bill 1925 makes certain changes in the Mental Health and DD Code relating to interstate transfers. Allows the sharing of client data to appropriate community base programs and it codifies existing practices of releasing clients to community base residential settings. This was on the Consent Calendar. Representative Cullerton had an objection. I believe we've agreed to an Amendment over in the Senate or we discussed the possibility of an Amendment in the Senate."

Speaker Madigan: "Those in favor of the passage of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 81... 82 'ayes', 9 voting 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 1770, Mr. Cullerton. Mr. Clerk, read the Bill. 1 7 7 0."

Clerk O'Brien: "House Bill 1770, a Bill for an Act in relation to filling of judicial vacancies. Third Reading of the Bill."

Speaker Madigan: "Mr. Cullerton."

Cullerton: "Thank you, Mr. Speaker and Ladies and Gentlemen of the House. This is identical to last year's House Bill

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3230, sponsored by the Speaker which passed the House. It creates the Judicial Vacancy Selection Act for the filling of vacancies on various courts. I move for the adoption of House Bill 1770."

Speaker Madigan: "Mr. Hawkinson."

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

Speaker Madigan: "Sponsor indicates he will yield."

Hawkinson: "Representative, from previous conversation, it's my understanding that there is nothing in this Bill that would abolish any resident Circuit Judges in the downstate circuits. Is that correct?"

Cullerton: "Absolutely not."

Hawkinson: "Thank you."

Speaker Madigan: "Those in favor... Ms... Representative Breslin."

Breslin: "Thank you, Mr. Speaker, Ladies and Gentlemen. With all due respect to the good Sponsor, this Bill isn't any better than it was last year. The whole process is unnecessary for the filling of vacancies. It will be expensive and it will create a whole new bureaucracy. It's unnecessary. I urge 'no' votes."

Speaker Madigan: "Those in favor of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? The Clerk shall take the record. On this question there are 40 'ayes', 52 'nos'. The Bill, having failed to receive a Constitutional Majority, is hereby declared lost. House Bill 2391. The Sponsor is the Speaker to be handled by Representative Bowman. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2391, a Bill for an Act to amend the Law regarding the hiring of handicapped persons. Third Reading of the Bill."

Speaker Madigan: "Mr. Bowman."

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Bowman: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. House Bill 2391 provides that in the event that two persons or at least equally qualified for the job that the handicapped person shall be given preference. I move for passage of 2391."

Speaker Madigan: "Those in favor of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 68 'aye', 22 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. House Bill 2154, Mr. Friedrich, on page 23 of the Calendar. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 2154, a Bill for an Act to amend Sections of the Revenue Act. Third Reading of the Bill."

Speaker Madigan: "Mr. Friedrich."

Friedrich: "Thank you, Mr. Speaker. This Bill is a Bill that came out of Revenue Committee 16 to nothing. It's an agreement between the Farm Bureau, the coal operators and the supervisor of assessment, and it corrects the situation which resolves it because they were having trouble."

Speaker Madigan: "Those... Mr. Cullerton."

Cullerton: "Try to know if Amendment #2 is on the Bill."

Friedrich: "It was adopted, yes."

Cullerton: "It was?"

Friedrich: "It is... No, #2 is not. #1 is the Bill."

Cullerton: "Okay. Thank you."

Speaker Madigan: "Those in favor of the passage of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 93 'ayes', 5 'nos'. This Bill, having received a Constitutional Majority, is hereby declared passed. Mr.

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Bowman, for a Motion. Mr. Bowman"

Bowman: "Thank you, Mr. Speaker. I now move to suspend Rule 37(g) for all House appropriations Bills until Thursday, May 30, 1985 at the hour of 11:59 p.m. That is the Third Reading deadline rule."

Speaker Madigan: "Is there leave? Leave is granted. House Bill 1507, Representative Younge. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1507, a Bill for an Act to amend Sections of an Act to create Minority and Female Business Enterprise Act. Third Reading of the Bill."

Speaker Madigan: "Representative Younge."

Younge: "Thank you very much, Mr. Speaker and Members of the House. House Bill 1507 amends the Minority and Female Business Enterprise Act to authorize the assignment of proceeds of contracts pursuant thereto for the purposes of obtaining financing. Minority and female contractors have difficulty obtaining financing and with the approval of the ability to assign the contract, financing will be... made available through the banking institutions. This Bill does not have a fiscal impact upon the State of Illinois and will help minority contractors complete their contracts."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 49 'aye', 41 'nos'. This Bill, having failed to receive a Constitutional Majority, is hereby declared lost. House Bill 1502, Mr. Keane. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1502, a Bill for an Act to amend Sections of an Act in relation to the construction, operation, regulation and maintenance for the system of toll highways. Third Reading of the Bill."

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Speaker Madigan: "Mr. Keane, before we proceed to that Bill, the Chair recognizes Representative Younge for a Motion on House Bill 1507. The Lady requests Interim Study. Leave is granted for Interim Study. Mr. Keane, on House Bill 1502. Mr. Keane."

Keane: "Thank you, Mr. Speaker. It's an Audit Commission Bill providing for annual rather than semi annual audits by the State Auditor General of the Toll Highway Commission."

Speaker Madigan: "Those in favor of the passage of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question there are 91 'aye', 3 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. Representative... House Bill 1713, Mr. Rea. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1713, a Bill for an Act to amend Sections of the Illinois Emergency Services and Disaster Agency Act. Third Reading of the Bill."

Speaker Madigan: "Mr. Rea."

Rea: "Thank you, Mr. Speaker, Members of the House. House Bill 1713 supported by the Department of Emergency Services and the Illinois Emergency Services Management Association - allows, does not mandate, a unit of government to allocate more monies for emergency services and disaster relief."

Speaker Madigan: "Mr. Mays. Mr. Mays."

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

Speaker Madigan: "The Sponsor yields."

Mays: "Is there a... Is there a referendum provision on this Bill?"

Rea: "There's no referendum. All it does is lift the 25 cents there, but you still have your ceiling of the .05, and this will help the small counties in case of disaster."

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Mays: "I would urge a 'no' vote."

Speaker Madigan: "Those in favor of the passage of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 35 'aye', 52 'no'. This Bill, having failed to receive a Constitutional Majority... Mr. Rea."

Rea: "Leave for Interim Study."

Speaker Madigan: "Leave is granted. The Bill is placed on the Order of Interim Study. House Bill 1790 on page 21 of the Calendar. Mr. O'Connell. Mr. O'Connell. Mr. Clerk, read the Bill."

Clerk O'Brien: "House Bill 1780, a Bill for an Act in relation to lending road fund money to units of local government. Third Reading of the Bill."

Speaker Madigan: "Mr. O'Connell."

O'Connell: "Thank you, Mr. Speaker. This Bill will permit the Illinois Department of Transportation to make no interest or low interest loans to local governments for purposes of capital projects necessitated by a Department of Transportation requirement for an expansion of road or something along those lines."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 61 'aye', 30 'no'. This Bill, having received a Constitutional Majority, is hereby declared passed. On the Order of Consideration Postponed Consent Calendar House Bill 2015, page 33 of the Calendar. Mr. Churchill."

Clerk O'Brien: "House Bill 2015, a Bill for an Act to amend Sections of an Act to provide for the creation setting apart maintenance administration of a working cash fund."

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Third Reading of the Bill."

Speaker Madigan: "Mr. Mulcahey. Mr... "

Mulcahey: "Mr. Speaker, thank you very much. This is another tax increase without referendum, and in case this gets enough votes, I want a verification."

Speaker Madigan: "Okay. Mr. Churchill."

Churchill: "Mr. Speaker, I just wanted a moment to explain the Bill before... "

Speaker Madigan: "Before Mr. Mulcahey interrupted you. Right?"

Churchill: "Yes. I just... I just want to say that presently, there are two counties, namely Cook and DuPage, that have the ability to establish a working cash fund, and recently in a fit of jealousy, the remainder of the counties in the state decided that they would like to join that, too, and that's all this Bill does is allow the remainder of the counties in the state to join Cook and DuPage."

Speaker Madigan: "Those in favor of the passage of the Bill will signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Have all voted who wish? The Clerk shall take the record. On this question, there are 30 'aye', 57 'no'. This Bill, having failed to receive a Constitutional Majority... Mr. Churchill?"

Churchill: "Leave for Interim Study, please."

Speaker Madigan: "Leave is granted. The Bill shall be placed on the Order of Interim Study. House Bill 1448. Mr. Farley. Mr. Farley. Leave for passage of the Bill. Is there leave for passage of the Bill? Those in favor signify by voting 'aye', those opposed by voting 'no'."

Clerk O'Brien: "House Bill 1448, a Bill for an Act relating to collective bargaining agreements. Third Reading of the Bill."

Speaker Madigan: "Mr. Farley to explain his vote."

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

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House. May I have leave to take this Bill back to Second Reading for the purposes of an Amendment?"

Speaker Madigan: "Mr. Clerk, take the Roll Call out of the record. The Gentleman has requested leave to take this Bill back to the Order of Second Reading for the purpose of Amendment. Leave is granted. Mr. Clerk, are there any Amendments?"

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

Speaker Madigan: "Mr. Farley to offer the Amendment."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. Amendment #2 limits the application to companies of more than 100 employees, and I would recommend the adoption of Amendment #2."

Speaker Madigan: "Those in favor of the Amendment say 'aye', those opposed say 'no'. The 'ayes' have it. The Amendment is adopted. Are there any further Amendments?"

Clerk O'Brien: "No further Amendments."

Speaker Madigan: "Third Reading. Is there leave to hear the Bill on Third Reading? Leave is granted. Mr. Farley."

Farley: "Thank you, Mr. Speaker, Ladies and Gentlemen of the House. I would ask for a favorable Roll Call on House Bill 1443."

Speaker Madigan: "Mr. Tuerk."

Tuerk: "Mr. Speaker, the Amendment doesn't make the Bill any better. I'd recommend a 'no' vote."

Speaker Madigan: "Those in favor of the passage of the Bill signify by voting 'aye', those opposed by voting 'no'. Have all voted who wish? Mr. Cullerton to explain his vote."

Cullerton: "Thank you, Mr. Speaker. I understand that this was part of an agreement. I believe Mr. 'Hart' was there and Mr. 'Holden' from the Medical Society, and this is part of the agreement, and the Hospital Association... "

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Speaker Madigan: "The Clerk shall take the record. On this question, there are 47 'aye', 44 'no'. This Bill, having failed to receive a Constitutional Majority, is hereby declared lost. We are now prepared to move the Adjournment Resolution. Before we do that, the Chair would like to inform the members that you still have an opportunity to file a request for Interim Study with the Clerk. So if you are one of those lucky souls with a Bill still on the Calendar, you can be so fortunate as to preserve the life of that Bill by filing a form with the Clerk requesting the Order of Interim Study. On the Order of the Adjournment Resolution, Mr. Clerk, read the Resolution."

Clerk O'Brien: "Senate Joint Resolution 64. Resolved, by the Senate of the 94th General Assembly of the State of Illinois, the House of Representatives concurring herein, that when the two Houses adjourn on Friday, May 24, 1985, they stand adjourned until Wednesday, May 29, 1985 at 12:00 noon."

Speaker Madigan: "Mr. McPike, do you seek recognition?"

McPike: "Move for the adoption of the Adjournment Resolution."

Speaker Madigan: "Those in favor say 'aye', those opposed say 'no'. The 'ayes' have it. The Resolution is adopted. We will provide for a Perfunctory Session, and we will also adopt Agreed Resolutions, and then there shall be a Motion to Adjourn until Wednesday at 12:00 noon. And we shall leave ourselves in the hands of the Clerk, Mr. O'Brien, and his able assistant, Polly."

Clerk O'Brien: "Agreed Resolutions. House Resolution 441, Soliz and Madigan; 442, Soliz; 443, Washington; 445, McMaster; 446, Braun; 447, Vitek; 448, McPike; 449, Washington. House Joint Resolution 57, Friedrich. Senate Joint Resolution 63, Parke; 62, Stange. That's it."

Matijevich: "Speaker, House Resolution 441, Soliz, commends

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Miranda 'Polincho' (sic - Orlando Miranda). 442, Soliz, recognizes a silver wedding anniversary. 443, the 100 voice youth choir. 445, McMaster, Richard... John Richard Coffey. House Resolution 446, Braun, recognizes Frank Williams. 447, Vitek, citation of merit. 448, McPike, Marion... induction into the Marion County Hall of Fame. 449, Washington, recognizes... congratulates Bishop Ford. 57, Friedrich, congratulates Barbara Mehlenbeck. Senate Joint 62 commends Dr. Russell Harvey. And Senate Joint 623, Park, commends Schaumburg Township Committee. I move the adoption of the Agreed Resolutions. All in favor say 'aye', opposed 'nay', and the Agreed Resolutions are adopted."

Clerk O'Brien: "Death Resolutions. House Resolution 450, Flowers, with respect to the memory of Lorraine Johnson. House Resolution 444, Flowers, with respect to the memory of Mrs. Freddie Royster."

Matijevich: "I move the adoption of the Agreed Resolutions, and the Agreed Resolutions are adopted."

Clerk O'Brien: "Messages from the Senate. A Message from the Senate by Mr. Wright, Secretary. 'Mr. Speaker, I am directed to inform the House of Representatives that the Senate has passed Bills of the following title, which I am instructed to ask concurrence of the House of Representatives, to wit; Senate Bills #3, 12, 14, 17, 32, 36, 39, 42, 48, 54, 55, 57, 60, 61, 62, 77, 91, 99, 103, 109, 134, 145, 167, 169, 173, 174, 175, 193, 200, 227, 282, 293, 325, 502, 848, 938, 1031, 1073, 1074, 1093, 1105, 1112, 1129, 1131, 1136, 1144, 1152, 1153, 1156, 1163, 1164, 1165, 1192, 1211, 1215, 1220, 1221, 1239, 1244, 1256, 1260, 1262, 1263, 1267, 1272, 1273, 1278, 1279, 1281, 1286, 1292, 1308, 1311, 1317, 1321, 1338, 1350, 1352, 1358, 1360, 1366, 1367, 1368, 1382, 1391, 1402, 1404, 1405, 1406, 1408, 1410,

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1411, 1414, 1415, 1417, 1422, 1425, 1428, 1429, 1434, 1436,
1442, 1452, 1454, passed by the Senate May 24, 1985.
Kenneth Wright, Secretary."

Clerk Leone: "Senate Bills First Reading. Senate Bill 102,
Didrickson - Mays, a Bill for an Act to amend the
Unemployment Insurance Act. First Reading of the Bill.
Senate Bill 110, Tuerk, a Bill for an Act to amend an Act
concerning public utilities. First Reading of the Bill.
Senate Bill 114, Younge, a Bill for an Act to to amend the
Environmental Protection Act and the Act relating to the
State Fire Marshall. First Reading of the Bill. Senate
Bill 201, Cullerton, a Bill for an Act to amend the
Criminal Code. First Reading of the Bill. Senate Bill
340, LeFlore, a Bill for an Act to amend certain Acts in
relationship to the creation of the Illinois Youth Mines
Program. First Reading of the Bill. Senate Bill 378,
Tuerk, a Bill for an Act to amend the Illinois Vehicle
Code. First Reading of the Bill. Senate Bill 427,
Cowlshaw, a Bill for an Act to amend the School Code.
First Reading of the Bill. Senate Bill 510, Soliz, a Bill
for an Act to amend an Act relating to crime prevention.
First Reading of the Bill. Senate Bill 579, McGann, a Bill
for an Act to amend the Illinois Municipal Code. First
Reading of the Bill. Senate Bill 598, Younge, a Bill for
an Act to amend the Juvenile Court Act and the Bill of
Rights for Victims and Witnesses of Violent Crime Act.
First Reading of the Bill. Senate Bill 610, Vinson, a Bill
for an Act to amend the Illinois Vehicle Code. First
Reading of the Bill. Senate Bill 612, Levin, a Bill for an
Act to amend the Illinois Administrative Procedure Act.
First Reading of the Bill. Senate Bill 613, Deuchler -
Hastert, a Bill for an Act relating to Fox Valley Park
District. First Reading of the Bill. Senate Bill 621,

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Department of Law Enforcement. First Reading of the Bill.
No further business. The House now stand adjourned until
Wednesday, 12:00 noon."

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